The 2016 CSO Sustainability Index
For Sub-Saharan Africa

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Cover photo: Participants gather in advance of a procession in Dar es Salaam, Tanzania, to mark the 2015 launch of 16 Days of Activism Against Gender-Based Violence. The launch was organized by Women in Law and Development in Africa, Tanzania Chapter. / Jessica Padrón, USAID Tanzania
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INTRODUCTION

USAID is pleased to present the eighth edition of the CSO Sustainability Index (CSOSI) for Sub-Saharan Africa. The index describes advances and setbacks in the region’s civil society sector in 2016 through assessments of seven key dimensions: the legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image.

The reports are produced by an expert panel of CSO practitioners and researchers in each country included in this year’s index. The panels assess the seven dimensions of CSO sustainability according to key indicators. They agree on a score for each dimension, which can range from 1 (most developed) to 7 (most challenged). The scores are averaged to produce an overall sustainability score for a given country’s CSO sector. An editorial committee composed of technical and regional experts then reviews the scores and corresponding narratives to ensure that they incorporate consistent approaches and standards so as to allow for cross-country comparisons. The scores are grouped into three overarching categories—Sustainability Enhanced (scores from 1 to 3), Sustainability Evolving (3.1−5), and Sustainability Impeded (5.1−7)—which provide additional comparative benchmarks. Further details about the methodology used to calculate scores and produce narrative reports are provided in Annex A.

The index is a useful source of information for CSOs, governments, donors, academics, and others who want to better understand and monitor key aspects of CSO sustainability in Sub-Saharan Africa. It complements corresponding USAID-supported indices for 2016 that cover countries in Central and Eastern Europe and Eurasia, the Middle East and North Africa, and Asia.

A publication of this type would not be possible without the contributions of many individuals and organizations. We are particularly grateful to our implementing partners in each country, who facilitated the expert panel meetings and wrote the country reports. We also thank the many CSO representatives and experts, USAID partners, and international donors who participated in the expert panels in each country. Their knowledge, perceptions, ideas, and dedication are the foundation upon which this index rests.
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EXECUTIVE SUMMARY

For the eighth year in a row, the 2016 CSO Sustainability Index for Sub-Saharan Africa offers a snapshot of seven key dimensions affecting the sustainability of CSO sectors in Sub-Saharan Africa. This year’s index covers thirty-one countries, including South Sudan, which did not file a report for 2015.

Contextual Crosswinds

Despite Sub-Saharan Africa’s enormous size and diversity, countries in the region experienced several common trends in 2016 that greatly affected the work of CSOs. While some countries, including Côte d’Ivoire, Ethiopia, Rwanda, Senegal, and Tanzania, experienced strong economic growth, many economies were damaged by falling commodity prices and harsh climatic conditions. The worst drought in decades shriveled farmland in Ethiopia, Kenya, Malawi, Madagascar, Nigeria, South Africa, Sudan, South Sudan, and Zimbabwe, causing widespread food scarcity, the loss of livelihoods, and famine. Angola, Democratic Republic of Congo (DRC), Liberia, Mozambique, Nigeria, Sierra Leone, Uganda, and Zambia were hard hit by the collapse of global commodity prices, and sizable currency depreciations contributed to economic downturns in Angola, Ghana, Mozambique, Nigeria, and Zimbabwe. Several reports in this year’s index also single out corruption as a persistent drag on economic performance. Coupled with ongoing constraints on or shifts in donor funding, the challenging economic climate posed acute financial hardships for CSOs, even as demand for their services escalated in many countries because of humanitarian needs inflicted by drought and armed conflicts.

The security situation in Sub-Saharan Africa was mixed in 2016. Burundi was calmer than in 2015, although political violence continued in parts of the country and more than 350,000 refugees had fled to neighboring countries by the end of the year. While Nigeria’s North East region continued to be racked by instability, the Nigerian military scored several important victories in its fight against Boko Haram, including the release of some of the more than two hundred girls kidnapped in 2014. Armed conflicts resumed in South Sudan after a 2015 peace agreement fell apart, with violence recurring in the Darfur, South Kordufan, and Blue Nile regions of Sudan after efforts to restart peace talks stalled. In Mali, despite the conclusion of a peace and reconciliation accord, fighting continued in the northern and central regions, displacing large numbers of people. Long-entrenched tensions between Mozambique’s ruling party and the country’s opposition movement erupted in renewed kidnappings, assassinations, and death threats, while in Ethiopia police and security forces reportedly killed more than five hundred people during demonstrations in Oromiya, Amhara, and southern regions. Burkina Faso was rocked by multiple terrorist attacks. These and other dangerous security situations throughout the region in 2016 caused enormous hardship and sometimes limited the ability of CSOs, governments, and donors to provide food and other basic services to populations in need.
National elections took place in 2016 in nine countries covered by the index: Benin, Burkina Faso, Côte d’Ivoire, Gabon, The Gambia, Ghana, Niger, Uganda, and Zambia. Elections scheduled for 2016 in DRC were indefinitely postponed. The elections were peaceful in Benin, Burkina Faso, Côte d’Ivoire, and Ghana, but in other countries protests occurred when opposition parties or other stakeholders alleged electoral mismanagement or losing incumbents refused to step down. In Zambia, for example, violent demonstrations followed the arrest of opposition leaders and the reelection of the ruling party for another term. In The Gambia the incumbent president rejected his defeat and left office only after CSOs called vigorously for him to step down. In Uganda, where the president won a fifth term, journalists and activists were arrested and social media was shut down on the day of elections. In nearly every country holding elections during the year, CSOs played a vital role in educating voters, hosting discussion platforms for candidates, monitoring the voting process, and preserving the peace, which often helped boost CSOs’ public image. Several reports in this year’s index note that some donors refocused their programs in 2016 to ensure that CSOs were able to take part actively in the election process.

Among the most pronounced trends affecting civil society in 2016 was the continued upswing in social media use throughout many segments of society. Internet access continued to grow in The Gambia, Tanzania, Uganda, and other countries. As the internet becomes more widespread and more affordable, and smart phone use increases, new communication platforms are changing the ways many CSOs work. In Sudan, for example, a growing number of groups communicated through social media to avoid government intrusion, while in Namibia CSOs relied on social media to promote their activities and conduct ad hoc campaigns, such as the Affirmative Repositioning movement, which successfully mobilized young people to demand affordable land. CSOs in Benin used social media during the elections to share information, articles, and reports from election monitors. Importantly, CSOs’ effective social media use was not limited to advocacy efforts. In a new trend in Tanzania, service-providing CSOs used improved internet facilities and smartphones to share up-to-date information with beneficiaries about the availability of medications and market prices for farm products. In Guinea, CSOs that specialize in online communication services have emerged, including the Guinean Bloggers Association, which provides services involving the collection and processing of election-related information. The Gambia, Ghana, and Uganda also report growing social media use by CSOs for activities ranging from public relations to the dissemination of election-related information. Some governments have responded to the proliferation of social media platforms in a heavy-handed fashion. CSOs fear that Ethiopia’s new computer crimes law and Tanzania’s new cybercrimes law offer those governments tools for selectively targeting individuals or organizations they do not like.

It is difficult to obtain reliable statistics on the number of CSOs in many countries of Sub-Saharan Africa. Seven countries covered in this year’s index (Ethiopia, Liberia, Nigeria, Rwanda, South Africa, Tanzania, and Zambia) report that their CSO sectors grew. Ghana reports that the number of CSOs probably shrank. Most other country reports point to a lack of recent or accurate data about the size of their CSO sectors.

General Trends in CSO Sustainability

A look at the scores for the seven dimensions of CSO sustainability in Sub-Saharan Africa reveals several striking patterns in 2016. More than one-quarter of participating countries report a decline in overall sustainability over the previous year. All but two of these countries are in East Africa, where, in fact, seven out of nine countries (Burundi, Ethiopia, Rwanda, South Sudan, Sudan, Tanzania, and Uganda) report an overall decline. Rwanda reports deterioration in every dimension of sustainability, while Burundi and South Sudan report deterioration in six and five dimensions, respectively. Although the reasons for the widespread deterioration are varied, the overwhelming concentration in East Africa of weakened CSO sustainability is cause for concern about the longer-term prospects for civil society in the region.

Outside of East Africa, the only countries reporting an overall deterioration in sustainability are Gabon and Mozambique, which both note poorer performances in four dimensions. Countries reporting declines in multiple areas of sustainability, but not an overall decline, include Botswana (declines in four dimensions), Burkina Faso and Zambia (three) and Angola, Guinea, and Namibia (one).
Against the nine countries reporting poorer overall sustainability, only four countries report an improvement: The Gambia, Mali, Nigeria, and Madagascar. Lifting the overall scores in these countries was outstanding CSO advocacy and, except in Mali, improved infrastructure. Although there was no change in their overall scores, Ghana reports improvements in four dimensions and Zimbabwe in three. Seventeen countries, or more than half of participating countries, report no change in their overall sustainability.

As in all preceding years’ reports, no country in Sub-Saharan Africa reports an overall score that would put it in the highest category of sustainability, Sustainability Enhanced. Overall scores in twenty-one countries of Sub-Saharan Africa fall in the Sustainability Evolving category, while the other ten countries are in Sustainability Impeded. South Africa, followed by Kenya, reports the highest level of sustainability. It is important to note that Advocacy in South Africa reached a score of 3.0, the first country-specific dimension score in Sub-Saharan Africa to cross the threshold into the Sustainability Enhanced category. At the other end of the scale are Angola, Ethiopia, Sudan, and South Sudan, which have the lowest overall sustainability scores. Nevertheless, Angola, South Sudan, and Sudan recorded improvements in advocacy in 2016, which was an impressive achievement in the face of poor legal environments, severely limited funding, and other imposing obstacles to CSO development.

Several other region-wide trends are worth highlighting:

- **A Focus on Service Provision.** The majority of CSOs in Sub-Saharan Africa engage in service provision, and these CSOs generally enjoyed higher levels of funding and easier relationships with governments than advocacy organizations. In 2016, governments were generally supportive of CSOs providing essential services to needy populations and often worked with them to ensure that communities receive the services they need. In addition, the public image of service-providing CSOs tended to be more positive than that of advocacy organizations because of beneficiaries’ appreciation for their services, their greater visibility in communities, and their protection from the kinds of attacks that governments sometimes direct against other types of organizations (especially those engaged in human rights-related work). Altogether, service provision was generally stable in 2016, except in countries experiencing decreasing funding or, less often, conflicts that impede outreach to vulnerable populations. Many countries holding elections report that election-related services were a donor priority during the year. In countries affected by drought and other humanitarian crises, caring for needy populations was also a donor priority.

- **Impressive Advocacy in Difficult Circumstances.** Amid highly-charged political environments and deteriorating security situations, many advocacy organizations experienced intense or increasing pressure in 2016, especially if they were seen as challenging authoritarian governments with activities involving democratization, good governance, or human rights. Many CSO sectors contended with the dual challenge of worsening legal environments and declining funding, which often resulted in decreasing organizational capacity. Yet CSO advocacy throughout the region scored impressive gains in 2016 as organizations built on the skills acquired in recent years to engage effectively in policy, legislative, and electoral processes. In South Sudan, for example, despite significant deterioration in the legal environment, organizational capacity, and funding opportunities, CSOs worked effectively on an arms embargo on the country, the disarming of civilians, and other critical issues. In Angola, CSOs were challenged by burdensome registration requirements and severely limited funding, but their advocacy improved dramatically as they made significant contributions to preparations for the 2017 elections. In Botswana and Zambia, administrative impediments or the selective implementation of laws governing CSOs inhibited the activities of some advocacy CSOs, but CSO-government dialogue increased thanks to the effective use of consultative mechanisms. Altogether, thirteen countries in the region reported improvements in advocacy in 2016. This achievement is one of the most noteworthy developments in Sub-Saharan African civil society during the year.

- **Pervasive Funding Shortfalls.** A theme common to nearly every country report in this year’s index is the difficulty CSOs encounter in acquiring funds. Overwhelmingly dependent on foreign donors
for support, CSOs continue to contend with stagnant or declining funding from their traditional supporters. At the same time, domestic sources of funding have been slow to develop and income-generating activities yield only modest results. This negative dynamic often undermines the organizational capacity of CSOs and the infrastructure serving them, while forcing many organizations to deviate from their missions in the search for funds. Nevertheless, funding pressures are spurring an ever larger number of organizations to develop resilience and agility in their funding approaches. In Gabon, for example, traditional CSOs are shifting to operate more like social enterprises by providing technical assistance to clients.

- **Strength in Collaboration.** A final trend worth noting is the growth in 2016 of coalitions, networks, and similar groupings. Several reports in this year’s index highlight the acceleration of coalition formation, particularly in repressive environments or where donors have demonstrated a preference for dealing with groups of CSOs rather than single organizations. Although sometimes undermined by internal competition or poor management, coalitions, especially if they are issue- rather than funding- based, often engaged effectively in areas of mutual interest and provided valuable training and other support to member organizations. At the same time, small and rural organizations were seen to lose out on funding and other opportunities if they were not coalition members. Given the importance of community-based organizations throughout the region, this trend will be important to monitor in future years.

**Trends by Dimension of Sustainability**

**Legal Environment**

A striking development reflected in the 2016 CSO Sustainability Index for Sub-Saharan Africa is the number of countries reporting a deteriorating legal environment. Fourteen countries, including all countries of East Africa, report that the legal environment was worse than in previous years. In five countries (Mozambique, Rwanda, South Sudan, Tanzania, and Uganda) the deterioration was significant. This development continues a trend noted in the previous year, when the legal environment declined in about one-third of countries covered. In 2016, the legal environment did not change in sixteen countries, and improved in one country, Nigeria, thanks to a new online platform for streamlined CSO registration.

The reasons for the deteriorations varied. In several countries of Sub-Saharan Africa, the legal environment deteriorated in 2016 because of new laws that had negative implications for CSO operations. For example, in Burundi several laws were passed that included provisions mandating new membership requirements for faith-based organizations and new financing requirements for international CSOs. The Ugandan government approved a new NGO Act that some CSOs fear will be used to clamp down on organizations working on sexual and minority rights. Ethiopia introduced a computer crimes law that CSOs worry will allow for selective targeting of individuals based on normal social media use. A similar fear played out in Tanzania, where the founder of a popular online whistleblowing platform was arrested under a new cybercrimes law after he refused to surrender members’ personal data.

In other countries the laws governing CSOs did not change, but existing laws were implemented more stringently. More restrictive implementation of registration requirements was reported in Angola, DRC, Ethiopia, Kenya, Rwanda, and Sudan. For example, in Kenya, in anticipation of elections in 2017, the NGO Coordination Board more strictly vetted organizations seeking to register. Angolan CSOs were required to update their registrations in 2016, but many organizations were unable to obtain the required documentation to do so and therefore faced penalties of suspension or even closure. In Sudan, new procedures allowed the Humanitarian Aid Commission, the main registering body, to suspend a CSO’s activities until its annual re-registration is completed, which in some cases took up to six months. Authorities in DRC indefinitely suspended the registration of all new organizations in 2016, justifying this step with the argument that some faith-based organizations had exceeded their mandates by engaging in political activity (although making an exception to this policy in the case of two organizations). In Ethiopia, the main oversight body, the Charities
and Society Agency (CSA), introduced a grading system reflecting CSOs’ compliance with legal directives and announced that it would begin to take more stringent action against non-compliant CSOs.

State-sponsored harassment of CSOs, especially advocacy organizations, was reported in a number of countries, many of which also experienced serious political and security conflicts. For instance, Mozambican CSO leaders and journalists working on issues of debt, corruption, and decentralization experienced harassment ranging from anonymous warnings to a kidnapping and death threats. In Zimbabwe, the police detained protest movement leaders, temporarily banned protests in Harare, and beat, arrested, and seized the property of media practitioners. Gabonese CSO workers were subject to arrest, detentions, and other human rights violations in a tense pre- and post-election environment, and similarly in Rwanda, as presidential elections approached in 2017, the government became increasingly intolerant of dissenting opinions, and CSO activists and journalists contended with harassment and threats to their lives. In Uganda, the offices of five human rights organizations were broken into and twenty-five women were arrested as they prepared a petition opposing changes in the mandatory retirement age for judicial officers and electoral commissioners. South Sudanese CSOs were required to submit workshop agendas to the authorities in advance and security personnel often sat in on their meetings, while Zambian organizations working on governance issues faced intimidation and attacks in the media and the authorities continued to use the Public Order Act to inhibit public meetings. Journalists, human rights defenders, and other civil society actors were also detained or arrested in Ethiopia, Madagascar, Sudan, and Tanzania.

**Organizational Capacity**

Only three countries in Sub-Saharan Africa—The Gambia, Madagascar, and Zimbabwe—reported improved organizational capacity in 2016. In Zimbabwe, CSO organizational capacity strengthened during a large wave of public protests, when organizations rethought their strategies for mobilizing constituencies and used social media more effectively for public outreach. In The Gambia, CSOs’ organizational capacity was strengthened as organizations rapidly expanded their constituencies by offering new benefits to members, including access to credit unions.

In nine countries, organizational capacity deteriorated, often because of funding shortfalls and the nearly ubiquitous challenge of retaining qualified staff. About half of the reports for 2016 (Botswana, Burkina Faso, Burundi, Guinea, Kenya, Malawi, Mozambique, Namibia, Nigeria, Rwanda, Senegal, South Sudan, Tanzania, Uganda, and Zambia) mention staffing deficits as a key impediment to organizational growth, brought about by low pay, an inability to hire employees on anything other than a project-by-project basis, and an overreliance on junior staff and volunteers. These challenges are invariably linked to declining donor funding and donors’ preference for providing project-based funding that covers neither core costs nor organizational development.
CSOs in Niger and Mali report losing highly-qualified staff to international CSOs, while in Kenya and Rwanda the government sometimes refused to issue work permits for foreign staff.

Another common challenge in 2016 was poor constituency building. A variety of factors contributed to this difficulty. For example, difficult political and security situations impeded the growth of CSO constituencies in Rwanda and Mozambique, while in sparsely-populated Namibia, urban-based organizations often failed to engage meaningfully with indigenous constituencies or bypassed consultations with targeted beneficiaries because of the complex project frameworks favored by international partners. In Malawi, public support for CSOs’ advocacy initiatives was generally weak and potential supporters often expected to receive incentives such as t-shirts or bicycles. On the other hand, CSOs’ relationships with constituencies was strong in Kenya, where CSOs used community scorecards and citizen report cards to engage communities in holding governments responsible, and in South Africa, where larger organizations often relied on membership structures to build support. Some Namibian CSOs are exploring more effective methods of reaching isolated beneficiaries, such as mobile clinics that deliver health care services. Other countries reporting innovative approaches to constituency building in 2016 include Tanzania, where the CSO HakiElimu established a database of community representatives to serve as a platform for a civic movement furthering education at the grassroots level, and Zambia, where an election-related initiative encouraged the participation of women as both candidates and voters.

Many countries covered in this year’s index report that most CSOs have clearly defined missions but often are diverted from them in the search for funding. Reports from across the region suggest that CSOs do not engage seriously in strategic planning. Only Uganda, Ghana, and The Gambia report that a significant number of CSOs pursue strategic planning as a guide to decision making and an indicator of professionalism. Elsewhere the small numbers of organizations having strategic plans often had to shelve or deviate from them in 2016 because of a lack of funding for anticipated projects or the need to ensure their survival by accepting funding for projects not included in the plans. The report for Mali notes that CSOs have given up on strategic planning in the face of volatile financial resources, which has pushed them into serving as sub-contractors for international CSOs, thereby reducing their autonomy in designing projects that respond appropriately to the needs of their communities.

Financial Viability

CSO sectors in Sub-Saharan Africa continue to struggle with financial viability. In eighteen countries this was the weakest dimension of sustainability, often by a wide margin. Of the thirty-one countries covered in this year’s index, eleven countries (Botswana, Burkina Faso, Burundi, Ethiopia, Gabon, Guinea, Mozambique, Rwanda, South Sudan, Tanzania, and Zambia) reported declines in financial viability, as compared to eight
countries in 2016. Of the countries reporting poorer financial viability, three report significant drops. The only country reporting improved financial viability was Ghana, thanks to the resumption of funding by STAR-Ghana, the main multi-donor pooled funding mechanism.

The vast majority of CSO sectors in Sub-Saharan Africa continue to rely heavily, often exclusively, on foreign sources of funding. Some countries report that organizations’ access to foreign funding differed markedly depending on whether their area of focus aligned with donors’ priorities. For example, in Madagascar donor money flowed to CSOs working in the drought- and famine-affected south. Kenyan CSOs working on public policy had a hard time finding funds unless they were focused on devolution and accountability, while Malawian organizations not involved in the humanitarian crisis were forced to scale back their operations. In South Sudan donors shifted funding from advocacy to humanitarian assistance, and in Zambia CSOs that were not engaged in the elections received reduced funding from their traditional donors.

Changes in donor priorities also posed funding challenges for certain sub-sectors of CSOs. Many countries, including Kenya, Namibia, and Zambia, single out donors’ unwillingness to provide CSOs with long-term or core support as particularly harmful to smaller and emerging organizations, which often lack diversified resource bases. In Malawi and Sierra Leone, organizations without links to international partners experienced difficulty in accessing funds, as donors are increasingly reluctant to fund domestic CSOs directly, unless they are in coalitions. In Rwanda, umbrella organizations increasingly implement donor-funded projects directly rather than re-grant funds to member organizations, which has left many member CSOs financially unstable, especially in rural areas. The report for Côte d’Ivoire notes that donors increasingly prefer to fund groups of CSOs rather than individual organizations. Specific local factors also contributed to the financial decline of CSOs. For example, in South Sudan the collapse of the banking sector exacerbated the financial distress of many CSOs, and in Guinea CSOs working on the Ebola response received decreasing levels of funding as donor responses to the crisis wound down.

The decline in foreign funding was offset in a few countries by growth in domestic sources of funding in 2016. For example, private and public Nigerian foundations helped CSOs in the North East region offer humanitarian assistance to internally displaced persons (IDPs), and Ugandan cultural institutions partnered with banks and telecommunications companies to raise funds for girls’ education and other causes. In South Africa, where the government and corporations are generous funders, a pilot project was launched for a promising new source of funding, called social impact bonds (SIBs), through which socially motivated investors pay for social services up front and then are repaid if predetermined targets are met. Zimbabwean CSOs found a new source of funding in the diaspora, which donated money to help incarcerated protesters.
Earned income is minimal for most Sub-Saharan African CSOs. Organizations in many countries earn modest amounts from selling products, renting premises, or providing services such as consulting. However, income from membership fees is usually small and in several countries in 2016 declined as a reliable source of funding as member organizations contended with financial distress and failed to pay fees. In countries that allow CSOs to compete for government contracts, organizations often fail to do so because of a lack of information or necessary skills. However, some CSOs continued to explore new income streams in 2016. For example, in Niger CSOs have begun to create cyber cafes and business centers where individuals pay to access information and communications technologies; in Gabon CSOs earn income by charging fees for technical assistance; and in Benin a CSO publishes a civic education manual that it sells to schools.

**Advocacy**

Sub-Saharan African CSOs made more gains in advocacy than in any other dimension of sustainability in 2016, with thirteen countries reporting improvement during the year, in four cases (Angola, Botswana, Madagascar, and South Africa) to a significant degree. For Sudan it was the best year for advocacy in recent history, thanks to the emergence of new groups able to use social media effectively in waging campaigns to prevent increases in the price of medicine, stop demolition of squatter settlements, and other important issues. In Côte d’Ivoire CSOs helped draft the country’s new constitution, which recognizes the role of civil society as an important pillar in democracy and the rule of law. Beninese, Gabonese, Gambian, Ghanaian, and Zambian CSOs played an important role during the 2016 elections, and Senegalese CSOs contributed to the design of several public projects, including an important land reform policy. Kenya and South Africa also reported robust CSO engagement in government policy processes. Liberian CSOs advocated skillfully on issues related to the environment, the extractive sector, and education. Nigerian CSOs took advantage of the government’s new willingness to collaborate with them to work on environmental issues, the public budget, and water, sanitation, and health. In Botswana CSOs worked with the government to help set national priorities and resource allocations. In Mali CSOs took part in the Truth, Justice, and Reconciliation Commission and contributed to the constitutional reform process. Angolan CSOs consulted with ministerial departments, municipal administrations, and individual politicians as the election season geared up.

In other countries advocacy was weak or declining for varying reasons. In Mozambique, Rwanda, and Tanzania, government harassment and the suppression of freedom of expression and assembly prompted many advocacy organizations to avoid provocative actions or to engage in self-censorship. In Burundi, the ruling party labeled CSOs working in human rights and governance as the opposition, thereby forcing some CSO leaders into exile. Malawian CSO advocacy lacks cohesion and can be disorganized and contradictory, whereas Namibia’s political culture is not organized toward participation and thus advocacy activities are weak.
While many CSOs in Sub-Saharan Africa have limited understanding of the concept of lobbying, this trend may be gradually changing. In Zambia, for example, CSOs are comfortable with the concept of lobbying and worked effectively on many pieces of legislation, including the Gender Equity and Equality Act, Early-Child Marriage Act, and amendments to the Electoral Act. CSOs in Senegal lobbied successfully for the adoption of the Tobacco Act regulating the manufacture, packaging, and sale of tobacco products. In DRC CSOs helped ensure passage of laws on hydrocarbons, mutual support societies for healthcare, and a national equalization fund, while Malagasy CSOs worked successfully against the deregulation of cigarette imports and against the adoption of a bill establishing a special court on economic, financial, and tax crime, which they had not helped to draft. South Sudan also reports that CSOs are gradually beginning to understand and engage in lobbying with modest success.

Advocacy to improve the legal environment for the CSO sector was varied. Seeking to create a more enabling environment, Kenyan CSOs filed contempt of court proceedings against the government to force implementation of the 2013 Public Benefits Organization Act, which the High Court ordered the government to implement in 2017. In Uganda and South Sudan CSOs raised awareness about the implications of the new laws governing CSOs; Angolan and Ethiopian organizations met with government officials to address some of the sector’s concerns; Nigerian CSOs convened a national forum to discuss regulatory constraints and possible solutions; and Sierra Leonean CSOs worked against the passage of a draconian new NGO policy. However, in other countries, such as Malawi, Sudan, Mozambique, and Zambia, CSOs did not engage in this area, in part because they lacked information about the legal framework or believed that the responsibility for legal reform lies elsewhere, as with umbrella organizations.

**Service Provision**

Service provision is the main area of activity of many Sub-Saharan African CSO sectors and was the most stable dimension of CSO sustainability in 2016. Service provision improved significantly in Senegal, thanks to an upswing in the award of contracts to CSOs from the government and donors, and in The Gambia, where CSOs have supplanted the government as the main provider of services in a broad range of areas. CSO service delivery also was stronger in Nigeria, where CSOs distributed food and supplies to IDP camps in the North East, and Zimbabwe, where CSOs quickly provided emergency relief to protesters detained and arrested during a violent clampdown. Only Burundi, Rwanda, South Sudan, and Tanzania reported declines in service provision, mainly because of decreases in funding or, in the case of South Sudan, CSOs’ inability to keep up with spiraling humanitarian needs.

CSOs in all countries covered by the index provide essential services in education, the environment, health, livelihoods, water and sanitation, women’s empowerment, and other areas. In 2016, responses to humanitarian crises dominated the activities of organizations in Ethiopia, Madagascar, Malawi, Mali, Nigeria, and South Sudan. Health-related concerns, especially the side effects of Ebola survival and the needs of survivors, were the main focus of CSOs in Liberia. In Namibia, HIV/AIDS was a chief concern, although service delivery to lesbian, gay, bisexual, transgender, and intersex (LGBTI) groups was difficult because of their widespread social exclusion. In Zimbabwe low-profile mobile vans managed to offer health services to the LGBTI community.

CSOs involved in service delivery faced a number of challenges in 2016. Declining funding was the most frequently mentioned impediment. Additionally, in Sudan the government failed to fulfill its commitment in technical agreements to cover the costs of transportation and accommodations for local organizations, which had to pay for these charges themselves, while in South Sudan donors’ earmarking of specific regions to receive services limited the scope of CSOs’ outreach to vulnerable communities. In Mozambique the flight of teachers and nurses from health centers and schools prevented service provision in areas of conflict, while in Mali humanitarian service providers in areas of conflict had to be accompanied by armed escorts.
In general, CSOs in the countries covered in this year’s index respond to community needs in providing services, since organizations typically either originate in local communities or conduct assessments to evaluate needs. In Mozambique, for example, CSOs rely on community scorecards and other social accountability tools to ensure that the services they offer are relevant, while in Senegal CSOs work closely with local communities to identify needs, develop solutions, and engage in monitoring initiatives. Some countries, including Benin, Gabon and Mali, report an occasional disconnect between community needs and the services provided, mainly because some donor-driven projects do not canvass beneficiary populations before delivering services.

Whether because of law, custom, poverty levels, or donor requirements, the vast majority of CSOs in Sub-Saharan Africa do not charge for their services. However, shrinking funding is prompting CSOs to explore new avenues to cost recovery. In Zimbabwe, for example, service-providing organizations have begun to request small donations from local households and employ social enterprise models such as selling livestock to fund their work. Senegalese CSOs conduct studies and research for fees.

CSO-government partnerships in service delivery are common. In Botswana, for example, the national development plan recognizes the strategic role of CSOs in service delivery and the government supports and funds collaboration with CSOs. Even in countries where government harassment of advocacy CSOs is reported, CSO-government cooperation in service provision is often productive. Such countries include Mozambique, Rwanda, South Sudan, Uganda, and Zimbabwe.

Infrastructure

The infrastructure for CSOs experienced mixed growth in 2016. An improved infrastructure was reported in The Gambia, Ghana, Madagascar, Nigeria, Senegal, and Zimbabwe. For example, in Nigeria CSOs worked effectively in coalitions and their partnerships with business and media also flourished, while in Senegal issue-based coalitions offered their members valuable opportunities for information exchange, training, and technical support. In seven countries (Botswana, Burundi, Namibia, Rwanda, South Sudan, Sudan, and Uganda) infrastructure declined, often because of resource constraints and resulting drops in the level of training and other support. In Namibia the only resource center serving CSOs wound down operations because of a lack of funding, and in Burundi, CSOs were unable to organize large-scale training activities, also because of funding shortfalls.

High levels of collaboration among CSOs were reported in several countries. For example, in Gambia, Liberia, Madagascar, and Sierra Leone, CSOs engaged effectively in networks and coalitions to build capacity, advocate,
and implement projects. In Zimbabwe the power of coalitions was demonstrated as CSOs coordinated quickly to mobilize the public during protests and respond to needs for emergency services. In some countries donors have actively encouraged the accelerating formation of consortia. For instance, in Kenya donors seem to prefer to fund and work with groups of CSOs rather than individual organizations, and in Mali donors have required international CSOs to work in consortia with domestic organizations. In some countries coalitions and networks were weak or under stress in 2016. For example, consortia were reported to be undermined by suspicions of infiltration by security agents in South Sudan; to be suffering from limited funding in South Africa, Sudan, and Zambia; to be plagued by weak governance in Tanzania; and to have declining memberships in Botswana.

Intersectoral partnerships produced mixed results in 2016. In The Gambia, Guinea, Liberia, Madagascar, Nigeria, Tanzania, and Uganda, partnerships with the government were good or improving. Governments in those countries appreciate CSOs’ service provision and partnerships with them are growing more productive. In some countries, such as Zimbabwe and Mozambique, governments are reluctant to enter into partnerships with advocacy organizations engaged in work they regard as a threat. CSOs’ relationships with national governments are hostile, non-productive, or, at best, bureaucratic in Ethiopia, Rwanda, and Sudan. CSOs’ relationships with business tend to be underdeveloped throughout the region, whereas their relationships with media are usually more productive.

**Public Image**

The public image of CSOs was generally better in 2016 than in previous years. Benin, Botswana, The Gambia, Ghana, Nigeria, South Africa, and Tanzania reported improvements in CSOs’ public image, usually because of increased media coverage and improved public perceptions. Only Gabon, Rwanda, and Uganda reported declines, in large part because of CSOs’ negative image in the eyes of government officials and the public.

Positive media coverage was reported in Benin, Gambia, Ghana, Mozambique, Mali, Nigeria, South Sudan, and Tanzania. For example, Beninese CSOs were widely lauded for their diverse roles in the election process. In Kenya, Namibia, Niger, Nigeria, Sierra Leone, and Zimbabwe, the media often relies on CSO leaders to provide expert opinions on current issues. Sudan, in contrast, reports that the government continued to seek systematically to destroy the image of CSOs through print and broadcast media, which it dominates. CSOs in DRC must pay for coverage in most local media, which limits positive reporting since most organizations are unable to afford the fees.
Public perceptions of service-providing CSOs were generally positive, since communities benefit directly from their presence. In general, advocacy CSOs have more negative reputations, often because of the distasteful images that hostile governments purvey of them or their failure to connect meaningfully with constituencies. In addition, the reputation of CSOs as neutral arbiters or defenders of public freedoms can be undermined if they are involved in opposition groups or political movements, as in Burkina Faso and Madagascar.

Nevertheless, some advocacy organizations enjoyed better reputations in 2016. For example, in The Gambia public perceptions improved after CSOs took a determined stance against the president’s refusal to leave office, and in Ghana CSOs’ public image was lifted by media coverage of their election-related activities.

A number of countries (for example, Côte d’Ivoire, DRC, Gabon, Liberia, Mozambique, Namibia, Rwanda, South Sudan, and Sudan) note that the public is not well informed about the role of CSOs, especially in advocacy and policy-making, which the public can perceive as overly politicized. Across the region, government views of CSOs range from generally positive (of service-providing organizations) to negative or even hostile (of organizations engaged in human rights and democracy). Business sectors are by and large indifferent to CSOs or sometimes see CSOs as working against their interests. However, in some countries companies are gradually engaging with civil society. In Madagascar, for example, most large domestic and international companies have corporate social responsibility (CSR) programs that fund projects on topics ranging from women’s cancers to environmental protection. The CSR programs of mining companies in Guinea finance CSO projects that offer support to local communities and seek to mitigate the effects of mining on the environment.

Few CSO sectors in Sub-Saharan Africa engage in effective self-regulation. Only Burkina Faso reports that CSOs have a code of conduct and their implementation of it is monitored and reported on annually by a national committee. However, in 2016 this typically minimal approach to self-regulation showed signs of change. Sixty-two organizations in Ethiopia adopted a code of conduct developed by the Consortium of Christian Relief and Development Associations, and 183 CSOs in South Africa have subscribed to the eight fundamental values and principles of the Independent Code of Governance for Non-Profit Organizations. Mozambican organizations jointly drafted and disseminated a code of conduct for CSOs; Tanzanian organizations took steps to better self-regulate through the National Council of NGOs; and Zimbabwean CSOs considered a self-regulatory mechanism pioneered by the National Association of NGOs. Kenya reported that self-regulation is gaining traction, and Nigeria has a new code of corporate governance that will be adapted to CSOs and is expected to provide a strong foundation for a sector-wide code of ethics.
Conclusion

The 2016 CSO Sustainability Index for Sub-Saharan Africa reflects a complex, rapidly changing region, in which CSOs make vital contributions to service provision and advocacy but face daunting hurdles, including financial insecurity and threats from non-supportive or hostile governments. Thousands of devoted employees, volunteers, funders, community members, and other supporters ensure that the CSO sector maintains a leadership role in realizing prospects for change and development in the region. We hope this index provides a useful record of the achievements and challenges of the CSO sector in 2016 and provides some reference points for its development in the years to come.
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Although Angola’s economic growth was stable in 2016, the country’s overall economic situation remained poor. Public debt increased significantly as the annual inflation rate reached more than 40 percent and the kwanza depreciated steeply against the dollar. Amid signs of a slowdown, Angola’s GDP growth was estimated at only 1 percent. The poor quality of housing and healthcare continued to cause discontent among many Angolans. Global prices for oil, Angola’s main export, rebounded following their sharp drop in 2014 but did not achieve a full recovery to pre-2014 levels.

As the country prepared for general elections in 2017, voter rolls were updated and voter registration began to

take place. There was considerable concern among some politicians, civil society actors, and opinion leaders that the elections would not be fair. Nevertheless, CSOs were willing to support the electoral process, and some organizations developed civic education initiatives. As pre-election campaigning began, politicians and other government decision makers were more open to attending meetings with CSOs and listening to their concerns.

The government took steps to amend its human rights record in 2016. The Supreme Court overturned the conviction of human rights activist Marcos Mavungo, who had been charged with “incitement to rebellion and violence,” and seventeen activists who had been convicted after discussing democracy and peaceful protest at a book club meeting were released and pardoned under an amnesty law. However, CSOs continued to encounter obstacles in their operations. For example, since a restrictive law was introduced in 2015, Angolan CSOs have had to declare the origin of their funds and wait for approval from the Institute of Promotion and Coordination of Aid Communities (IPROCAC) before implementing projects. In 2016, banks disbursed funds to CSOs in depreciated kwanza rather than dollars, and the bank accounts of some human rights organizations were blocked.

Overall CSO sustainability did not change in 2016. While the legal environment worsened with continued implementation of the 2015 law, CSO advocacy was impressive, especially with respect to pre-election issues and Angola’s first international conference on natural resources. Other dimensions of CSO sustainability were largely stable in 2016.

No recent information is available about the number of CSOs operating in Angola. In 2014, the Minister of Justice and Human Rights reported that 228 domestic and 73 international CSOs, or a total of 301 organizations, were registered. The accuracy of this number cannot be verified, and many observers believe that the number of active organizations is actually much lower.

**LEGAL ENVIRONMENT: 6.2**

The legal environment deteriorated in 2016 as CSOs faced increasing problems with the implementation of Presidential Decree No. 74/15 on the Regulation of Non-Governmental Organizations (NGOs), which was approved in 2015.

The registration process continued to be burdensome in 2016. Presidential Decree No. 74/15 assigned the supervision of CSOs to IPROCAC. The institute was given significant powers to define priority areas for CSO interventions, guide their program implementation, supervise their operations, and restrict their access to funding. Under the new law, IPROCAC required all CSOs to update their registrations under penalty of suspension or closure and to register with the Ministries of Justice and Human Rights (MJHR) and External Affairs (MEA). While some organizations, such as Adventist Development and Relief Agency (ADRA) and Development Workshop (DW), already had MJHR certificates and were able to re-register easily, most CSOs were unable to comply with this requirement because of the long wait for certificates from MJHR. Between November and December 2016, after repeated meetings with IPROCAC and MJHR, about ten organizations—including the Alliance for the Development and Promotion of the Commune of Hoji-Ya-Henda (APDCH), Works for Community Development (OCODE), National Counseling Center (NCC), and Youth Forum for Health Support and AIDS Prevention (FOJASSIDA)—were able to complete their re-registrations.
During the year, several organizations experienced operational difficulties as a result of the new regulations. APDCH, SOS Habitat, and other CSOs were unable to obtain funding because they lacked registration certificates, which some donors started to require as a condition for financing projects. The bank accounts of Omunga, SOS Habitat, and the Human Rights Coordination Council have been blocked since 2015, and several CSOs, such as SOS Habitat, which promotes the right to land and housing of socially and economically disadvantaged communities, were told by their banks without explanation to change the location of their accounts. Organizations with a strong focus on human rights sometimes found it difficult to implement activities. For example, Rede Terra (Land Network) was effectively prevented from carrying out an activity involving conflicts over land between local inhabitants and business interests in Cela, Kwanza Sul province, because a municipal administrative office permitted the activity too late.

CSOs are not permitted to obtain income from the provision of services or sale of products. However, under a new law on public procurement passed in 2016, some organizations have begun to earn income by providing consulting or other services to public managers and municipal administrators. Under Presidential Decree 193/11, CSOs may obtain public interest status, which makes them eligible for funding through the national budget. However, only a few CSOs with connections to the ruling party, including the Eduardo Dos Santos Foundation (FESA) and Union of Local Associations of Angola (AMANGOLA), have been granted public interest status.

CSOs must register with the General Tax Administration, which is under the Ministry of Finance. They may import only those items needed for their projects that are unavailable in Angola. CSOs are supposedly entitled to reduced rates, grace periods, and partial payment of taxes on items required for project implementation. However, no CSOs reported receiving this benefit in 2015, as the state usually calculates the exemptions and then counts them as its own contribution to CSO projects.

Legal support for CSOs continues to be weak, and few lawyers are familiar with CSO law. However, in 2016 CSOs obtained legal advice as they prepared a lawsuit claiming that portions of Presidential Decree No. 74/15 are unconstitutional, and their lawyers submitted the application to the constitutional court on their behalf.

**ORGANIZATIONAL CAPACITY: 5.8**

The organizational capacity of Angolan CSOs did not change in 2016, although many organizations have been unable to adapt their approaches to contextual changes in the country and new donor priorities and have had to cease operations as a result.

In 2016, several organizations performed accountability exercises with their constituents. For example, SOS Habitat held an assembly to renew its mandate and install new governing bodies, and ACAPS, which supports the humanitarian community with needs assessments, hosted a meeting with constituents to strengthen partnerships between the Association of Water and Sanitation Committees and the government for better management of water services.

Many organizations continue to have weak internal procedures and accountability practices to guide their operations. Few organizations have strategic plans. This is particularly true of smaller organizations, which tend to lack the technical capacity and funding needed to engage in strategic planning. The few CSOs that have strategic plans usually find it difficult to implement them because of funding shortfalls.

Most CSOs are unable to retain personnel because of limited funding. Many organizations did not have any projects or staff in 2016.
Access to the Internet remains a problem for most organizations, especially in peri-urban and rural areas. In 2016, many organizations were unable to pay for internet services, since they no longer had funded projects that covered the cost of subscriptions.

**FINANCIAL VIABILITY: 6.3**

The financial support available to CSOs did not change significantly in 2016. Although few foreign donors operate in Angola, they continued to be the main source of funding for CSOs. The European Union (EU), United Nations Development Program (UNDP), Norwegian Church Aid (NCA), and Open Society Initiative for Southern Africa (OSISA) issued calls for proposals in 2016. Among the organizations securing funding were APDCH, Rede Terra, Women Platform in Action (PMA), World Vision, Doctor World, and People in Need. Donor-funded projects focused on areas such as economic empowerment, women’s empowerment, participatory governance, research, and land conflicts. Some donors require CSOs to be registered with IPROCAC, which meant that many organizations were unable to apply for funds.

Little domestic funding was available for CSOs in 2016. Some organizations obtained donor funding channeled through government ministries to support voter education projects and other pre-election activities. A few companies, such as BP, KixiCrédito, and Chevron, provided funding to CSOs in the framework of their corporate social responsibility (CSR) programs, and several cooperative agencies supported small-scale CSO activities. Otherwise, support from the private sector, private foundations, and individuals was not available. Several organizations turned down funding from political parties so as not to compromise their missions.

CSOs did not conduct fundraising campaigns in 2016. CSOs generally do not charge membership dues, which therefore are not a source of income.

The financial management systems of most organizations remain weak. Only larger organizations, including DW, Mosaiko, and APDCH, produce audited financial reports to meet donor requirements. ADRA is known for having transparent management practices and regularly publishes reports on its website and promotes internal accountability processes.

**ADVOCACY: 5.3**

Advocacy by Angolan CSOs improved significantly in 2016. Although the mechanisms for consultation and dialogue between the government and CSOs are still deficient, the pre-electoral framework introduced in 2016 required ministerial departments and municipal administrations to consult with CSOs before defining strategic goals for public policies. In addition, as pre-election campaigning began, politicians and governmental decision makers were more open to meeting with CSOs and listening to their concerns. An important milestone for civil society was the Eighth National Civil Society Conference Annual Plenary, which took place in Uige in December with a theme of participatory cohesion and inclusion. The conference brought together about 180 CSO representatives with traditional leaders, university professors, students, researchers, professionals, and government officials to address the role of civil society in the elections. A separate conference organized by the Free Hands Association, Women’s Journalists Forum, and Justice, Peace, and Democracy (AJPD) aimed to ensure that the pre-election speeches of political parties preserved public peace. These
organizations also sought to encourage politicians to accept election results and urged people to register and
vote. The Adult Education Association, FOJASSIDA, and OCODE cooperated with the Ministry of Family
and Women Promotion and women parliamentarians to create a women's political group.

Angolan CSOs carried out several other successful initiatives in 2016. An important effort was Angola’s first
international conference on natural resources in November, organized by AJPD, AJUDECA, ADRA, Center
for Study and Scientific Research of the Catholic University (CEIC), Council of Christian Churches in Angola
(CICA), Mios Livres, Mosaiko, and other CSOs, with the support of NCA and OSISA. Public- and private-
sector representatives and CSO leaders from South Africa, Democratic Republic of Congo, Mozambique, and
Zimbabwe attended the conference, which resulted in the creation of a national platform for communities, the
government, churches, and the private sector to propose solutions for improved governance in the natural
resources sector. In cooperation with Search for Common Ground and with funding from the British Embassy,
AJUDECA worked on introducing a code of conduct for multinational companies in the diamond-rich region
of Lunda Norte. Several organizations met to discuss the government's proposed national spatial planning
policy and offered proposals that incorporate community concerns. Other achievements included a new
collection called the Group of CSOs for Participatory Budgeting (GOSCOP), which came together to work on
budget monitoring; the cooperation of women journalists and Rede Terra on organizing sixteen days of activism
in March; and Rede Terra’s submission of comments on a proposed land law.

On the local level, recent amendments to a law on local state administration provide little guidance on
mechanisms for dialogue between local government and CSOs, and few municipal administrations engage
CSOs in decision making.

In 2016, CSOs engaged in several initiatives aimed at reforming the restrictive legal environment in which the
sector operates. Rede Terra, NCC, and SOS Habitat formed a thematic coalition that requested the
Constitutional Court to eliminate provisions of Presidential Decree No. 74/15 that the coalition believes violate
the constitution and the 2012 Law on Private Associations—for example, by requiring organizations to register
with IPROCAC. The request was still pending with the Constitutional Court at the end of the year. In addition,
human rights organizations organized a national forum with the Ministry of Justice that was attended by more
than three hundred CSO representatives. CSOs explained the various constraints they face in implementing
their projects, especially the bureaucratic obstacles imposed by Presidential Decree No. 74/15. The Secretary
of State for Human Rights acknowledged that the participation of CSOs in public life is essential and civil
society’s opinions and contributions must be taken into account for optimal decision making. Finally, CSOs in
Luanda organized a meeting with IPROCAC and MJHR to review criteria for obtaining MJHR certificates and
IPROCAC registration.

**SERVICE PROVISION: 5.3**

Although the lack of government funding and the withdrawal of some international donors from Angola undermined
CSOs’ service provision in 2016, CSOs continued to provide services in such areas as education, health, and the
reconstruction of water systems. For example, World Vision started to rehabilitate three fountains in Caala, Huambo
Province. The Anglican Church, in partnership with Catholic Bishops’ Agency for Development in Angola and with
support from USAID, began a three-year project to improve water supplies, construct latrines and handwashing stations, and recruit community health agents in eighty-one communities in Songo. During the year some organizations that had previously pursued advocacy approaches
to improve service delivery turned to more traditional projects providing services in education, health, and
other areas. Many community organizations and other CSOs registered with the National Electoral Commission
(CNE) so that they could take part in the voter education campaign.
CSOs involve communities in service provision by promoting and strengthening community groups. CSOs are not permitted to obtain income from the provision of services or sale of products.

CSOs have created a few partnerships with the government to ensure project sustainability and adequate technical expertise. For example, DW trained technicians from the municipal administrations of Huambo, Bie, and Benguela on the proper handling of land records.

**INFRASTRUCTURE: 5.8**

There are few resource centers or libraries in Angola that offer organizations an opportunity to conduct research or meet to exchange information. ADRA, DW, AJPD, Mosaiko, and Omunga are among the few organizations that have space for such purposes. There are no local grant making organizations in Angola.

As financial resources dwindle and donors grow scarcer, Angolan CSOs increasingly work in networks and coalitions. Many networks are thematic in focus and serve as clearinghouses for information and expertise. In 2016 two notable new networks were created: the Group on Natural Resources Angola (COTA), which focuses on natural resource use, and GOSCOP, which encourages participation in public budgeting. GOSCOP plans to disseminate budgetary data and analysis to CSOs to help improve the quality and credibility of their work, in addition to other types of support for its member organizations.

Because of a lack of funding, little capacity building was offered to CSOs in 2016, despite the widespread need for such training. Among the few training events that did take place were five workshops hosted by the Financial Service Volunteer Corps (FSVC) and funded by USAID to strengthen the new coalition GOSCOP. In addition, USAID organized a workshop for CSOs on incorporating environmental issues into their projects, and UNDP and the Ministry of Territorial Planning and Development offered training on human development as a first step toward preparing a national report on human development in Angola.

Several joint government-CSO initiatives took place on the local level in 2016. For example, the Local Administration Training Institute (IFAL) and Social Support Fund (FAS) partnered with APDCH to host training courses for members of municipal social concentration and consultation councils. On the national level, the secretary of state for justice and human rights stated at the National Civil Society Conference that the government was willing to establish partnerships with CSOs, although some CSO leaders reacted with skepticism to this statement. CSOs worked with mainly private media in 2016 on such topics as access to potable water, land conflicts, the political participation of youth, and the public’s access to development opportunities. Although CSO cooperation with the business sector was limited, some companies provided support to CSOs. For example, three businesses in Uige underwrote a portion of the cost of the National Civil Society Conference.

**PUBLIC IMAGE: 5.5**

The Angolan media recognizes the importance of CSOs’ activities. In 2016, according to the Angolan Media Scan, a service of DW’s Center for Documentation, Angolan newspapers or online media published at least one article daily on CSO interventions. In many cases the articles, though positive, were not placed in a prominent location. Of particular note was the wide publicity given to the National Civil Society Conference by six official newspapers. In general government-controlled media covers CSO events only when government officials take part. Many journalists do not understand the nature of CSO work.
The public recognizes the relevance of CSOs and supports CSO activities. Many people benefit from CSO interventions and rarely complain about their activities. The government also recognizes the role of CSOs, and some government officials have signaled that they believe that CSOs play a positive role. However, the government's overall perception of CSOs, especially those active in the defense of human rights, was not positive in 2016. Some authorities claimed that CSOs foster and support money laundering and other illicit activities. *Novo Jornal*, a private newspaper, published an article in June reporting on the private sector’s positive view of CSOs’ work.

Angolan CSOs are media-focused and often encourage a press presence at their activities. Many organizations use their websites to publicize their activities and disseminate other information to the public. Some organizations are beginning to use social media such as Facebook to advertise their work.

Very few CSOs in Angola have codes of ethics that they take seriously. In 2016, few organizations published annual reports on their websites.
BENIN

2016 CSO Sustainability Scores for Benin

CSO Sustainability

- Legal Environment: 3.9
- Organizational Capacity: 5.0
- Financial Viability: 5.1
- Advocacy: 4.0
- Service Provision: 4.1
- Infrastructure: 4.3
- Public Image: 3.2

Country Facts

- Capital: Porto-Novó
- Government Type: Presidential Republic
- Population: 11,038,805
- GDP per capita (PPP): $2,100
- Human Development Index: 167

CSO SUSTAINABILITY: 4.2

Since the transition to democracy in 1990, civil society in Benin has proliferated. In 2015, the most recent data available, the Ministry of Institutional Relations counted approximately 500 active CSOs (i.e. CSOs that are up to date on submitted annual reports), from among approximately 6,000 that are registered. In 2016, CSOs were actively engaged in a range of advocacy efforts, including gender equality, citizen oversight of public affairs, the strengthening of legal and judicial capacities for women, and environmental protection.

CSOs played a significant role in preparing for the March 2016 presidential election, and remain actively engaged in the country’s political processes and governance. Patrice Talon won, and peacefully assumed power from the incumbent. In December 2016, the government initiated its development program, called the Program of Governmental Actions. It consists of 45 projects to increase productivity and improve living conditions.

Benin is ranked as a low-income country by The World Bank. Its economy rebounded slightly in 2016 with four percent growth, compared with only 2.1 percent the previous year. The informal sector makes up a large percentage of Benin’s economy. In 2015, the most recent year for which estimates exist, the poverty rate was...
40 percent. The label “CSO” includes a wide range of organizations, including non-governmental organizations, development organizations, youth and women’s groups, sports clubs, traditional chiefdoms, unions, and other professional organizations.

Some CSOs are created primarily to generate income in an environment of economic hardship. CSOs generally benefit from the support of international donors. Only rarely do the central government or the communes support CSOs. This foreign reliance often leads them to strengthen their financial and management capacities, or to specialize in a specific area. However, some critical observers claim that certain CSOs are paid by politicians (either the government or the opposition), and that portrayal compromises the work done by reputable CSOs.

**LEGAL ENVIRONMENT: 3.9**

In 2016, the legal framework for CSOs remained largely the same as in 2015. The legal environment continued to support CSO registration, although administrative dysfunction caused delays; in some instances, it occasionally takes more than two months for a CSO to complete its registration process.

In addition to the French laws of July 1901 regulating CSOs, which remain in force, the constitution of December 11, 1990 guarantees the freedom of expression for citizens. Legally, the government cannot dissolve an association once it is registered.

In the past, however, the government has restricted certain CSO activities deemed as a threat to public order or as immoral, though no such instances were reported in 2016. Thus CSOs generally addressed questions of governance in political and economic matters without fear of retaliation. Activities can be restricted, however. The state established a “red zone” around key government buildings in Porto-Novo where demonstrations were prohibited.

Governmental requests for proposals establish criteria such as commercial registration and a tax certificate, which often excludes CSOs from competition. When CSOs are involved in commercial activities, they pay taxes like private enterprises. When CSOs are involved in nonprofit work that is for the public benefit, the government can grant agreements and tax exemptions.

There were neither legal counsel nor local specialist lawyers easily accessible to CSOs. CSOs can hire lawyers to defend their interests in a court of law, but they were too expensive for most CSOs to solicit their services. Only the large CSO networks could afford these lawyers. These local lawyers are regular lawyers who are solicited as litigators to defend CSOs using legal provisions on the subject, but this is costly and only large networks can afford it.

**ORGANIZATIONAL CAPACITY: 5.0**

In 2016, the organizational capacity of CSOs generally remained the same. CSOs tried to mobilize constituencies, but they were not very successful. One of the challenges was that members were resigning but were not being replaced by new members. This was largely due to the end of tripartite – government, CSOs, and donors – discussion committees that informed policy under the previous government. The current
government ended this practice of engaging stakeholder discussions, and so there was less incentive for individuals to participate in CSOs, since they no longer had a direct line to the decision makers. In addition, a lack of professionalism among CSOs was due in part to having few full-time staff in management roles, and lacking clarity in their sector of expertise. In order to implement activities well, CSOs need technical staff and management tools and procedures that allow them to follow accepted management practices. Unfortunately, it was rarely the case that a CSO had both technical staff and also management tools and procedures.

National CSOs used full-time staff when projects funded by external actors required them to do so, or when the CSO itself identified the need and had sufficient internal resources. Office equipment available to CSOs was rarely restocked. CSOs often obtained office equipment through the support of an external partner.

CSOs were subject to national labor laws and were exempt from taxes on their revenue. Except for professional services, the work of CSOs was not regularly documented for tax purposes. Full-time CSO staff should declare their income to the social security office and report the taxes to the fiscal authority on a monthly basis. In reality, however, CSOs routinely only hire staff on short-term consulting contracts, for at least two reasons. First, CSOs rarely received funding to support their institutional growth that would pay for needs outside of projects. Second, CSOs avoided payroll taxes by not having long-term, full-time staff on their payroll.

Another factor that contributed to weak organizations was that due to high levels of unemployment, some individuals established CSOs simply to have employment. These CSOs were then able to benefit from international funding. The external funding typically required a CSO to strengthen its management skills and to specialize in specific domains.

Though CSOs have management structures aligned with the provisions set out in the organizational documents, these structures varied significantly. For example, CSOs with a board of directors also have a management team to oversee implementation of activities. CSOs with fewer resources typically have an elected management team and a general meeting with five members serving as the board of directors. A formal distinction between the two functions should be observed, but in practice it often was not. In some cases, the directors do not understand their roles and do not comply with the documents governing the organization, or they do not report to either the general meeting or the board of directors.

Some CSOs developed strategic and operational plans even if they did not use them. In fact, strategic planning became a regular component of capacity building modules for CSOs. Donor partners funded this as a distinct activity, and there were local experts available in CSOs, the private sector, and at the universities who could provide these services. The standard strategic planning module was based on the CIVICUS training manual. They also defined their vision and their mission. However, they lacked the professionalism of an organization with permanent staff and consistent funding. This often prevented them from following up on annual planning activities.

FINANCIAL VIABILITY: 5.1

The financial viability of CSOs remained the same in 2016. The majority of funding came from foreign donors. The major international donors in Benin were USAID, Swiss Cooperation, the European Union, German Cooperation, the United Nations, the Netherlands, and the Open Society Initiative for West Africa (OSIWA). These donors supported the 2016 election, which allowed CSOs to be very involved both before and also during the elections. CSOs that met international audit and evaluation standards continued to receive support from these partners. These include the Front of National Organizations Against Corruption (FONAC), Social
Watch, Association for Combating Racism, Ethnocentrism, and Regionalism (ALCRER), The Network for the Integration of Women, Non-Governmental Organizations and African Associations of Benin (RIFONGA-Benin), Women in Law and Development in Africa (WiLDAF), and the Platform of Civil Society Actors in Benin (PASCIB), among others.

Applying for funding from local sources was very limited. This made it hard for small CSOs and new CSOs to grow and become viable organizations. Even when a CSO received funding, there were scarce resources for covering operating expenses and for institutional support. As it costs more to implement a strong system of financial controls, it is hard for CSOs to improve their financial management. Local foundations that supported CSOs included: the MTN Foundation, the Bank of Africa, MOOV, and Adjavon Foundations. However, they typically provided funding to complement a donor-funded project, and the support was provided to the local community. Some people questioned the intentions of these companies, as their directors may have their own political ambitions.

In their practice of technical and financial capacity development, CSOs have developed standalone training and service divisions to stabilize their revenue. Trainings covered the whole range of institutional support, such as financial management, strategic planning, report writing, monitoring and evaluation, networking, and the development of procedures manuals. CSOs such as WANEP, PASCIB, and Care have found success through this strategy. The funding is ensured either by a third-party donor or directly from the beneficiary CSO or network of CSOs.

The implementation and maintenance of management systems required funding sources which most CSOs did not have. Few CSOs, other than large, national CSOs, underwent financial audits or published reports.

Some CSOs generated income from their activities, notably through publication or social mediation activities, or through providing CSO-strengthening services as mentioned above. For example, ALCRER published a civic education manual which it sold to schools, and used the revenue generated to fund their activities. Only a minority of CSOs have members who pay organizational dues.

Some CSOs were able to charge fees for their products and services. This was common for CSO-run clinics and health centers. In recognition of the weak purchasing power of their populations and their nonprofit nature, CSOs offered their products and services below market rates. Revenue generated from individual products and services, subgrants, or subcontracts were generally used to cover office space rental and labor costs. In other cases, populations provided in-kind payments, particularly for those concerning infrastructure development. Generally, CSOs provided goods and services to their populations free of charge.

Institutional support to cover CSO operating costs was often rare or nonexistent. Informal estimates from experts on CSOs suggest that only 5 percent had sufficient resources to be financially viable in the short term.

**ADVOCACY: 4.0**

CSOs’ advocacy capacity did not change substantially from 2015 to 2016. CSOs such as FONAC, Social Watch, and ALCRER advocated for improvements on the radio, television, and through community events. This raised awareness of issues about which citizens were previously unaware.
CSOs provided oversight and raised awareness of policy development and implementation. CSOs in the governance sector, such as Social Watch and FONAC, were involved in the elections, oversight, the fight against corruption, budget transparency and the promotion of citizen participation. The associations of parents and students were active in the educational sectors. Ministries that operated in these same sectors worked closely with relevant CSO partners.

With the support of technical and financial partners CSOs lobbied the government and defended their position on policies and laws in a range of sectors, including health, agriculture, family, transportation, elections, advocacy work, awareness, discussions, press conferences, marches, and sit-ins.

In 2016, RIFONGA-Benin (with the assistance of the donor community) advocated to support peaceful elections and mitigate education-related conflicts. The National Platform of Farmer Organizations and Agricultural Producers of Benin advocated for stronger organization across the yam sector as part of the country’s food security and nutrition approach. In July, the president of the National Assembly met with the Federation of Association of Handicapped People in Benin to discuss adopting a law on the protection and the promotion of the rights of handicapped individuals.

FONAC and ALCRER raised awareness of questionable contracting practices used by the government that may have been linked to corruption. These issues were raised early in the term of the president elect. While no specific legislation resulted from this advocacy, anecdotally there is a sense that the government knows that CSOs are paying attention, and that this helps to limit corruption and mismanagement of public resources.

In addition, CSOs met with the major political parties and state institutions, such as the Independent National Electoral Commission (CENA) that oversaw the elections, and the UNDP to encourage them to help CENA manage the elections better. They also established a relationship with CENA and advocated on its behalf to ensure that it received adequate funding from the Ministry of Finance.

Other examples of advocacy initiatives in 2016 were related to the Poverty Reduction Strategy Paper, the implementation of Universal Health Insurance (RAMU), the vote on the digital electoral list, and the vote on the anti-corruption law. The National Platform of CSOs for Elections was composed of WANEP, FONAC, Social Watch, RIFONGA-Benin, PFID, WilDAF, PASCIB, and other organizations; the group led advocacy, election observation, press conferences, and awareness-raising sessions on these issues.

Following the election, there was concern over suspected overbilling by the Bureau of the Council of Orientation and Supervision of the Permanent Electoral List (COS-LEPI). CSOs asked COS-LEPI for clarifications as to what it was billing for, and it was discovered that imported ink costed more than expected and that extended voter registration time-frames meant more people registered. So more printing occurred and the ink was more expensive which increased costs. The transparency of the COS-LEPI budget allowed this dispute to be resolved without issue. CSOs advocated for the financing of COS-LEPI, and were successful.

**SERVICE PROVISION: 4.1**

In 2016, CSOs continued to provide a diverse range of services. Generally, they provided goods and services that reflected the needs and priorities of the groups and communities they support. However some technical and financial partners imposed their own service priorities on some CSOs, in spite of the greater understanding CSOs have of local conditions and needs. For example, one donor funded CSOs to increase women’s inclusion on electoral lists prior to elections in 2016. However, this was not a tangible need that communities generally talked about. Most impoverished communities typically express needs for increased access to education, clean water, roads, nutritious food, credit, and jobs. In 2016, CSOs provided services in all sectors, including health,
education, governance, agriculture, and poverty, and their work cut across youth, gender, and other population groupings.

In the health sector, CSOs such as Bethesda, the Benin Association for the Promotion of the Family, and The Hunger Project – Bénin provided a range of services, selling health products, establishing health care clinics, and building play centers for children. They strengthened local actors’ technical abilities to provide maternal health care and to combat HIV-AIDS. They also fought childhood malnutrition by working with growers to create high-nutrient-value plants, such as the Moringa oleifera tree.

In the education sector, Conscious Life and Educational Actions (VICAED), Hunger Free World (HFW), and the Dagbeli Association are among the CSOs that build education structures such as private elementary schools, apprentice workshops, literacy centers, community-based schools, and professional training centers. There were many NGOs that develop educational materials and trained teachers.

In the water sector, CSOs contribute to the construction of wells and manage water resources, improving access to potable water, users’ understanding of its importance, and improving hygiene practices. CSOs that were active in the water sector included the Clean City Association of Benin, The Association for the Promotion of Local Initiatives (ASSOPIL), Benin Ecotourism Concern (Eco-Benin), and Action Directe. The National Partnership for Water (PNE) and the Coordination Framework for Non-State Actors in Water and Sanitation (CANEA) strengthened nonstate actors’ abilities to contribute to the sustainable and fair access to water and sanitation services.

In the environmental sector, the Center for the Treatment of Household Refuse and Training in Integrated Organic Agriculture (CEFRATOM-ABI), the Youth Association for the Protection of the Environment and Culture (AJPEC), Bethesda, Youth without Borders-Benin, the Association for the Fight Against Integrated Development and the Protection of the Environment (ALDIPE), and HFW were actively engaged. They were involved in collecting garbage, reforestation, developing rural development plans, and constructing latrines. For environmental planning, CSOs work with communities to manage and preserve biodiversity.

Work in Benin’s agricultural sector was carried out by many CSOs, including Farmer Synergie and the Research and Action Group for the Promotion of Agriculture and Development (GRAPAD). CSOs supported the construction of community infrastructure for the stocking, transforming, and selling of agricultural products. They also trained producer groups to better respond to food security needs.

In the governance sector, active CSOs included WANEP-Benin, ALCRER, RIFONGA-Benin, WilDAF, and FONAC. They strengthened local actors’ capacities to oversee public service delivery through accountability and anticorruption programming, provided early warning of a coming problem, or defended human rights. CSOs played a key role during the 2016 presidential elections, creating a CSO election observation platform with support from the UNDP, OSIWA, USAID, and the International Organization of Francophonie (OIF). They promoted and facilitated the first-ever televised debates between two presidential candidates, which received the largest-ever television viewership for a single event in Benin. CSOs provided election oversight by having the candidates sign pledges to not spread false rumors and unfounded information. WANEP-Benin helped to install and implement a polling place monitoring tool called Open ESR that used SMS messaging to report any election day issues. In the months leading up to the election, WANEP-Benin held training sessions on using Open ESR to report and rapidly correct any problems that could have affected the vote. Following the election, civil society set up the Talonmetre, an online progress tracker of the president’s campaign promises.
While CSOs provided a range of services, their reach was limited by financial constraints. The majority of CSOs were unable to cover the costs of their activities with the funds they received for implementing them. While they were paid through projects, some aspects of their activities were provided for free as a service to the public.

Although CSOs assisted the state in providing services, the state did not see them as important allies or partners. Nonetheless, CSOs cooperated with the state in nearly all sectors in which they operated, either directly with a ministry or indirectly through a donor-funded project that might have supported the mission of a ministry.

The benefits of products and services delivered by CSOs reach more than just their own members. They benefited entire communities where a CSO implemented an activity for the public’s benefit, such as increasing access to clean water or building a new school. CSOs’ elections support also served the wider public by informing citizens about the candidates and ensuring the process was peaceful. CSOs like Human Rights, Peace and Development, WANEP-Benin and Social Watch produced publications on the state of the nation, seminar reports, and thematic publications, which they distribute to other CSOs, the public, and government institutions.

The government appreciates the value and expertise of CSOs, but there is little government funding available to CSOs. However, since 1997 the government has provided funding for the private media to train journalists, maintain their associations, and fund media resources and awards. Similarly, the government provides public funding for unions to support their institutions and train union members.

**INFRASTRUCTURE: 4.3**

In 2016, CSOs in Benin benefited from civil society resource centers. The principle resource center was The Civil Society House (MdSC), and it served as a conduit for sharing information, training and organizational and institutional strengthening, thematic studies, support for political dialogue, financing support services for CSOs, and organizational development consulting services. The MdSC is located in Cotonou, with satellite offices in Bohicon and Parakou (in the center and north of Benin, respectively). The MdSC has a library that is free for dues-paying members. The MdSC raises revenue through various means. It charged fees for consulting services to CSOs, collected membership dues from CSO members, rented its conference room for CSO events, and charged money for photocopying. However, this did not cover all of its operating costs. The difference was made up by support from the European Union, submitting proposals to donors to implement individual projects, negotiating grants, and by managing grant submissions.

With the exception of the Ajavon Foundation, which conducted its own social work, the mobilization of local resources for project financing remains weak. A few private companies have foundations, such as MTN Benin, MOOV Benin, and the Bank of Africa, which engage in projects for the public good. Their activities are typically to build classrooms or amphitheaters, or to set up health dispensaries within existing medical centers.

CSOs also relied on training mechanisms provided by OSIWA, the UNDP, and the Dutch embassy. These organizations used strict criteria to select CSOs with which to partner. The training programs developed to date have targeted those who are literate in French, and who operate at a high level within their organizations (e.g. board of directors, director, coordinator, and program manager). GIZ and SNV initiated a multilateral partnership between NGOs and private businesses promoting solar energy. Many CSOs participated in this solar energy program, including Children in Solidarity for Africa and the World. Activities occurred in many communities across the country.
CSOs often shared information among themselves, especially between those that are part of the same network. However, there was no umbrella organization that served the interests of CSOs across sectors in a way that articulated a common voice to express its needs. The CSO charter includes the establishment of a monitoring center to oversee CSO ethics, but the CSO monitoring center has not yet been established. Partnerships between CSOs and the public and private sectors were developed according to specific objectives and CSOs were generally conscious that these collaborations were necessary to optimize their interventions.

PUBLIC IMAGE: 3.2

CSOs’ public image improved over the course of 2016 due to their work supporting a peaceful, democratic election, and the subsequent transfer of power. During the pre-election period, CSOs were visibly engaged in civic education, election training, sharing information on the candidates and in moderating debates. During the election they helped resolve disputes and address technical issues though the OPEN ESR platform. These efforts were applauded by the public at large.

The public and private sectors maintain a positive perception of CSOs. For example, CSOs are regularly invited to participate in or attend government-funded events, and government representatives likewise attend CSO events. Media covers events on television, radio, and in newspapers. The national television station, ORTB, did not censure CSOs in 2016 as it had in 2015. ORTB gave air time to CSOs to present alternative points of view on national issues that the station covered. CSOs benefit from local and national media coverage, and they pay fees for this coverage. This contributes to the visibility of CSOs, and it helps with their positive image. CSOs also invite media to their events. Some CSOs also have advertisements and publications which reinforce their positive image.

The majority of CSOs have a website and some organized televised debates on their activities. More and more, CSOs leverage social networks to increase their visibility. RIFONGA-Benin and other organizations use Facebook and websites, for example. The OPEN ESR platform demonstrated CSOs’ increasing understanding of technological tools during the 2016 elections, as they were able to receive reports from election monitors, and locate where assistance was needed. During the election, social media was a means of sharing information. The candidates and other key political actors were common themes on trending articles, and results were also shared over social networks. Social networks have become a key tool for OSCs to share information among themselves and with the general public.

Some CSOs have signed partnership agreements with press organizations to improve their visibility. These include the CSO Platform for Elections, the Particip Platform, the Adept Project, and the Social Watch project to denounce corruption. In addition, RIFONGA-Benin, Social Watch, WANEP-Benin, WilDAF, PASCIB, and FONAC work with media organizations to improve the quality of journalism. CSOs that receive government grants for capacity building and training (such as trade unions, journalists' associations, religious groups, or chiefdoms) tend to be more prominent in the media.

CSOs regularly publish annual reports summarizing their activities, in accordance with their organizational guidelines. Large networks that are subject to audits and performance evaluation, and they work transparently. This transparency allows citizens to monitor their actions. Given that CSOs demand transparency of the government, their own transparency lends them credibility.
2016 CSO Sustainability Scores for Benin

CSO Sustainability

- Legal Environment
- Public Image
- Organizational Capacity
- Infrastructure
- Financial Viability
- Service Provision
- Advocacy

Benin 4.2

1 3 5 7
Sustainability Enhanced Sustainability Evolving Sustainability Impeded
Botswana is an upper middle-income country and a stable democracy, with multiple political parties and relatively strong freedoms of speech and association. In recent years, Botswana has made significant progress in improving education and health and reducing poverty. For example, primary school enrolment is now above 90 percent, and adult literacy is estimated at more than 88 percent. While HIV infection remains high, most people live within five kilometers of a health facility and can usually obtain treatment for the disease. Unemployment is a key challenge, and the government has recently instituted various citizen empowerment programs to put people to work, including financial support schemes, skills training, and mentorship. In October 2016, the government presented its eleventh National Development Plan (NDP 11), which emphasizes export-led growth and increased employment.

 Freedoms of assembly and expression were occasionally curtailed in 2016. For example, youth activists protesting unemployment in front of the parliament building were beaten by police and arrested, and three prominent journalists were arrested for their coverage of government corruption and certain actions of the
president. Same-sex sexual relationships continued to be illegal, but Lesbians, Gays, and Bisexuals of Botswana (LEGaBiBo) was finally registered after the Botswana Court of Appeal ruled that the government’s refusal to register the organization was unlawful.

Several dimensions of CSO sustainability in Botswana declined in 2016. The legal environment deteriorated as implementation of the 2015 Societies Act caused many organizations to fear de-registration. Financial support for CSOs also went down, causing CSOs’ organizational capacity to weaken because of difficulties in recruiting trained personnel. The infrastructure supporting CSOs was also affected as resources for the work of umbrella organizations grew scarcer and several training programs ceased operations. Despite these challenges, CSOs’ public image and advocacy work showed gains, especially as a result of their demands for greater government accountability and transparency.

In the absence of a comprehensive survey or consolidated registration process, it is difficult to establish the exact number of registered CSOs. At the time of a mapping of Batswana CSOs conducted by the European Union (EU) in 2016, 7,189 organizations were operating in the country. The registrar of societies reports that fewer CSOs registered in 2016 than in previous years.

**LEGAL ENVIRONMENT: 3.9**

There was no new legislation affecting CSO operations in 2016. However, CSOs, especially faith-based organizations, remained fearful that they would be deregistered if they did not fully comply with revisions of the Societies Act introduced in 2015. In addition, several journalists experienced harassment, including arrest.

CSOs continue to register under the Societies Act or Companies Act or with a deed of trust. It is illegal for unregistered CSOs to operate. Registration is usually fairly easy, although organizations can experience difficulties if they fail to meet legal requirements, such as having the required minimum number of members and physical office space. Registration constraints can also be related to the target populations that CSOs seek to serve. For example, the organization Sisonke was denied registration in 2016 because of its focus on the rights of sex workers. However, in a positive development, LEGaBiBo was finally registered in 2016 after nine years of effort. The registration was ordered by the Court of Appeals in a precedent-setting case that overturned the government’s refusal to register LEGaBiBo on the grounds that it stifled freedom of association for organizations representing vulnerable communities.

CSOs feel that some requirements imposed under 2015 amendments to the Societies Act are restrictive. Although implementation of the Societies Act did not grow more aggressive in 2016, CSOs remained concerned that difficulties in complying with certain provisions of the act—such as the increase in the mandatory number of members to twenty for general societies and 150 for faith-based organizations, the need to show proof of physical premises for operations, and the requirement that a majority of board members be Batswana—will result in their deregistration. CSOs are expected to submit financial statements, minutes of general assembly meetings, and other information to the government annually. While a lack of capacity or resources sometimes affects CSOs’ compliance with these provisions, monitoring is a challenge for the Registrar of Societies, and no CSO was penalized for non-compliance in 2016.
CSOs remain exempted from paying tax on funding for their activities, since such funds are considered support for nonprofit activities rather than income. CSO employees pay income tax, and CSOs pay value-added tax (VAT) on materials and equipment procured on the open market. CSOs are entitled to claim VAT back from the government, but the process is cumbersome and there is no evidence that any CSO has been successful in obtaining VAT reimbursements.

CSOs may pursue income-generating activities provided they use the income to advance their organizational objectives. CSOs are legally allowed to bid on government contracts. However, no CSO is reported to have bid on government contracts in 2016, mainly because registration is required with the Public Procurement and Asset Disposal Board (PPADB) and the Botswana Unified Revenue Services (BURS), and neither organization has made provisions for CSOs to register with them. The government’s tacit expectation is that CSOs should focus on service delivery rather than engage in bidding for commercial tenders.

Changes in 2016 to regulations governing the Law Society of Botswana prohibit CSOs and private companies from using in-house lawyers to represent them in court hearings. CSOs must now obtain legal services from private law firms having lawyers who practice in court. The new rule was promoted by the courts and Law Society, which sought oversight of practicing lawyers and did not have direct control over those working for companies and other organizations. All lawyers are routinely trained in the laws and mechanisms governing CSOs.

**ORGANIZATIONAL CAPACITY: 4.2**

The organizational capacity of most CSOs in Botswana declined in 2016 as funding for capacity-building programs was cut and many CSOs were unable to recruit and retain trained personnel. Groups supporting people living with HIV/AIDS, orphans, and the elderly were particularly affected after funding dwindled for the umbrella organization Botswana Network of People Living with HIV and AIDS (BONEPWA), which led to the departure of key staff members.

In 2016, national CSOs in Botswana did not actively seek to build local constituencies to support their initiatives because of a lack of funding. However, international CSOs, such as Project Concern International (PCI), FHI 360, and Human People to People, provided funding to local organizations for community-based activities. For example, FHI 360 worked with several communities to improve the delivery of treatment and care services, and Human People to People helped CBOs implement livelihood interventions. Community-based natural resource management (CBNRM) trusts continued to support local eco-tourism initiatives.

Despite governance and leadership trainings conducted in 2014-15, good governance remained a challenge for some CSOs, usually because of a lack of clarity about the differing roles of the board and the secretariat. Internal tensions between the board and the chief executive weakened the Botswana Council of Non-Governmental Organizations (BOCONGO).

CSO capacity was affected in 2016 by the attrition of staff, especially those whose employment was tied to projects that ended. At the Ngamiland Council of NGOs (NCONGO), the end of support from the Maatla project led to closure of its satellite office in Shakawe. Skillshare Botswana also laid off staff and restructured its programs because of a decline in funding. Little information is available about CSOs’ use of volunteers.

Inadequate funding, the lack of skilled personnel, and an undeveloped communications infrastructure limit CSOs’ technological capacity. While most CSOs have basic operating equipment, such as computers and laptops, photocopying machines, and vehicles, many organizations cannot afford to service their equipment.
regularly. In 2016, several CSOs, including BOCONGO, Botswana Network for AIDS Service Organizations (BONASO), and Tebelopele Voluntary Counseling and Testing Center, moved to less expensive offices because of funding shortages. Some CSOs were reported to be sharing offices, and BONEPWA continued to occupy offices provided by the Ministry of Health. While the Internet is generally accessible throughout the country, CSOs find it expensive, especially from private service providers. In remote areas, CSOs are sometimes unable to access government Internet services because of a lack of infrastructure.

**FINANCIAL VIABILITY: 4.8**

In 2016, CSOs continued to experience funding declines, which posed a major threat to their financial viability. Contributing to funding uncertainties were Botswana’s slow economic growth in key sectors such as mining and tourism; declining government revenues; the government’s NDP 11 and Vision 2030, which set new development priorities and caused government and donor funding to be re-allocated away from CSOs in certain sectors; and the departure of several donors. Several key development partners, including the Global Fund to Fight AIDS, Tuberculosis, and Malaria, Finnish Evangelical Lutheran Mission (FELM), and private- and public-sector foundations, such as the Ford Foundation, Kellogg Foundation, Friedrich Ebert Foundation, Open Society Initiative of Southern Africa (OSISA), and Merck Foundation, provided support at lower levels than in previous years. Only USAID and EU funding levels remained more or less stable. Most donor funding targeted community and rural development in the critical areas of food security, vocational training, poverty reduction, social protection, and natural resources management.

The government earmarked funding for CSOs as part of its NDP 11 and Vision 2030, which were launched in 2016. Although these plans call for increased funding for organizations working in health (especially HIV/AIDS), education, and agriculture, Botswana’s slow economic growth affected government spending in all sectors and led to a general decline in funding for CSOs. The government has indicated its willingness in principle to fund domestic CSOs, including faith-based organizations and community-based organizations (CBOs), but it has yet to clarify the process by which CSOs can access government funding. For example, even some CSOs engaged in health and HIV/AIDS experienced financial strains because the government has not issued guidance on how to obtain funding from the National AIDS Coordinating Agency (NACA) since it moved to the Ministry of Health and Wellness in 2015. Other major domestic sources of funding include the Environmental and Alcohol Levy Funds, and private-sector entities such as Debswana Diamond Company, Kgalagadi Breweries, Barclays Bank, Standard Bank, Mascom Wireless, and First National Bank. CSOs reported that most funding from these sources continued to stagnate or decline in 2016.

CSOs’ capacity for resource mobilization remained weak in 2016. Nearly all national CSOs struggled to conduct effective fundraising activities.

Most CSOs have fairly well-developed internal financial management systems and comply with relevant legal requirements, including annual general meetings, financial audits, and statutory reports for government registrars.

**ADVOCACY: 3.7**

In 2016, CSO advocacy was more effective as organizations grew increasingly vocal in demanding accountability from the government and its development partners. The improved advocacy work was spurred by three factors: Botswana’s adoption of the United Nations Sustainable Development Goals; the
government’s review of the Botswana Core Welfare Indicators, which showed a decline in social welfare; and CSOs’ desire to ensure that these issues were addressed in NDP 11. CSOs were especially concerned that community development outcomes were not being realized and that service delivery was inefficient and politically biased.

During the year, CSOs took part in mechanisms that enabled them to help set national priorities and resource allocations. The government invited CSOs to sit on the National AIDS Council and National Gender Commission, take part in a review of the National Strategic Framework for HIV/AIDS (NSF 3), help develop and review NDP 11, and contribute to the development of funding requests to the Global Fund and the United States President’s Emergency Plan for AIDS Relief (PEPFAR). CSOs helped ensure that planned interventions and resource allocations for the Global Fund and PEPFAR were properly prioritized and contributed community experience, realistic expectations, and effective operational strategies to NDP 11. In its final form, NDP 11 included several calls for collaboration with CSOs and emphasized engaging with society in all aspects of socio-economic development, with an enabling policy environment conducive to active participation. The National NGO Council, which was established by CSOs under the auspices of BOCONGO, undertook to disseminate NDP 11 to CSOs across the country.

Advocacy by human rights groups in Botswana yielded significant outcomes in 2016, as demonstrated by the registration of LeGaBiBo. In addition, antiretroviral therapy began to be distributed to non-Batswana prison inmates, as a result of a court case lodged by BONELA on behalf of a Zimbabwean inmate.

During the year, the National NGO Council sought to facilitate relations between the government and CSOs. Working relations between CSOs and the council improved thanks to more frequent consultation and the council’s participation in CSO-driven events. However, neither the government nor CSOs have attempted to distinguish between the mandates of the National NGO Council and BOCONGO. As a result, the organizations have conflicting oversight responsibilities, especially in implementing the National NGO Policy.

**SERVICE PROVISION: 3.8**

In 2016, service provision by CSOs was stable, although some CSOs scaled back their activities because of funding declines. For example, BONASO suspended its outreach activities, NCONGO closed its office in Shakawe, and BONEPWA reduced field supervisory support to a few districts. Other umbrella organizations such as BOCONGO and Botswana Community-Based Organizations Network (BOCOBONET), as well as various CBNRM trusts, also reduced their field supervisory visits, mentorship projects, and technical support. Some CBOs affiliated with national umbrella organizations were reported to have closed down or reduced their number of working days to three or less. On the community level the cutbacks in outreach resulted in a reduction in both the number of beneficiaries reached and the geographical coverage of projects.

NDP 11 recognizes the strategic role that CSOs play in complementing the government’s service delivery in the key areas of health, social protection, education, and environmental conservation. At the same time, the prioritization of development activities and a decline in government revenues have reduced overall government funding to CSOs through their line ministries. For example, in 2016 NACA provided less funding to BONASO, BONEPWA, and the Face the Nation program run by Open Baptist Church. In response, CSOs began to explore new, cost-effective service-delivery models that the government would be willing to support. The
Botswana Christian AIDS Intervention Program (BOCAIP), Tsebelopele, and BONEPWA provided communities with HIV counseling and testing services; KURU partnered with the Ministry of Education to develop and implement a curriculum on early childhood education; and Skillshare Botswana provided training and mentorship on sustainable livelihoods to complement government efforts in poverty reduction.

Most CSOs receive grants to support their service delivery and do not engage in cost-recovery efforts. A few organizations are exceptions to this rule. For example, Kalahari Conservation Society provides consultancy services for a fee, and Ghantsi Crafts generates income by selling crafts made by the Basarwa people.

In 2016, CSOs continued to participate in district and community governmental structures to develop and deliver community services in critical areas such as poverty alleviation, women’s empowerment, and social protection. The government continued to coordinate CSOs’ involvement and provide technical and limited financial support.

**INFRASTRUCTURE: 5.0**

The infrastructure supporting CSOs in Botswana deteriorated in 2016. There are no stand-alone resource centers serving CSOs. In 2016, BONASO resolved to transform itself into a “center of excellence” or resource center for CSOs working in health, particularly HIV/AIDS, but it has not been able to operationalize this concept because of a lack of funding.

A few international organizations, such as Project Concern International, FHI 360, Human People to People, and African Comprehensive HIV/AIDS Partnerships (ACHAP), offered sub-grants to domestic CSOs in 2016. For example, with support from the Global Fund, ACHAP continued to provide financial support to four Botswana CSOs. Although sub-granting was formerly a key function of umbrella organizations and regional coalitions, these groups often did not have funds to offer to their constituencies in 2016. BONASO and BONEPWA, for instance, stopped sub-granting during the year and CBNRM trusts reduced the total amounts sub-granted to local organizations.

Umbrella organizations weakened in 2016. Their memberships declined as organizations could not afford to pay membership dues, which are an importance source of funding. As a result, umbrellas organizations were often unable to provide technical support to their constituencies. For example, BOCONGO, BONASO, BONEPWA, and Marang Child Network cut back their constituency-development and technical-support programs and reported that their activities in 2016 went down by more than one third in comparison to the previous year. CSOs began to debate the continued relevance of some national umbrella organizations, such as BONASO and BOCONGO, given their inability to deliver on their mandates. CBOs were increasingly inclined to affiliate with regional coalitions, such as NCONGO, which are presumed to be closer to local communities. In the face of this trend, national umbrella organizations sought to strengthen their strategic partnerships with regional networks. Cutbacks in mentorship, in-service training, and periodic supervision also affected organizations at the district and community levels.

In 2016, most CSO capacity-building initiatives ended, including those spearheaded by BONASO, BOCONGO, CBNRM trusts, and the five-year USAID-funded Maatla project. However, a few ad hoc capacity-building initiatives continued, mainly benefitting district and village child protection committees, youth, and women. Funding for these efforts came from the EU and Departments of Social Protection and Community Development in the Ministry of Local Development.
Several CSOs involved in humanitarian work strengthened their partnerships with the government in 2016. Marang Child Network partnered with the Department of Social Protection to provide care and support for vulnerable children; the Botswana Council for the Disabled collaborated with the Ministry of Health to empower people with disabilities and support their income-generating activities; and CBNRM trusts collaborated with the Department of Wildlife and National Parks to improve community resource management. CSOs also worked with the private sector of several projects in 2016. Barclays Bank provided training and mentorship to CSOs, and several other companies provided one-off funding to support local community initiatives. Other private-sector institutions continued to partner with CSOs to donate materials and food to community groups, especially the elderly, orphans, and vulnerable children. CSOs have developed strategic partnerships with the local print media to publicize their work and experiences.

**PUBLIC IMAGE: 4.3**

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Media coverage of CSOs improved in 2016. Local newspapers such *Mmegi*, *Guardian*, and *Sunday Times* increased their coverage of CSOs’ projects and advocacy work, especially those related to human rights and government accountability. This increased coverage was mainly due the interest of individual journalists in these issues. Newspapers were critical of CSOs when their leadership or accountability were compromised, as in the case of governance challenges at BOCONGO. Anecdotal information suggests that some CSO activities were included in the broadcast media’s coverage of initiatives by community development committees. This coverage has increased public interest in strengthening government transparency and accountability, as seen in the public’s growing participation in Yarona Radio’s call-in morning talk shows.

Despite the improved media coverage, the government, local communities, and the private sector were sometimes skeptical of CSOs, especially when there was negative publicity about alleged failures of accountability and transparency. While in most cases CSOs accept reports critical of their accountability and transparency, they also feel that the media seeks to increase sales by tending to focus on negative stories rather than presenting a balanced view of their work.

Public relations continued to be underdeveloped at most CSOs. However, a few organizations incorporated publicity efforts into their strategic plans and activities in 2016. Some CSOs placed publicity materials and billboards in public locations to advertise their work. BONELA and Ditshwanelo conducted activities to create awareness of human rights, and NCONGO attracted media coverage of its first district-level human rights conference.

Despite acknowledging the importance of the NGO Code of Conduct adopted by the CSO sector in 2001, CSOs have been slow to implement it. CSOs expect BOCONGO and umbrella organizations to monitor compliance with the code, but a lack of capacity and internal instability continue to limit these organizations’ effectiveness.
2016 CSO Sustainability Scores for Botswana

- Legal Environment
- Public Image
- Infrastructure
- Service Provision
- Advocacy
- Organizational Capacity
- Financial Viability

CSO Sustainability

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3
4.2
5
7

Sustainability Enhanced
Sustainability Evolving
Sustainability Impeded
The presidential and legislative elections held on November 29, 2015, marked the end of a year of eventful political transition, and the return to a normal constitutional order reopened a process of democratization that has been underway since 1991. The Burkinabé people pinned great hope on the new regime, the principal missions of which were to heal sociopolitical wounds - not only from the transition but, from the preceding 27 years, and to reestablish the social cohesion necessary for development. Instead, 2016 was marked by social discontent and punctuated by repeated strikes for better living and working conditions. Many of these strikes were by civil servants. The government faced many demands to improve living and working conditions of its civil servants. Almost all the unions in the country were on strike at least twice during the course of the year.

In 2016, the terrorism context changed dramatically, as a terrorist group specific to Burkina Faso, Ansar ul Islam, claimed rights to territory in the north of Burkina Faso, Djelgoji. Ansar ul Islam started an open conflict with the Burkinabé army; regular attacks continue to this day. There were multiple terrorist attacks in 2016, the majority of which took place in the province of Soum, in the cities of Intagom, Tin-Akoff, and Nassoumbou,
The country is in a difficult economic situation, characterized by a deep-rooted economic slowdown. Economic growth slowed in 2016, particularly in the informal sector, which employs the plurality of the country's population. According to the World Bank, growth remained sluggish in 2016, with a GDP of 12.1 billion USD. This is due to a confluence of political and security crises affecting economic actors. The government prioritized political reforms, and has not been able to focus on economic reforms.

One of the highlights of 2016 was the paradigm shift in the relationship between CSOs and governmental authorities. During the transition, CSOs were well represented in all levels of the government (including the civil service, interim parliament, state control, and commissions). With the reemergence of democratically-elected legal institutions in 2015, such as the National Assembly Burkina and the presidency, CSOs have vacated their governmental functions and resumed their traditional roles as advocates for the public interest, protectors of human rights, and watchdogs of government spending and activity.

There are approximately 15,700 registered CSOs in Burkina Faso. They work in advocacy, democracy, governance, and human rights. They also work in humanitarian assistance and economic and social development. CSOs are overseen by the Ministry of Territorial Administration's Office of Civil Society Organizations within the General Directorate of Public Freedoms. CSOs are primarily located in the urban centers of Ouagadougou and Bobo Dioulasso. In rural areas, the CSOs are primarily agricultural or herder organizations.

**LEGAL ENVIRONMENT: 3.3**

The legal regulations on freedom of association that regulate the registration of CSOs did not change in 2016. The norms regulating the creation, organization, and function of CSOs are liberal, and conditions are adequately favorable. The constitution covers the principle of freedom of association in Article 2. Law 10-92, and was confirmed by the October 20, 2015 law No. 064-2015/CNT, covering freedom of association in Burkina Faso. The result is that CSOs in Burkina Faso can be created relatively easily (with few formalities or requirements to fulfill), insofar as they are permitted to exist and to carry out activities. They register with the Ministry of Territorial Administration’s Office of CSOs. One of the innovations of Law 064 is that it provides a definition of NGOs and creates a category of national NGOs, distinguishing them from CSOs. The primary distinctions are that NGOs have more formal structures, NGO governance is democratic rather than a limited group of leaders, NGOs have signed a convention with the state, work with foreign NGOs, or are beneficiaries of financial exemptions.

If CSOs were instrumental in beginning the popular uprising in late 2014, it must be acknowledged that they became fragile, largely because of how intertwined CSOs became with the transition authorities and political parties. The leadership of the Anti-Referendum Collective (CAR), M21, and APDC was also represented in the National Transitional Council. This situation was not acceptable, and the laws were subsequently changed to

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limit problematic relationships. Article seven of Law 064-2015/CNT specifically bans a person from being in charge of a CSO while simultaneously serving on the governing body of a political party.

However, certain legal texts (first and foremost the application decree), which are required to implement the law, have not been adopted. There are no dispositions regarding operations in Law 064 that prevent authorities from exerting pressure on CSOs or from arbitrarily dissolving them for political reasons. Cases of CSOs being dissolved have, in fact, been extremely rare up to this point. Therefore, CSOs feel free to criticize governmental actions. There are no lawyers who specialize in defending CSOs in court because there are so few court cases involving the freedom of association.

Associations do not benefit from financial exemptions. In order to benefit from financial exemptions, an association would have to register as an NGO. In sectors such as education and health, CSOs participate in requests for proposals, and they do so under the same fiscal regulations as private companies. The primary difference between CSOs and for-profit firms is that CSOs must reinvest any profits back into activities related to their mission.

**ORGANIZATIONAL CAPACITY: 5.3**

The organizational capacity of CSOs declined moderately in 2016 due to a perennial lack of funding that is wearing on the structures of organizations, and the reemergence of a democratic government after the transition period from 2013 to 2015 meant that many movement-based CSOs lost their support, and their organizations withered in 2016. The majority of CSOs in Burkina Faso have very weak organizational capacity in terms of governing bodies, organizational structures, and services (including staff, offices, and logistics). This weak organizational capacity is most prevalent in movement-specific CSOs, and it is the consequence of them being informal organizations.

Given the decrease in financing over several years, many organizations that were among the strongest in terms of infrastructure have regressed. Due to structural weakness, the majority of associations appear only when they are denouncing governmental abuses, and then go silent, awaiting the next opportunity to denounce the government in the media. There are only a few organizations that have the capacity to undertake significant planning, allowing them to maintain a permanent presence within their field of action. These organizations implement projects that form part of their strategic plans and otherwise act according to their strategic plans. In their statutes, CSOs indicate their scope of activities, which may be national (throughout the country) or local (within a region or municipality).

The movement-based CSOs that were incredibly successful in ushering in democratic governance lost their popularity in 2016, as normalcy crept back into the government. The movement was successful, and in 2016 people lost interest in supporting these organizations. In addition, their involvement in government during the transition hurt their popularity.

In terms of gender integration in CSOs, Burkina Faso is relatively advanced. The concept of women’s equality took shape during the revolutionary period from 1983-1987. Furthermore, the legal framework for CSOs envisions a role for women in the organizations, and the vast majority of CSOs have roles for women at the leadership and executive levels.

The majority of CSOs do not have a physical headquarters. They are able to identify conference rooms that they either rent or use free of charge to hold their board meetings, activities, or other CSO-related meetings. They do not have a location to house their services, their equipment, or their activities, but they are still able to
carry out their activities. Many CSOs have satellite structures that allow them to operate outside of Ouagadougou, but very few of them actually have a nationwide reach.

Rarely do CSOs have a strategic plan, but they do generally have a well-established structure of internal management. CSOs find it difficult to maintain their staff, and they rarely have adequate office materials. These resources are very limited. As a rule, the majority of CSOs remain operational thanks to the leadership of a few individuals, and due to winning a few requests for proposals. Their focus is not on maintaining a strong membership and collecting dues. Rather, they focus on their missions and beneficiaries, and operate with limited means. This has a considerable impact not only on their organizational capacity, but also on their ability to effect social change. They generally operate through the use of volunteers, making CSO membership a secondary activity for most members, which negatively affects their organizational capacity.

**FINANCIAL VIABILITY: 5.9**

The majority of CSOs were not financially viable in 2016. During the political transition in 2014, many donors reduced their commitments to the country. The uncertain climate in Burkina Faso affected foreign donor investments negatively, which reduced the level of CSOs’ activity. According to a report entitled *Contributions from NGOs and Development Associations in 2015*, NGOs mobilized sums of just 73.2 billion FCFA, whereas they were able to raise more than 140 billion FCFA in fiscal year 2009-2010. Even by 2016, the majority of donors had not returned, and these years of limited donor assistance are adding up to an increasingly dire financial situation for most CSOs.

This makes it challenging for the majority of CSOs to be financially viable. Even the oldest, largest, and best-structured CSO platform in the country was affected by the dire financial situation. The Permanent Secretariat of Non-Governmental Organizations (SPONG) had to exclude 16 NGOs from its general assembly in 2016 because they could no longer honor their membership dues.

There is no systematic public financing for CSOs, which are not allowed to bid on government contracts or grants. The government’s budget does not include line items for CSOs or CSO-type activities. The majority of CSOs have no systems to collect membership fees, nor do they earn revenue from services that they sell. Two associations that typically do earn revenue through their activities are the Association for the Promotion of Local Initiatives (APIL) in Kaya and Dakupa in Garango. Also, producer organizations for farmers or herders generate revenue.

The tax system does not incentivize income-generating activities. In Burkina Faso, nearly all CSOs function with the help of foreign donors, whose goals in most areas of intervention do not universally match those of the CSOs which they work with. Donors’ resources are organized by sector. For example, German aid is invested in decentralization, the UNDP in political governance, Sweden and Denmark in governance, human rights, gender, and decentralization.

CSOs struggle to raise revenue. Few CSOs receive revenue from their own activities to help cover the costs of their activities, which results in a heavy dependence on foreign donors. Few CSO members pay their membership dues. CSOs that receive foreign financing undergo financial audits in order to comply with their contracts. These CSOs have accounting systems that comply with the standards of international donors. Few CSOs publish financial statements. In 2016, a notable exception to this was SPONG, which published its financial report on its website, following an agreement with some of its donors.
CSO advocacy capacity remained similar to what it was in 2015. CSOs that are capable of undertaking quality advocacy are those that are well structured, that have adequate funding, and that have a strategic plan into which they have integrated advocacy. CSOs that meet these criteria are the large, well-known organizations like SPONG, Center for Monitoring and Citizen Analysis of Public Policy (CDCAP), The Center for Information, Training and Study of the Budget (CIFOEB), African Institute for Economic and Social Development (INADES Burkina), African Youth Network (RAJ), and a few others. In Burkina Faso, the majority of CSOs are informal organizations, and are, for the most part, incapable of establishing advocacy plans.

CSOs that are financially viable are also more effective advocates. Depending on the intended results and targets, advocacy can require extensive financial resources. The financial capacity of CSOs is generally very weak. The preliminary work to develop strong advocacy strategies and campaigns is resource-intensive, which limits the number of CSOs that can engage effectively in this work.

However, there are CSOs that have sufficient capacity and proven advocacy experience. They often join together in umbrella organizations that they use to develop their advocacy campaigns. Umbrella organizations have a greater capacity for action because of the number of participants and resources involved. Examples include the Coalition Against High Costs of Living (CCVC) and Faso Toilet (a partnership between the media and CSOs for the construction of latrines). The Tocsin Association, for example, fought for years to obtain votes for Burkinabés living abroad. This right was recently promised for the 2020 elections.

CSOs successfully raised awareness and advocated on behalf of their members in 2016. They regularly alert the public and government to the situation in the country through their activities to encourage them to take action. For example, the government was about to lose a grant from Japan to complete road repair in Ouagadougou, but after Circle of Awakening and the Network of Civil Society for Development (RESOCIDE) held a press conference on the issue, the government brokered a deal with Japan to keep the grant and finish the road.

The government and CSOs collaborate in different ways. There used to be sectoral dialogue frameworks that brought together ministerial departments and CSOs working on the same issues for an annual review of governmental action. Beginning in 2014, dialogue between the government and civil society took place during meetings as part of the as part of the Strategy for Accelerated Growth and Sustainable Development (SCADD). However the government changed their approach and used 2016 to develop the National Plan for Economic and Social Development. As a result, the SCADD dialogues did not occur in 2016. SPONG, CDCAP, and CNOSC participated in the Pilot Committee for the National Strategy to Reduce Poverty. They succeeded in including the principles of public funding for civil society and the recognition of CSO accomplishment in performance reports. The Ministry of Justice and SOS Penitentiary work together on prison reform. The Ministry for the Promotion of Women and Gender partners with Network of Communication, Information, and Training of Women in NGOs to promote women’s social and economic advancement. The Ministry of Social Action works with Handicap Solidarity to promote the rights of handicapped individuals.

Lobbying is often done at a local (municipal) level where CSOs do not enjoy, up to this point, the right to speak during municipal council sessions. Because of this, they use lobbying to bring their concerns to municipal councils. For example, AMW lobbied the commune of Ouahigouya to protect populations affected by mining. Affected populations received compensation in 2016 as a result.
CSOs and political parties consult and communicate with each other. This tradition has existed since 1991. The major political events of 1998 (the Norbert Zongo Affair) and 2014 (the popular uprising) brought about cooperation among CSOs and political parties which promoted advocacy, and allowed major governance questions to be resolved. However, this has also brought into question the independence of some CSOs who are playing a more political role than what they traditionally played.

In Burkina Faso, the majority of CSOs have insufficient capacity to engage in effective advocacy. However, some have proven their capacity by using advocacy in responding to the needs and interests of the community. Monitoring and advocacy of the legal framework of freedom of association is done by a very small group of CSOs SPONG, CDCAP, and RAJ, which have been working in this area since 2009. The majority of CSOs are not involved in this, and sometimes work as partners of the government in maintaining a less-favorable legal framework.

**SERVICE PROVISION: 3.9**

Services in Burkina Faso are provided by CSOs that are well structured and have significant resources. They provide services to alleviate poverty, and focus on legal assistance. Charitable organizations provide food and services to the poor. Examples of organizations delivering services in this first category include the Burkinabé Association for Family Wellbeing, which offers counseling on reproductive health on a large scale, and the Catholic Relief Service, which distributes food (cereals, oil, and soybeans) to school cafeterias throughout the country. CSOs provide goods to very poor communities and individuals through their donor-funded programs. ATAD and APIL is Kaya implement food security programs in which they distribute seeds, food, or microcredit.

The second type of services provided are related to legal assistance. These organizations offer assistance or counseling to people whose rights have been violated. They assist them in following the legal process and defending their rights. Some structures, such as the Association of Women Lawyers of Burkina Faso or the Burkinabé Movement for Human Rights (MBDHP), possess offices that provide legal assistance to people in need. The Association of Women Lawyers of Burkina Faso assists women with legal proceedings. However, they cannot represent people in court. They provide advice to people prior to going to court and pay for their legal services when in court. In addition, some CSOs attempt to moderate cases where citizens’ rights were violated.

There are no comprehensive assessments of the impact of the goods and services provided by CSOs. The only data available to assess their effectiveness are the reports written by the CSOs themselves. These reports generally note that the CSOs are unable to meet the excessive demand for their services.

CSOs provide goods and services free of charge to their beneficiaries, because they receive donor funding to cover their costs. There are no statistics on how well CSOs are delivering services to their beneficiaries, but there is widespread sentiment that their work is important. This is especially true in the area of engaged citizenship, where there is little understanding of the concept — how a citizen should engage with the government, and the rights of a citizen. CSOs that defend human rights are active in this area include the Association of Women Lawyers of Burkina Faso, RESOCIDE, the Circle of Awakening, the Observatory for Democracy and Human Rights, and MBDHP.

The government recognizes CSOs’ contributions through, for example, the General Cooperation Directorate’s report on NGOs’ contributions to development. More importantly, the Council of Ministers formally
recognized their appreciation of CSOs on March 24, 2016 for their advocacy, provision of goods and services, and their support for government actions.

Another role that CSOs play is the provision of public service announcements. These campaigns inform citizens of their rights as citizens, changing views on regressive practices (e.g. genital mutilation and early marriage), and good governance (transparency, accountability) initiatives of the government.

**INFRASTRUCTURE: 4.6**

In 2016, the CSO infrastructure did not evolve significantly. Burkina Faso has numerous CSOs that regularly participate in umbrella CSO organizations to leverage skills and funding. Intermediary Support Organizations (ISOs), which serve as technical and financial intermediaries between donors and CSOs, include organizations such as DIAKONIA, the National Democratic Institute, NODE NOTTO, and Oxfam. CSOs in Dori, for example, can turn to NODE NOTTO for their information and training needs.

CSOs access information related to improving their management or to learning about their sector of intervention through multiple sources. CSOs such as the Center for Democratic Governance, SPONG, CDCAP, and INADES Burkina have information sharing services that benefit the public and other CSOs. For specific technical information, CSOs can also send requests directly to the relevant technical service of a government ministry. CSOs share essential information through umbrella organizations such as SPONG or the trio of CSOs (SPONG, CDCAP, CNOSC) on the National Economic and Social Development Plan (PNDES).

There are few local grant making organizations. However, in 2016 CDCAP provided a grant to RESOCIDE to assist with one of its projects. Companies involved in mining are becoming more involved in corporate social responsibility initiatives, with CSOs and donors to help nearby communities impacted by mining.

In addition, some CSOs maintain a relationship with a single partner to communicate information, but this is not very common. The CDCAP have staff experienced in training and supervision of public policy monitoring with respect to CSOs. There are intersectoral partnerships, principally with the media who cover CSO activities. The majority of CSOs that receive financing also receive training in organizational management.

**PUBLIC IMAGE: 3.4**

The public image of CSOs was impacted negatively in 2016, with mixed views of civil society among businesses, the government, and the general public. CSOs’ over-engagement with the transition government, particularly movement-specific CSOs, negatively affected the public’s perception of the entire sector.

There is significant difference in the public perception between movement-specific CSOs and traditional CSOs. Movement-specific CSOs were born out of the popular movement against the constitutional changes proposed by the Compaoré regime in 2013; they were then active participants in the transition government, and highly visible through press conferences and other media. Traditional CSOs typically predate the transition period,
and conform to the traditional image of a CSO working to deliver healthcare or advocate for improved sanitation.

The unique feature of 2016 shaping CSOs’ public image was the country’s return to normal, democratic institutions, with space for the contestation of power; this change reduced the space for movement-specific CSO actions. Another factor that negatively impacted the public perception of CSOs was internal squabbling among the leadership of several CSOs which spilled into public view. The most prominent example of this comes from the “Nothing Will Be Like Before Movement.” The founding members of this movement engaged in a public argument that resulted in ad hominem attacks and, eventually, in litigation.

Traditional CSOs, on the other hand, maintained a good public image. CSOs continued to receive positive media coverage of their activities, and public opinion tracks and supports them for their consistent efforts. These CSOs maintain typical relationships with the government, wherein CSOs support government-led initiatives within their communities. They also challenge the government, however, by bringing issues to light, prompting government responses. In 2016, though, the government seemed less receptive to civil society activities. This was reflected in a lack of dialogue between the government and CSOs in the SCADD framework.

Relationships between CSOs and the media are generally good. For example, the National Union for Audiovisual Freedom of Faso (UNALFA), which represents more than 60 private radio and television stations, will often partner with CSOs to help them spread their message. In 2016, the Fase'eau Alliance and UNALFA partnered to more effectively raise awareness of access to water. There has always been a tendency to censor certain CSOs, often associated with movement-specific CSOs, by not covering their events because of their poor image. Frequently, the media uses coverage of CSO activities to fill gaps in their programming.

CSOs in Burkina Faso have maintained a code of conduct since 2010. This code establishes broad guidelines and a moral framework for CSOs to follow. To monitor implementation of this code, CSOs established the National Commission for Ethics and Monitoring of the Code of Conduct of CSOs that produces an annual report implementation of the code. In addition, each CSO defines its own internal regulations in its statutes.
2016 CSO Sustainability Scores for Burkina Faso

CSO Sustainability

1 3 5 7

Sustainability Enhanced Sustainability Evolving Sustainability Impeded

Burkina Faso 4.2

Legal Environment
Public Image
Organizational Capacity
Infrastructure
Financial Viability
Service Provision
Advocacy
The economic growth rate remained negative in 2016, maintaining the status quo of poor food security, poor access to clean water and sanitation services, and general impoverishment for many citizens. The World Food Programme reported that at the end of 2016, four in ten people were food insecure. While Burundi was slightly calmer in 2016 than in the previous year, political violence still afflicted the country. More than 350,000 Burundian refugees resided in neighboring countries at the end of 2016. The effects of 2015’s political violence were still felt by CSOs and affected their operations negatively. In addition, the political problems contributed to a foreign exchange shortage, which hurt businesses that could not obtain enough hard currency to maintain their inventories by importing goods. In 2016, CSOs were targets for state harassment, and new laws made it more difficult for them to operate freely.

CSOs are legally protected against dissolution by the state, although some organizations have faced administrative obstacles, causing five organizations to be suspended, and five others to have their registrations revoked without going through judicial procedures. The five suspended organizations were allowed to reopen by December 2016. The deregistered organizations no longer appear on the list of authorized CSOs and are
forbidden to work in the country. Despite reauthorizing the suspended organizations, trust between the government and CSOs working in the spheres of governance and human rights remained low at the end of 2016.

The 2016 context was marked by a stark division between those who were pro-government and those who were anti-government. Anti-government CSOs had to overcome restricted media access and the politicization of both human rights and good governance work as the ruling party tried to undermine and limit their reach and objectivity.

The number of CSOs increased approximately five percent, from 6,700 in 2015 to 7,006 in 2016. This includes 6,414 non-profit organizations and 592 religious organizations. At the community level, there are countless informal associations.

LEGAL ENVIRONMENT: 6.2

The legal framework in 2016 became more prohibitive for CSOs due to new laws that imposed restrictions on CSO funds and operations, in addition to state harassment of CSOs with no regard for the rule of law. At the end of 2014, Burundi adopted two laws that distinguish between non-profit associations and faith-based organizations. Law No. 1/35 of December 31, 2014 provides the structure for faith-based organizations, while Executive Order No. 1/11 of April 18, 1992 provides the structure for non-profit organizations in Burundi. These two laws are favorable to registration of nonprofits and religious associations. It is easy for a CSO to acquire legal status.

In 2016, new laws regarding nonprofits and religious organizations were considered and adopted by Parliament. On August 12, 2016, Ministerial Order No. 530/2181 on enforcement of Law No. 1/35 of December 31, 2014, providing the structure for faith-based organizations, was signed. The new law on faith-based organizations is more restrictive, increasing the minimum number of founding members required (300 founding members residing in Burundi, or 500 members for a religious denomination from elsewhere seeking to establish an organization in Burundi) and mandates a minimum level of training for the members of the governing body.

Operationally, the acquisition of legal status does not pose a problem, even though there is no specific text facilitating registration. The Executive Order No. 1/11 of April 18, 1992 and the law on faith-based organizations do not limit their approved activities and does not hinder the operation of approved CSOs.

Two restrictive laws were adopted in 2016. Parliament analyzed and adopted legislation amending Law No. 1/011 of June 23, 1999, which itself amends Executive Order No. 1/033 of August 22, 1990 by providing the general framework of cooperation between the Republic of Burundi and international non-governmental organizations (INGOs)\(^1\) and adopted a new law on non-profit associations. These two laws contain restrictive and unfavorable provisions affecting non-governmental organizations (INGOs) and civil society organizations, including their management of resources and the right to form and freely manage organizations without

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\(^1\) At the time of this report, Act No. 1/01, amending Act No. 1/011 of June 23, 1999, which amended Executive Order No. 1/033 of August 22, 1990 which provided the framework of cooperation between the Republic of Burundi and foreign non-governmental organizations (INGOs) had been enacted on January 23, 2017.
interference by the authorities. On December 23, 2016, parliament amended the legislation regulating CSOs by introducing additional rules for INGOs. The new law requires INGOs to open a foreign currency account at the Bank of the Republic of Burundi, to introduce gender and ethnic parity in recruitment, to pay 500 USD as non-reimbursable administrative costs to set up an office in Burundi, and to deposit a third of a project’s budget in their bank account before signing a cooperation agreement.

In October 2016, the government provisionally suspended five CSOs: the Civil Society Coalition for Elections Monitoring (COSOME), the Burundian Coalition for the International Criminal Court (CB-ICC), the Union of Burundian Journalists (UBJ), the Burundian League of Human Rights (ITEKA) and SOS Torture. It accused them of “activities that are not in compliance with the objectives contained in their statutes, of a nature to disturb the order and security of the state.” During that same month, the government banned five organizations: the Forum for Civil Society Strengthening (FORSC), the Forum for Consciousness and Development (FOCODE), the Association for the Protection of Human Rights and Detained Persons (APRODH), Christian Action for the Abolition of Torture (ACAT) and the Network of Honest Citizens (RCP). The five suspended organizations were allowed to re-open by December 2016.

With regards to local legal capacity, there were no significant changes compared to 2015. A number of lawyers certainly established firms inside the country, but the majority of them reside in Bujumbura, making legal advice rare in rural areas for both locals and CSOs, who have to travel to the capital to receive legal advice.

CSOs remain deeply concerned by the government’s habit of making unilateral decisions to change laws or introduce legal or regulatory provisions without prior debate between the parties concerned. The practical effect is that CSOs are not consulted, even regarding the new law passed on non-profits.

The taxation situation remains unchanged from 2015. CSOs do not benefit from tax exemptions and have to pay taxes on their income, including professional income tax and a value-added tax like all other institutions.

The law allows CSOs to generate income through membership dues, donations, and fees for consultation and services. In order to bid on public procurements, they must be registered with the Ministry of Commerce.

**ORGANIZATIONAL CAPACITY: 6.0**

In 2016, the environment of crisis and poverty was intensified by the effects of climate change, and notably, this disproportionately affected CSOs working in the agricultural sector. This contributed to a general weakening of organizations, their ability to provide support, and the mobilization of both local and provincial support. The new controls on INGO financing and the new restrictions on CSOs that affect both their management of resources and the right to form and freely manage organizations without interference by the authorities also contributed to this general weakening.

The more established CSOs, with proven experience and loyal partnerships, organized planning consultations with their members to develop five-year strategic plans, annual budgets, and work plans.

Similar to 2015, CSOs’ internal management varied in quality with some being robust and others being quite weak. Those with management systems had an executive committee, board of directors, a supervisory board, or an executive secretariat that were structured properly and operated transparently. In addition, these organizations also had processes and tools for administrative and financial management. The administrative and management procedures and roles were clear in robust organizations.
In robust organizations, administrative and financial procedures manuals, codes of ethics, personnel manuals, and accounting procedures are commonplace. These tools clarify administrative and management procedures as well as staff roles. The relationship between the governing bodies and the staff was also clearly defined. Funds were tracked and monitored using financial tools, and technical and financial reporting was regularly conducted. This also facilitated external audits of organizations that could benefit from their activities being financed by donors that require external audits before financing local organizations.

CSOs that had sound corporate governance typically held regular statutory and administrative meetings and transmitted the minutes of their general assemblies and the annual activity reports to the Ministry of the Interior before the annual deadline (March of each year). CSOs with weaker corporate governance did not hold regular statutory meetings and they also failed to systematically transmit reports to the Ministry of Interior.

CSOs continued to struggle with limited resources in 2016, and many had to reduce their permanent staff. Among the organizations that had to reduce staff were ITEKA, FORSC, and APRODH. Similarly, few CSOs were able to hire or retain permanent staff. This led to the use of volunteers who had to do CSO work outside of their usual professional work hours or reliance on voluntary labor from former employees they could no longer employ. The latter occurred at the Organization for Government Action (OAG) in order to maintain day-to-day operations in the organizations concerned.

Moreover, few CSOs had resources for offices. The lack of resources at CSOs did not allow them to acquire and maintain office equipment and modern technology.

**FINANCIAL VIABILITY: 6.2**

In 2016, the financial viability of organizations decreased as foreign donors reduced the scope of their programming, which cascaded down to impact INGOs which, as a result, have less funding to implement activities directly or through local organizations. The European Union (EU) suspended direct financial support to the government in March. At the time, the EU funded approximately 50 percent of the government’s annual budget. Importantly, however, the EU did not cut humanitarian assistance. While the EU was a significant donor, other donors continued their support throughout 2016. Notably, China continued infrastructure support, Belgium in agriculture, the Global Fund to Fight AIDS, Tuberculosis, and Malaria in health, with a few other INGOs from the United States and Europe also continuing support. However, CSOs’ access to funding was significantly restricted in 2016.

CSOs have faced long-term challenges to achieving financial independence. These challenges are related to the reduction of external financing and a lack of strategies to mobilize funds within organizations. The financial viability of CSOs remains fragile, and few CSOs have financial reserves to continue to operate and carry out their activities sustainably.

There is little, if any, resource diversification in Burundi. CSOs lack local financial support and subsidies from the state. In addition, there are no philanthropic organizations that grant money to CSOs. CSOs have very limited financial resources and the membership fees they are able to collect are insignificant. Thus CSOs face financial viability problems in the short, medium, and long-term and still have not developed strategies to diversify funding sources or develop sustainable partnerships. When they do have opportunities to apply for funding from a foreign donor or INGO, CSOs lack employees who are capable of developing project ideas with the technical abilities to respond to a request for proposals.
Many CSOs do use financial management tools on a regular basis. These tools are regularly updated to fit the operating context and the standards required by international donors. Some examples of CSOs that maintain updated financial management tools are the Support Organization for Self-Promotion, the OAG, and the Burundi Association for the Well-being of Family (ABUBEF). They produced and published annual reports and were subject to independent external audits, in accordance with their financing agreements, creating a dynamic wherein a culture of transparency, accountability, and good governance was nurtured.

CSOs still have not begun fundraising through awareness-raising campaigns nor through programs to encourage philanthropy. As a result of the widespread poverty at the community level, there are many who believe that people would rather receive assistance or support from the state and the CSOs, with the state holding a parental role and CSOs acting as *abagiraneza* ("benefactors"). In such a context of poverty, CSOs cannot expect to receive individual or community donations.

In order to supplement their income, CSOs will rent offices, vehicles and other equipment or offer services for pay. This principally occurs in the health sector. CSOs that partner with The Global Fund to Fight AIDS, Tuberculosis, and Malaria benefit from a performance-based financing approach that requires them to achieve certain performance criteria in order to receive payment. Other CSOs engage in revenue generating initiatives such as setting up small stores or hair salons.

**ADVOCACY: 4.8**

The pervasive distrust between the ruling party and CSOs identified as members of the opposition dominated the advocacy environment and limited its effectiveness in 2016. CSOs labeled as the opposition by the ruling party broadly include those that work in human rights, governance, and some media organizations. The government labeled some civil society as collaborators with the opposition, and some of these leaders chose to live in exile due to threats and violence. In short, CSOs in 2016 struggled to conduct effective advocacy campaigns and were unable to influence decision-making and legal reforms.

In spite of this environment, CSOs and government partners did work together in a few notable areas. There were joint advocacy initiatives to promote Anti-Corruption Day, agricultural activities, and youth engagement. In each of these activities, the government’s involvement and participation was observed.

In addition, communication guidelines for project implementation were drawn up by the government that included what needs to be communicated to the government related to budgets and engaging local authorities.

CSOs initiated thematic coalitions in 2016, which included an agricultural coalition called the Agriculture Advocacy Group (GPA) and a coalition for water and sanitation called Water and Sanitation Organization of Burundi (OBEA), which viewed access to high quality drinking water in rural areas as a human right. CSOs participated in a conference on human rights to defend rural populations’ right to good quality drinking water.

Even though CSOs did not participate in decision making bodies, they did have a few minor successes. They conducted lobbying actions that resulted in the reopening of Isanganiro and REMA FM radios and, in December 2016, the re-opening of five suspended CSOs (COSOME, CB – ICC, UBJ, ITEKA, and SOS Torture). However, the three other media outlets, African Public Radio, Radio TV Renaissance, and Bonesha FM remained closed at the end of 2016.
CSOs, including agricultural producers, mobilized through umbrella organizations (CAPAD and ADISCO) to demand the improvement of regulations governing their sectors (coffee and rice). Traders’ associations, particularly traders sourcing in the provinces and transport associations in the City of Bujumbura, have rallied to defend their rights in the face of certain restrictive measures taken by the administration.

On the other hand, despite the reopening of Isanganiro and REMA FM, CSOs did not have enough freedom or opportunity to organize public debates to communicate their messages, either on television or on radio. However, pro-government CSOs benefited from a privileged position in the public media, able to express their support for the government or to attack certain international institutions, such as the EU and the UN, and other CSOs for not aligning with the pro-government organizations.

**SERVICE PROVISION: 4.8**

CSOs had less ability to provide services than in 2015 due to donors curtailing financial support. This had a particular impact on activities outside the capital, which were reduced in scope as funding became scarcer.

CSOs with financial resources continued to provide services in many areas, including in the areas of health, education, family planning, human rights, education for peace and reconciliation, welfare, hygiene, access to drinking water, the protection of the environment, assistance to vulnerable persons, governance, and fighting against sexual violence and gender-based violence. The costs associated with these services are borne by the donors through project-specific financing.

Due to a lack of sufficient resources, CSOs were unable to provide services that adequately responded to the needs and priorities of the population. In general, there were few initiatives to involve the community in the design, implementation, and evaluation of community-based projects.

The benefits of CSO interventions were not limited solely to their members. Services were offered equally to other groups. CSOs which produced publications distributed them for free if they were able to do so. To take just one example, the OAG, which produces analyses of government actions, distributed its work to the government agencies and CSOs that make up its network. In addition, reports are available for download on their website for anyone with an internet connection.

Despite the tense relationship between CSOs and the government, the state recognizes the value of the work of CSOs in the areas of health, peace-building, education, and in land and environmental management for communities. Financing agreements have even been signed between the government (at the ministerial level) and some CSOs for the execution of certain projects. However, problems emerge when CSOs start speaking out against human rights violations and poor governance.

**INFRASTRUCTURE: 5.8**

In 2016, a general lack of support by intermediary service organizations or by NGO resource centers was noted, as well as a lack of foundations to provide community subsidies. One of the few exceptions to this rule is the Agricultural Producers’ Forum of Burundi (FOPABU). FOPABU brings together seven national farmer organizations under one body to share information, advocate for interests with the government and donors, and promote rural interests.

In 2016, CSOs continued to share information with each other through social networks. Collectives, networks, and existing platforms functioned, but with difficulty. CSOs shared information with each other through
coalitions (for education), networks (the Network of People with Disabilities, Network of People Living with HIV/AIDS (RBP+), and national networks for youth action), platforms (the Integrated Civil Society Platform) and collectives (the Collective of Women’s Organizations and collectives for the promotion of youth associations). It is through these networks where information is shared that CSOs promote their interests to the government and donors. That is to say, there is no single voice for CSOs, but rather many voices speaking on their behalf.

In comparison to 2015, CSOs were less able to organize large-scale training activities due to a lack of financial resources. In 2015, there were national-level trainings to prepare political parties for the general elections. In 2016, there were no national-level training activities. The sub-national-level activities that were organized were offered in both French and local languages (Kirundi and Kiswahili).

In 2016, cross-sector partnerships between CSOs (the establishment of groups of CSOs in relation to a specific issue or theme) to solve certain problems were initiated by several organizations. For example, the Support Organization of Self-Promotion (OAP) worked in rural communities in multiple sectors to lessen their dependence on wood burning stoves, better manage water, and improve agricultural practices. Organizations have always been hesitant to partner with the media. Formal partnerships between CSOs and the private sector were not seen in 2016.

**PUBLIC IMAGE: 4.6**

The public image of CSOs is mixed and is largely determined by whether or not an individual identifies with the opposition or with the government. The position of certain civil society organizations and the different reports of violations of human rights authored by CSOs continues to affect their image in 2016 in the eyes of public authorities.

The space for media coverage of CSOs that are critical of the government was limited in 2016. Five media organizations who were friendly to opposition points of view were shut down with only two reopening. However, media space for CSOs who are considered pro-government was easy to find. The media showed a certain neutrality in the face of a trend to categorize CSOs into two groups, with some CSOs supposedly close to power and other CSOs accused of collaborating with the radical opposition.

The public, whose opinions have been manipulated to some extent, was suspicious when technical and financial partners announced that they would give their support through CSOs. However, in general, people appreciate interventions made by CSOs and consider them as benefactors close to them.

Government agencies have continued to manifest an attitude of distrust towards some organizations, including those involved in human rights and those who have spoken out publicly against the third term of President Nkurunziza.

Burundi’s National Television Radio is called upon to cover and disseminate the activities of political authorities as a matter of priority and to cover activities that promote them.

There was nothing noteworthy to report on the relationship between businesses and CSOs.
Channels to publicize the activities of CSOs were reduced by the destruction of the independent private media. New information technologies have been favored to broadcast and share information with other associations. There has been a craze for social networks (including Twitter, WhatsApp and Facebook). Some CSOs have maintained websites, which they update regularly.

There is no standard code of ethics for CSOs. FORSC was developing one, but it was suspended and the working group was dissolved before completion. The Burundian press still follows their code of ethics.

The few CSOs that have continued their activities produce and publish their activity reports. Those who receive funding from external donors are, as usual, subject to internal audits (required by their contracts) and external audits. These audits enhance their credibility with partners. Following the distrust displayed by public authorities toward some civil society organizations, opinions on whether the public image of CSOs in civil society are appreciated remain divided.
CÔTE D’IVOIRE


A new government was formed on January 12. This government specifically named ministries responsible for human rights and public freedoms, as well as for social cohesion and the compensation of war crime victims. Regarding the latter, Côte d’Ivoire’s reparations body identified more than 300,000 victims who could be eligible for compensation, and in October the government published the report of the Dialogue, Truth, and Reconciliation Commission on crimes committed during the 2002-03 and 2010-11 crises. This is a sign of

Country Facts

Capital: Yamoussoukro
Government Type: Presidential Republic
Population: 24,184,810
GDP per capita (PPP): $3,600
Human Development Index: 171
political will to make human rights a priority in the national agenda, and to definitively turn the page on the long military-political crisis in the country.

Despite the ever-present threat of violence, dialogue between the government and the opposition continued. This dialogue eased the political tensions and contributed to the relative calm during the last presidential election (October 2015), leading to a relatively open, inclusive, and peaceful parliamentary election in December 2016. Prior to the parliamentary elections, the country voted on a new constitution on October 30, and subsequently adopted it on November 8, establishing the Third Republic of Côte d'Ivoire. The new constitution explicitly highlights the role of civil society in Article 26, stating that “civil society is one of the components of the expression of democracy. It contributes to the social, cultural and economic development of the nation.” The previous constitution guaranteed the freedom of association, assembly and demonstration, but it did not explicitly mention civil society.

On the social planning and security fronts, Côte d'Ivoire was the victim of a terrorist attack in March 2016, which resulted in the death of 18 members of the Côte d'Ivoire armed forces at a resort in Grand Bassam. In March, intercommunity conflicts between agriculturalists and pastoralists in the regions of Buna and Vavoua also resulted in loss of life and damaged property.

CSOs, the total number of which remains unknown, operate in a relatively open climate. They engage in democratic processes, human rights, and economic development. Legislation governing the sector dates from 1960 and makes no distinction between CSOs, NGOs, unions, charities, clubs, or other organizations.

**LEGAL ENVIRONMENT: 5.3**

Until 2016, the legal environment regulating the CSO sector in Côte d'Ivoire remained unchanged. It was based on Law No. 60-315 of 1960. However, with the adoption of the new constitution in 2016 and Article 26, CSOs became formally recognized. This recognition could eventually accelerate the revision process for Law No. 60-315 of September 21, 1960. The revision process has been underway with the Ministries of State, the Interior, and Security since 2015.

It is easy to create an organization in Côte d'Ivoire. Article 2 of Law No. 60-315 states, “Associations of people can form without prior authorization.” Thus, simply declaring an association is sufficient. These declarations are delivered to prefects and sub-prefects, which are part of the Ministry of Interior and Security, and once the declaration is made, a proof of filing is issued.

The 1960 law allows CSOs and their representatives to freely carry out all activities as described in their organizational texts. However, in Article 4 the law states that “all associations founded for a cause or a purpose which is illicit, contrary to laws, to good morals... are null and void.” This notion of "good morals" is not defined in the law, so its definition is left up to the authorities; it may, therefore, be interpreted broadly and in a discretionary manner by the administration in order to deny proof of filing to certain organizations. This happened to Lesbian Life Association Côte d'Ivoire (LLACI) and Alternative-Côte d'Ivoire.
However, administrative delays, travel expenses, ethical and morality investigations, visits to headquarters by investigators, and the publication of the Official Journal (OJ), etc., constitute an obstacle to obtaining this final definitive legal document. The result is that many associations that have requests pending for their proof of declaration documentation operate without official status.

In addition, the new constitution’s Articles 19 and 20 on freedom of association, expression, assembly and demonstration strengthen CSOs’ rights to demonstrate and operate. Article 6 of Law 2014-388 of June 20, 2014, protects the headquarters and residences of defenders of human rights (DHRs). Despite this protection, there were still reports of burglaries at the headquarters of DHRs, such as the Ivorian Movement for Human Rights (MIDH) in October.

Furthermore, associations are not free from administrative attempts to render them ineffective. For example, in September 2016, the Secretary-General of the Movement of Teachers for the Defense of their Rights (MIDD), Mr. Mesmin Comoé, and some of his colleagues received threats in response to their labor union involvement, suggesting those involved would be transferred to posts in the interior of the country. The decision to suspend the activities of associational movements for students and maintain a police presence on university campuses, following a Ministerial Council on January 27, 2016, was a flagrant violation of the freedom of association and a violation of academic freedom. Notwithstanding these cases of harassment, CSOs have participated in public debates and freely expressed criticisms in meetings, debates, declarations, press briefings, reports, and other forms of communication.

There are no lawyers specializing in CSO law. However lawyers who are members of local CSOs have taken an interest in these questions and initiatives are underway with Lawyers Without Borders Canada, in collaboration with local NGOs such as SOS Exclusion, Women’s Center for Democracy and Human rights in Côte d’Ivoire (CEFCI), Association of Women Lawyers of Côte d’Ivoire (AFJCI), and the Ivorian League of Human Rights (LIDHO). Due to a lack of financial resources and specialization, CSOs do not offer legal advice to other CSOs, either in Abidjan or in other areas of the country. Existing legal consultation is directed exclusively at the general public and project-based interventions. One example of this is the Project for Improving Access to Justice (PALAJ) implemented by AFJCI in partnership with the Government of Côte d’Ivoire and the European Union (EU).

The legal framework imposes no taxes on CSOs, and CSOs do not pay taxes. It is possible for individuals to benefit from a tax deduction for gifts to CSOs with a humanitarian mission. The individual needs to address a request to the fiscal revenue service. This service is free to decide whether or not to honor the request. Frequently, the request is denied with a request to make the donation through a state agency to the desired recipient.

**ORGANIZATIONAL CAPACITY: 5.1**

Many initiatives have favored setting up clusters of organizations in the form of support groups involving local authorities, unions, and NGOs. Indeed, international donors favored groups of CSOs, rather than individual CSOs, with their financing in 2016. CSO networks that received international donor financing in 2016 from USAID include the Civil Society Coalition for Peace in Côte d’Ivoire (COSOPCI), the West African Civil Society Forum (FOSCAO), the West Africa Network for Peacebuilding-Côte d’Ivoire (WANEP-CI), the Coordination of Côte d’Ivoirian Women for Elections and Post Crisis Reconstruction (COFEMCI-RPC), the Platform of Civil Society Organizations for Election Observation in Côte d’Ivoire (POECI), and the Educators Network for Human Rights and Gender (REDHG). These groups contributed to training 31 Regional Commissions of the National Commission of Human Rights of Côte
d'Ivoire (CNDHCI). Training sessions focused on the following themes: life in prison, terrorism, strengthening skills for dealing with gender-based violence, case management, and protecting human rights.

Ivorian CSOs have precise missions related to their goals. However, only some CSOs work from strategic plans. CSOs that function with strategic plans include: the General Workers’ Union of Côte d’Ivoire (UGTCI), the National Association of Professional Agricultural Workers of Côte d’Ivoire (ANOPACI), the trade union confederations (Dignité, Humanisme), and REDHG.

In terms of structure, boards of directors are gradually being put in place, but their functions vary from one organization to the next, with the general purpose of ensuring the organization functions smoothly. In most cases, installing a board of directors is an imposed requirement of an external financial partner. Some boards of directors work transparently and openly, while in other organizations the roles of members of the board of directors remain opaque.

The majority of CSO staff are unpaid volunteers. However, some CSOs pay personnel for specific roles such as an administrative assistant or accountant. As project needs dictate, paid and volunteer staff are recruited using job descriptions. It is common for volunteers to only work at a CSO for a short time period to fill a project-specific need. With this short-term staffing mentality it is challenging to increase CSO capacity.

The resources of CSOs generally do not permit purchasing new or more modern office equipment, with the exception of some networks and coalitions such as the WANEP-CI and Group of Ivorian Actors for Human Rights in Côte d'Ivoire (RAIDH). Many organizations in the interior of the country even lack internet access.

**FINANCIAL VIABILITY: 5.1**

Local CSO funding sources are either rare or nonexistent. Volunteers typically provide their support through non-financial means, such as time, access to their contacts, or use of space for events. For example, the NGO Community Based Organization for the Development of Women’s Activities (ODAFEM) has requested that village populations in the sub-prefecture of Aboisso construct latrines under the Program to Support the Acceleration of Sustainable Access to Water, Hygiene and Sanitation (PADEHA). In addition, many local sources of philanthropy exist in the form of foundations (Fondation Djigui, Drogba, Kalou, etc.) and of service clubs, like the Rotary Club and Lion’s Club, which are directly supported by the public.

CSO funding comes from a variety of sources, including membership dues, merchandise (such as t-shirts and baseball caps), and external donors. The membership dues and merchandise sales account for very little of their overall funding, however. The vast majority of funding is provided by external donors through specific projects. As stated above, funds from external donors tend to favor groups of CSOs rather than individual CSOs. Overall, the majority of CSOs are unable to cover their short-term expenses, but some of the larger ones have sufficient resources to meet their fixed costs.

Financial transparency is a major challenge facing CSOs, as financial audits are rare and financial reports are not published. Organizational statutes and internal regulations provide a set of plans for cash management and statutory audits in CSOs. In addition to having statutory and regulatory plans, more robust CSOs have accounting procedure manuals, and both internal and external audit systems. Unfortunately, using these mechanisms to improve management remains a challenge.

Some CSOs have succeeded in retaining financial partners for an extended period of time, but this remains a minority of well-known CSOs. For example, long-term partnerships have existed among such organizations as
REDHG and USAID; SOS Exclusion and the NED Foundation; WANEP and Open Society Initiative for West Africa; the African Union Club Côte d'Ivoire (UA) and the European Union (EU); and the Association for Women Lawyers of Côte d'Ivoire (AFJCI).

Communication efforts are made to encourage members to pay membership fees. Despite these efforts, very little philanthropy occurs. For some services, products, or rentals, a contribution of ten percent of the cost is deducted from the salaries of staff members when projects are funded to ensure there is enough money to finance the project up front. However, this practice is not widespread.

No law prevents CSOs from obtaining revenue for providing goods and services. Many CSOs have responded to government requests for proposals in their areas of expertise, and have benefited from doing so. For example, the Platform for Civil Society Organizations for Elections in Côte d'Ivoire (POECI), which brings together faith-based organizations, professional unions, NGOs, and coalitions benefited from financial support from the Independent Electoral Commission (IEC) during elections, such as the presidential election in 2015 and the 2016 referendum and legislative elections. Another example is the RAIDH, LIDHO, and MIDH obtaining a grant and the invitation to tender by the government and the French Development Agency (AFD) to implement the Debt and Development Contract (C2D).

The expertise of CSOs is most often sought by the government and state actors in actions of public interest. For example, CSOs participated, or are participating, in the Open Government Partnership (OGP), the Debt and Development Contract (C2D), and the Millennium Challenge Corporation (MCC). However, collaborations between CSOs and local businesses are virtually non-existent.

All organizations have legal provisions enabling them to recover their membership dues, but in practice very few contributions are mobilized for organizational support, even to meet fixed costs like rent, electricity, water, training, communication, and security.

**ADVOCACY: 4.6**

Direct lines of communication exist between CSOs and decision-makers. Some are led by development partners and others are government or local entities, like regional councils and town halls. The establishment of the OGP and the MCC are the results of recommendations from development partners. The government has initiated a social dialogue with the Inter-union of Officials of Côte d'Ivoire (IFCI). The IFCI’s role is to defend the material and moral interests of public servants and agents of the state, and to provide its members with training to improve management and to develop their sense of solidarity and mutual respect. CSOs are approached more regularly by the government and donors to assist with projects, as was the case during the 2015-2016 electoral process with the Independent Electoral Commission, IFES, NDI, and the UNDP working with local partners, and France working with LIDHO, MIDH, and RAIDH on the C2D framework.

Several advocacy initiatives took place in 2016 that yielded encouraging results. During the constitutional reform mentioned above, CSOs undertook advocacy actions with the National Assembly and with the Expert Committee responsible for drawing up the preliminary draft Constitution. On June 9, 2016, these advocacy actions at the offices of the President of the Republic culminated in consultation meetings between the head of state and civil society groups. One tangible result of this is the recognition of the role of civil society as an important pillar in the construction of democracy and the rule of law embodied in Article 26 of the November 8 Constitution. Another piece of advocacy work by several human rights organizations led to the drafting of a memorandum by the Ministry of Human Rights and Public Liberties and the Ministry of Foreign Affairs to
ratify the Optional Protocol to the Convention Against Torture (OPCAT) and Protocol 2 of the International Covenant on Civil and Political Rights (ICCPR) to abolish the death penalty.

CSOs rarely lobby and are still unfamiliar with the concept. Currently, the only known mechanism for lobbying is the Open Government Partnership (OGP), which is still being developed. The OGP allows regular technical committee meetings to occur that bring together ministries and CSOs. These meetings provide CSOs an opportunity to directly influence the development of policy among government actors.

CSOs know that a favorable legal and regulatory framework can enhance their effectiveness and sustainability. For this reason, on August 4th, 2015, the Convention of Ivorian Civil Society (CSCI) and the Center for Research and Action for Peace (CERA) initiated a meeting with the Ministry of State, Ministry of the Interior, and Ministry of Security to discuss reforming the CSO law. On this occasion, the Minister of State, in his speech, acknowledged “…associations are governed by a law from 1960. The challenges are no longer the same. Reforms are needed to give new life to these often outdated laws.” Efforts to reform this law remain ongoing in 2016.

**SERVICE PROVISION 3.7**

CSOs’ areas of intervention are diverse. Organizations such as the Association for Supporting Health and Urban Self-Promotion (ASAPSU) and the Ivorian Association for the Welfare of Children and Women (AIBEF) intervene in the areas of health; SOS Exclusion and REDHG in education and training; and the NGO ODAFEM addresses basic social services such as access to water and sanitation. Rural Animation Korhogo and the Youth Economic Chamber (JCE) are very active in economic development and independence for women and youth in rural areas. The Network of Ivorian Civil Society Organizations for Citizen Control of Public Action (ROSCI-CCAP) addresses the areas of governance and social justice, as do others. This reflects a diversification of the sectors of intervention.

The products and services provided by CSOs reflect the needs and priorities of communities, but CSOs are unable to meet the urgent demand for basic services. For example, a major cause of conflict in Côte d’Ivoire is land dispute. In response, CSOs raise awareness of the current land ownership laws, but they struggle to do so with limited resources, and results are mixed. Similarly, CSOs are responding to demand in the health sector, but they are unable to fully meet the needs. CSOs are actively providing assistance to people with HIV/AIDS, and are educating populations at risk for becoming infected with the disease. Once again, the need for HIV/AIDS assistance and education is greater than the support CSOs can muster, especially in rural areas.

The services provided by CSOs, other than basic social services, benefit both their members and the general population. For example, the 2015 CSO Sustainability Index report prepared by REDHG was distributed to specific ministries, to national and international institutions, embassies, research centers, and CSOs. It is increasingly common for CSO reports and inquiries to be shared with the general public. In 2016, the CSO sector witnessed an improvement in professional report editing and production. To illustrate this point, CIDDH produced a report on the international mechanisms of human rights; Action by Christians for the Abolition of Torture in Côte d’Ivoire (ACAT-CI) published a report on the conditions inside Ivorian prisons; and RAIDH and other CSOs published reports on the displacement of populations in the Mount Peko region.

Few CSOs request payment for their services due to the precarious situations and impoverishment of their constituents. When specific advisory and technical services are needed, CSOs do receive payment. For services
such as the reports mentioned above, review and manual fees are neither expected nor received. Services are also free for beneficiaries when a donor-funded project covers the costs.

The government recognizes the value that CSOs can bring to the delivery of basic social services. This state recognition resulted in prizes from the CNDHCI for organizations which distinguished themselves that were awarded during the commemorations for the International Day of Human Rights. The recipients were the NGOs Publish What You Pay (PCQVP) and Action for the Protection of Human Rights (APDH). The prize to PCQVP rewarded its dedication to the control of government expenses, and APDH was recognized because of the trial it won against the state of Côte d'Ivoire at the African Court on Human and Peoples' Rights (CAFDHP) on November 18th, 2016. LIDHO, MIDH and RAIDH also received 300 million, 200 million and 116 million CFA at the behest of their donors, respectively, under the implementation framework of C2D, supervised by a committee composed of the French Development Agency and the Ministry of Justice and Human Rights.

**INFRASTRUCTURE: 5.4**

There are not many Intermediary Support Organizations (ISOs) in Côte d'Ivoire apart from CERAP, a university institution with a function similar to an ISO. Those that do exist were established by CERAP through the project Leadership and Initiatives of Non-state Actors (LIANE) in 2015. These ISOs are located in Bouaké, Bondoukou, Korhogo, San-Pedro, and Man and there was no change in the ISO sector in 2016. ISOs respond as best as they can to the needs of local CSOs, but their efforts are insufficient in the most remote areas of the country. Nonetheless, services are offered at no cost to their beneficiaries.

Some foundations, like Kalou, Drogba, MTN, Orange, and Moov, provide equipment to deliver better basic social services. For example, these foundations’ interventions target schools, providing equipment for multimedia rooms and libraries. They also support the improvement of hospitals’ technical platforms. As mentioned above, CERAP, as an NGO, undertakes capacity reinforcement for CSOs by mobilizing resources from international donors.

Information sharing takes place between member organizations within the same platform, network, or coalition. These platforms can spontaneously collaborate in the context of specific themes. For example, WANEP-CI brings together CSOs interested in peacebuilding. Information sharing across thematic networks is rare. Those CSOs that are engaged in health communicate with others that are engaged in health; and those in education communicate with others in education. There is no unifying committee or organization through which the CSO sector can express a common interest with one voice.

Many trainers with expertise in CSO management exist in Côte d'Ivoire. CERAP, UNESCO, African Center for Management and Management Development, and several private firms offer these trainings in Abidjan. The modules offered cover project design, management and human resources, human rights, conflict management, and peace and security. Training material is available in French and English, but it is not typically available in local languages.

There are a few examples of CSOs working in partnership with local businesses, government or the media to achieve common goals. The Network for Action on Small Arms in West Africa (RASALAO) established a cadre of journalists trained to report on the problems of small arms. LIDHO joined the civil litigation process during the 2010 post-election crisis and signed a partnership with a local law firm. A group of journalists trained by the Ivorian Coalition for the International Criminal Court (CI-CPI) in Abidjan reports from The Hague on
international justice issues related to the post-election crisis. They regularly inform people about trials underway at the International Criminal Court (ICC).

**PUBLIC IMAGE: 5.0**

Opinions on CSOs vary among the general public, the private sector, and the public sector. Media coverage benefiting CSOs is often mixed and subject to trends, even when their activities are in the public interest. Most of the time, CSO activities are reported on in a manner that is consistent with the editorial position of the reporting body. That is to say that only outlets close to the opposition report information which could be seen to be critical of the government. Similarly, when information is likely to contribute to recognition of an action favorable to the ruling party, the information is distributed by outlets close to those in power.

CSOs do not always enjoy a good reputation among the general public, because not everyone understands the concept of a CSO. Public support is generally weak in both urban and rural areas. In rural areas, though, the public supports CSO projects more than in urban areas. This is due to CSOs visibly responding to the needs of rural populations, even when the efforts may be insufficient.

The private sector generally does not have a favorable perception of CSOs because of their critical role in raising awareness among the people and the workers. This is especially true in the extractives sector, where CSOs are critical of business practices and call for social responsibility. In the public sector, their reputation is relatively good. In the community, both the private and public sector rely on the expertise of NGOs. On the other hand, when it comes to trade unions the public and private sectors are much more suspicious of union demands and corporate claims.

In 2016, CSOs broadcasted information by creating websites and through social networks. Some CSOs used traditional media channels, such as print and television. CSOs were more successful than in the past in forging relationships with journalists by setting up issue-specific groups. Examples such as the Network of Media, Arts, and Sports Professionals involved in the fight against AIDS and other Pandemics in Côte d'Ivoire (REPMASCI) and networks of journalists working on children’s rights, women’s rights, and gender are examples of good practice.

There is no code of ethics specific to the CSO sector. However, sector-specific codes of ethics exist, such as the Journalistic Freedom, Ethics, and Conduct Observatory, which is a self-regulating body for the written press in Côte d'Ivoire.

Article 13 of Law 2014-388 of June 20th, 2014, on the protection and promotion of human rights defenders says "...human rights defenders are obliged to report annually on their activities to the minister responsible for human rights." As defined in the law, this provision applies to nearly every CSO operating in Côte d'Ivoire. Despite this provision, very few organizations have filed reports with the Ministry of Human Rights since the enactment of the law.
2016 CSO Sustainability Scores for Cote d'Ivoire

Cote d'Ivoire

4.9

Sustainability

Enhanced

Evolving

Impeded

CSO Sustainability

Legal Environment

Public Image

Organizational Capacity

Infrastructure

Service Provision

Advocacy

Financial Viability
In 2016, the political situation in the Democratic Republic of Congo (DRC) deteriorated as presidential elections were delayed. The President, Joseph Kabila, completed his second term in 2016, and elections in September were supposed to usher in his successor in December. President Kabila delayed these elections which resulted in another year as president. The National Episcopal Conference of Congo (CENCO) held a dialogue between pro-government and opposition leaders that resulted in a political accord on December 31, 2016. The accord will install an interim government, ensure elections will be held in 2018, and keep President Kabila off the ballot.

Economically, the DRC continues to struggle, and it was hit hard by declining raw material prices and lower global demand for these materials, notes The World Bank. Its gross domestic product growth is not expected to surpass 2.5 percent in 2016. The government is working to reform the extractives sectors and participates in the Extractive Industries Transparency Initiative.

The Minister of Justice suspended the awarding of legal registration to civil society organizations (CSOs) that had been in place since the end of 2015. Thus, only two CSOs were able to register with the government in
2016: the National Automobile Museum and the Teachers’ Healthcare Mutual Society of Congo. In total the Directorate of Cults and Associations of the Ministry of Justice estimates that there are 25,987 CSOs officially registered in the DRC of which 14,868 are non-religious and public institutions, and 11,119 are religious.

Nonetheless, CSOs benefited from open spaces for expression and exchange within the scope of different donor-funded projects such as the decentralization round table in Kwango province that supports local governance. The Open Society Initiative for Southern Africa (OSISA) also supports dialogue on access to energy in the province of Kongo Central. In addition, the national democratic institutions have also encouraged open political space. These institutions include the Social and Economic Council, the National Commission for Human Rights, the Superior Council of Audiovisual and Communication, and the Independent National Electoral Commission. These initiatives strengthened collaboration between CSOs and the different line ministries, contributing to a more inclusive process within the ministries for adopting, implementing, and monitoring public policies.

LEGAL ENVIRONMENT: 5.5

The legal environment deteriorated marginally compared with 2015 due to the blocking of legal registrations and increased scrutiny of CSOs’ activities. The July 21, 2001 Law 004 regulating not-for-profit organizations and public benefit organizations is favorable to CSOs, but in practice it is not easy for a CSO or association to be designated as a legal entity, for many reasons. Many CSOs are located far away from the Ministry of Justice, which grants legal status, making it hard for CSOs to obtain paperwork and receive responses. Also, the costs of administrative procedures are high, which limits how many CSOs try to obtain legal status. This situation was aggravated on December 30, 2015, when the Minister of Justice indefinitely suspended registrations to not-for-profit organizations and public benefit organizations. This justification was on the basis of a report that some religious CSOs had deviated from their missions in order to engage in political activities. According to the law on associations, CSOs are to remain apolitical. This suspension of granting legal status affected nearly all organizations who were trying to register in 2016. In 2016, the government made special exemptions for two organizations to legally register. These were the Automobile Museum and the Teachers’ Healthcare Mutual Society of Congo. There were no temporary registrations, F92, granted in 2016.

The law on associations of 2001 lists the criteria that CSOs need to fulfill in order to register and remain a CSO in Article 7. These include, among others, regulations on internal management, fields of authorized activities, people responsible for the CSO’s finances, and the modalities of dissolution. However, smaller organizations tend to register without completing these criteria. This is the case for organizations such as farmers’ organizations, union organizations, community-based organizations, dispensaries, pharmacies, and mutual support organizations.

The Congolese Constitution guarantees the freedoms of association, demonstration, opinion, religion, information and expression in Articles 22 through 27. However, CSOs working in the areas of human rights, democracy, transparency, and anti-corruption are more often scrutinized for their work than CSOs which work in health care or agriculture. From the point of view of the law, not-for-profits and public benefit organizations are able to function freely. However, human rights NGOs are targeted and occasionally harassed by authorities.
For instance, the African Association for Human Rights (ASADHO) was threatened with closure by the Directorate General for Taxes (DGI) in 2016.

In principal, NGOs can express themselves freely in public debate, on the condition that they do not violate any laws, the public order, or good morals. However, certain officials from human rights organizations have been threatened and intimidated by security services. In addition to the case of ASADHO, mentioned above, threats were used against the Committee of Human Rights and Development and the New Congolese Civil Society (NSCC). No CSOs were dissolved in 2016.

In major and secondary cities, lawyers may be found who specialize in civil society issues. Access to consultations is generally difficult for associations because of high costs, but there are some free legal assistance providers such as Toges Noires, Lawyers Without Borders, ASADHO, and Voices for the Voiceless. Legal services are difficult to access in rural areas.

CSOs benefit from administrative and fiscal privileges. This includes some tax exemptions, such as those on rental income, vehicles, and property; customs exemptions for imported goods related to their mission; work visas for foreign employees; rights to use some state-owned media equipment; and simplified procedures at the Congolese Control Office (OCC) under the Ministry of Trade. A CSO’s privileges are determined by the Ministry of Planning once all relevant line ministries have signed off on them. However, CSOs still have to pay taxes on donations and subsidies that they receive. There are no tax deductions for individuals or organizations that donate to CSOs. The process to receive these tax benefits is long and costly. In 2016, of 112 applications submitted to the Ministry of Planning, 92 were granted, of which 34 were for international organizations and 58 were for Congolese organizations.

ORGANIZATIONAL CAPACITY: 5.1

The organizational capacity of CSOs did not evolve significantly in 2016. When compared with religious organizations, secular organizations make very little effort to establish local support within communities for their initiatives. Religious organizations tend to be more successful in this area than secular organizations due to greater credibility among the general public.

The majority of CSOs in the DRC have missions clearly defined by the charters that give them their authority to operate. It is a requirement in their registration documents to have a defined mission. Organizations of national scope integrate strategic planning techniques with the support of their funders. However, some smaller organizations have not articulated a long-term vision for their mission, and have listed a mission just to meet the administrative requirement.

Every organization’s charter clearly defines decision-making and management bodies. Law 004 recognizes the general assembly, the board of directors, statutory auditors and the executive. In practice, these different bodies only function in national-level organizations, where they meet regularly. The division of labor between decision-making bodies and the executive team is also well established in these large CSOs. Smaller CSOs have less functional oversight bodies, and simply meet the administrative requirements to exist.

In national organizations, the board of directors works in an open and transparent manner. Auditing provides internal control, and this is accompanied by regular external audits. Organizations with a national scope that benefit from the support of partners have a paid staff consisting of at least an executive director, a program officer, an accountant, an IT specialist, and a clerk. These staff members sign a contract, within which tasks and pay are well defined. These organizations generally have an administrative and financial management
procedures manual, wherein the details of pay and recruitment processes may be found. Volunteers are often used to fill gaps where resources are lacking for full-time staff.

This is difficult for small organizations that do not have paid staff due to a lack of financial resources. Most small CSOs do not undergo regular audits, do not have paid personnel, and have no administrative or financial procedures manuals. In addition, they typically lack office equipment. In the majority of cases, donors do not pay staff salaries outside of a specific activity under a project. These large organizations use volunteers through cooperation with donors.

Trade unions and independent unions are set up slightly differently in the DRC. They register with the Ministry of Labor and Social Security. Workers elect the executive committee of trade unions. Independent unions operate as federations at the provincial and national levels. They have an executive office, a national council, and a members’ congress. Only the main unions have permanent personnel and clear management structures, strategic plans, annual reports, and audits. Examples of unions include the National Union of Doctors, the National Union of Magistrates, the National Union of Teachers of Congo, and the Confederation of Congolese Unions.

Organizations with partner support are able to update their equipment. International donor-funded programs help CSOs modernize their equipment due to extra revenue coming into a CSO or through property disposition at the end of a project. Organizations with little funding which do not benefit from property disposition use outdated equipment.

**FINANCIAL VIABILITY: 5.6**

The majority of CSO financing comes from external sources. Nevertheless, there are local financing sources such as the Central Coordination Bureau (BCECO) and the Republican Social Fund (FSR), which recruit CSOs as local implementing partners. The BCECO is a governmental agency that supports development projects proposed by CSOs nationwide. It also leverages donor funding. The FSR is a governmental fund that responds to the needs of victims of armed conflict. Both agencies issue requests for proposals for CSOs to respond to. However, the majority of CSOs do not have sufficient capacity to submit proposals in response to requests for proposals. For example, in 2016, BCECO worked with only 217 organizations as local implementers, and the FSR worked with only 75 organizations. They typically implement small-scale projects to construct or rehabilitate schools, roads, bridges, health centers, or wells and to improve sanitation in communities. In 2016, BCECO contracted with 96 CSOs to construct and rehabilitate schools, with 41 to better equip sanitation institutions, with three to construct peace tribunals, and with 77 CSOs on sanitation and improvement of 24 communes in Kinshasa. The FSR worked with 75 CSOs on a stabilization project in eastern DRC aiming to improve access to socio-economic and means of subsistence in vulnerable communities.

Although provided for in their charters, CSOs rarely collect membership dues on a regular basis. This is due to the general poverty of the populations that they serve, and also to the lack of vision of the leaders of CSOs. However, there are more religious organizations that make appeals to volunteers, obtain financial support from their communities, and put in place support groups. Religious CSOs use these funds to implement their own projects. Generally, their projects help provide community needs related to education, health, herding, agriculture, access to drinking water, housing and caring for orphans, assisting young mothers, and helping handicapped individuals. A few well-known religious organizations that have proven adept at mobilizing
Most CSOs do not have many funding partners. There are foundations like Banro, Tenke Fungurume Mining, the Dikembe Mutombo Foundation, Werrason, and others that also support CSOs through philanthropy, although the selection of partners is limited. The Dikembe Mutombo Foundation is active in improving health care and education. The Banro and Tenke Fungurume Foundations develop communities near their mining sites. The Werrason Foundation helps Congolese orphans.

Organizations with national scope tend to have well-established management systems, and submit to regular audits with certified reports of their financial state at the request of their donors. These national-level CSOs include Caritas Congo, INADES Formation, SANRU-ECC, National Council for Development NGOs (CNONGD), Public Expense Observatory (ODEP), Committee of Human Rights and Development (CODHOD), National Center for Development and Citizen Participation (CENADEP). Small organizations frequently lack adequate management systems. National CSOs or donor-funded projects bring them on for their expertise of a particular activity in a community and ensure that money is managed properly on their behalf. Only a few CSOs have the resources to remain viable, even in the short term.

Occasionally, CSOs make explicit appeals for donations. One example is Caritas Congo, which turns to philanthropy to assist the victims of natural disasters or armed conflict. They utilize the churches to solicit financial and material support. They receive medicine, clothes, home goods, and other necessities that families need to survive and redistribute these goods to populations in need. To supplement project and charity income, CSOs collect revenue through income-generating activities such as renting out conference space, providing business services, and renting vehicles.

The Congolese Government, as well as local companies, use CSOs that respond to calls for expressions of interest, either as a local implementing partner or as a subcontractor, particularly in the provision of basic social services such as health, education, and access to water and electricity. The government uses the BCECO and FSR funds to contract CSOs. The BCECO works with CSOs in education, justice, health, sanitation, and community improvement. The FSR works primarily in eastern DRC to help communities access means of subsistence, create jobs, and strengthen capacity.

**ADVOCACY: 4.1**

CSO advocacy improved moderately in 2016. Lines of communication exist between CSOs and policymakers, notably through the government’s democratic institutions (the Social and Economic Council, the National Commission for Human Rights, the Superior Council of Audiovisual and Communication, and the Independent National Electoral Commission), issue-specific groups, specialized commissions within different ministries, and platforms for dialogue established by donors.

A good number of platforms to improve dialogue were organized in 2016 to aid advocacy campaigns. This was the case for the Civil Society Platform for Monitoring the Implementation of the Addis Ababa Framework Agreement, the coordination of civil society advocacy on natural resources for the expansion of the general hydrocarbon regime, the consultation of CSOs in the health

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2 This is an accord for peace, security and cooperation between the DRC and the African Great Lakes Region.
sector for the promulgation of the law on mutual support societies for health, and the CSO Coalition for Sustainable Development Goals.

These campaigns were effective and achieved results such as the dissemination of the law on mutual support societies for health, the integration of Sustainable Development Goals in the National Strategic Plan for Development 2017-2050, the freeing of political prisoners, the reopening of media outlets belonging to members of the opposition, and the holding of effective political dialogues, etc.

In 2015, the Senate approved legislation on access to information. However, it was not voted on by the National Congress in 2016. Organizations such as Collective 24, OSISA, and the Observatory for the Freedom of the Press in Africa continued to advocate for this to become law to introduce greater transparency in governance.

Institutions supporting democracy, such as the Independent National Electoral Commission, the Social and Economic Council, the National Commission for Human Rights, the Superior Council of Audiovisual and Communication supported CSO engagement in democracy in 2016. The Independent National Electoral Commission revised the voting roles, enrolled voters, raised awareness of voting rights, and training election observers. The Social and Economic Council consulted with the president about the economic and social conditions in the country. The National Commission for Human Rights monitored human rights violations. The Superior Council of Audiovisual and Communication supported freedom of the press and opinion. The political dialogue for the resolution of the electoral crises at the end of 2016 also served as an opportunity for civil society to have a voice in the political process.

In addition, the Episcopal Commission of Justice and Peace (CEJP) successfully advocated through its nationwide network of 47 dioceses on issues such as elections observation, human rights, and civic and voter education. In 2016, CEJP’s network deployed 22 teams of election monitors for the governor and vice governor elections in March and presented their observations to the Independent National Electoral Commission.

More and more, CSOs are becoming accustomed to and are using lobbying in order to support their advocacy, notably for voting on laws in parliament. This was the case, for example, regarding the proposed law on the mutual support society for healthcare, the proposed law on the National Equalization Fund, and the proposed law on hydrocarbons, all of which were voted in and became law.

Advocacy movements in favor of legal reforms, and the discussions between CSOs and the Second Directorate for Congregations and Associations in the Ministry of Justice on the reform of the July 21, 2004 Law 004 regulating not-for-profits and public benefit organizations, sufficiently prove that CSOs are aware that a more favorable legal and regulatory framework could reinforce their effectiveness and sustainability.

**SERVICE PROVISION: 4.5**

CSOs provide a diverse range of services across the entire country. They provide access to water, energy, healthcare, and education, and work to protect the environment, to improve governance, to build and maintain peaceful communities, for decent quality of life and work, and in the fight against poverty, among other areas.

In the majority of cases, the products and services that are provided by CSOs respond to the needs of vulnerable populations and communities. CSOs have responded to the needs of communities for many years, even in places where conflict has endured for many years such as in Goma and Bukavu. International donor agencies often set their priorities in advance, but these do not always correspond with the needs of the beneficiary communities. This is especially true in conflict prone environments, such as in the eastern DRC.
The products and basic social services that are provided by CSOs benefit not only their members, but also the whole of the community where the CSO is implementing an activity. At the same time, the other products and services, such as workshops, expert analysis, and publications, are shared with the government, universities, CSO networks and platforms, issue groups, and community-based organizations.

CSOs are not in the business of making profit. They recover costs for providing their products and services through subcontracts or sub-agreements to national CSOs or international NGOs implementing donor-funded projects. They also implement direct awards from the BCECO or the FSR. CSOs work in geographic locations that they know so they are aware of the needs of the populations. To help cover their costs CSOs may also rent conference rooms, vehicles, and chairs.

The use of CSOs, as subcontractors for the government and businesses, at the local and national levels, is proof that the government recognizes the value of CSOs as providers of basic social services. For example, in 2016 the BCECO and the FSR, which are governmental structures, signed contracts with 292 not-for-profit and similar organizations. The BCECO works with CSOs in education, justice, health, sanitation, and community improvement. The FSR works primarily in the east of the country to help communities access means of subsistence, create jobs, and strengthen capacity.

**INFRASTRUCTURE: 5.6**

Intermediary Support Organizations (ISOs), resource centers, or other means of access to information exist principally in large cities and offer services that respond to the needs of local CSOs, providing training, technical support, etc. Rural areas lack these services. Two ISOs located in urban center are the INADES Formation and CARITAS Congo. They receive revenue for their training services and for the publication of guides, and also include other resources through the support of farmers’ organizations and community-based organizations.

CSOs also receive donor funding to organize revenue-generating activities. This is the case for Lower River Integrated Development Programs (PDIBF) and Njamba Ndje programs carried out by the National Center for Support with donor funds from SOS Hunger and the Belgium Development Cooperation Agency, and CENADEP working in Central Kongo and in the Mai-Ndombe Lake to better manage fishing resources with funding from the World Wildlife Fund Belgium and the Belgium Development Cooperation Agency.

Congolese CSOs have put in place strategies for sharing information at the local, provincial and national levels. Many platforms and civil society networks are aware of each other’s interests because of an effective information dissemination system. The more effective networks and coalitions include CODHOD, the Network for the Promotion of Democracy and Economic and Social Rights (PRODDES), the Natural Resources Network (RRN), and CNONGD. CSOs use many techniques for communication, including leaflets, online bulletins, emails, text messages, activity reports, press communications, and social networks.

Within CSOs, there are competent trainers in NGO management, accounting, financial management, and strategic planning. All of these materials reflect local interests. Good resources for these types of training can be found at INADES Formation, CENADEP, and Caritas Congo.

More and more, partnerships between CSOs, government, and the media are developing in all sectors, at the local level as well as at the national level. In 2016, the Publish What You Pay Coalition organized a Popular Expression Tribunal in partnership with the government and community radio on transparent management of natural resources and public finances in Bukavu, showing the impact of exploitative mining on local
communities. The Orientation Committee for the Reform of Public Finance, which is a service of the Ministry of Finance, works with CSOs and the media to implement a participatory budget in the Decentralized Territorial Entities, operated in the same way.

PUBLIC IMAGE: 5.0

The public image of CSOs remains roughly the same as in 2015. At the local level, media coverage of CSO activities typically appears in the newspapers and on radio stations. This coverage is subject to the payment of fees. This limits positive coverage of their actions as only those CSOs who can pay for coverage receive coverage. However, CSOs have developed communications strategies for their activities that allow them to promote themselves through community radio stations for free or for a nominal fee. They are also able to access the United Nation’s OKAPI radio station in the DRC. International media provides independent and positive coverage of CSOs without compensation. CSOs are charged less by a media outlet to publish an announcement than a commercial firm is charged for placing an advertisement.

The larger public generally does not understand civil society and the mission of CSOs. The public generally does not support CSOs’ activities except when a CSO is acting directly for the benefit of one’s own community or a larger cause that the public at large supports. Views reflect the fact that some civil society actors abuse their prominent position to attain political positions.

In most cases, CSOs are a credible source of information, but when they make constructive criticisms of governmental actions, the government refutes their allegations by discrediting them. A recent example was the advocacy led by Lucha and Filimbi for the respect of the electoral deadlines in the constitution. They were subsequently labeled as a terrorist movement by the government. Lucha and Filimbi have used social media effectively to stir up popular opinion for their cause.

CSOs have developed communications tools such as leaflets, chronicles, flyers, websites, bulletins, and information sheets in order to make their activities known. They are also active on Facebook, WhatsApp, LinkedIn, and Instagram. These social media sites provide a free and easy-to-use platform for CSOs that cannot afford their own websites. They have also developed relationships with media outlets to better their public image and provide positive coverage. One example is the Association of Agricultural Journalists of Congo, which works with farmers’ organizations. In this case, the farmers’ organizations do not pay the Association of Agricultural Journalists. This partnership is cofinanced by SOS Hunger and the Belgium Development Cooperation Agency. They recently held an agricultural round table and a media campaign called Agri Congo.

More and more, with the support of donors, CSOs have started to put in place codes of conduct and ethics for social actors. The larger CSOs have put in place codes of ethics and good behavior for their own organizations. Similarly, the larger CSOs are also the ones publishing their annual financial and programmatic reports regularly. This includes CENADEP, Caritas Congo, INADES Formation, CNONGD, ASADHO, CAFCO, and RRN.
2016 CSO Sustainability Scores for the Democratic Republic of Congo

CSO Sustainability

Sustainability Enhanced Sustainability Evolving Sustainability Impeded
The humanitarian situation in Ethiopia at the beginning of 2016 was dire. Inadequate rainfall and crop failures in 2015 left 10.2 million Ethiopians food insecure, according to the Food and Agriculture Organization. In addition, more than two million farmers and herders needed immediate humanitarian agricultural production support. By the beginning of October 2016, 9.7 million people were in urgent need of food assistance. Although Ethiopia continued to experience rapid economic development in 2016, the country remained among the world’s least developed countries in terms of per capita income, human assets, and economic vulnerability.

Throughout 2016, demonstrations shook Oromiya, Amhara, and parts of the southern region, prompting the government to take the unprecedented steps of shutting down internet service, blocking access to social media and certain websites, detaining thousands of people in military camps, and declaring a state of emergency, which was still in effect at the end of the year. According to reports from human rights groups, police and security forces killed more than five hundred people. The government continued to use the Anti-Terrorism

### Country Facts

**Capital:** Addis Ababa  
**Government Type:** Federal Republic  
**Population:** 105,350,020  
**GDP per capita (PPP):** $1,900  
**Human Development Index:** 174
Proclamation (ATP) against prominent members of the opposition, outspoken journalists, and human rights defenders. For example, the leader of Oromo Federalist Congress and more than seventy other people were arrested under the ATP in connection with the 2015-16 Oromiya protests.

After receiving feedback from key stakeholders, the government issued its second National Human Rights Action Plan (NHRAP) in May 2016. The NHRAP incorporates concrete measures for implementing the government’s international and constitutional human rights commitments, but CSOs are skeptical that the government will fulfill these obligations. The government also promised to broaden democratic space and tackle governance issues by, for example, amending the electoral law to allow opposition political parties to be members of parliament. The prime minister took measures by establishing the position of special advisor for political parties and CSOs in October 2016. Although discussions with political parties started soon afterwards, no official meetings with CSOs took place during the year.

According to the Charities and Societies Agency (CSA), there were 108 newly registered CSOs in 2016, bringing the total number to 3,187 organizations. Within this number were 429 foreign charities (including 46 adoption agencies), 2,258 Ethiopian residents’ charities and societies, 338 Ethiopian societies, 109 Ethiopian charities, and 53 consortia of charities and societies. However, the agency’s new CSO grading system indicates that there are 2,162 CSOs. It is not clear whether this discrepancy implies that 1,025 CSOs have been closed since the adoption of the Charities and Societies Proclamation (CSP) in 2009 (although the CSA reports closing only 502 organizations) or that the CSA has not had the resources to rate all registered organizations.

**LEGAL ENVIRONMENT: 6.5**

The legal environment for CSOs deteriorated in 2016 as the government took a more stringent approach to implementing existing laws. The regulatory framework for CSOs includes the 1995 constitution, the CSP, a regulation issued by the Council of Ministers, and nine directives issued by the CSA. The CSP classifies CSOs as Ethiopian charities and societies, Ethiopian resident charities and societies, or foreign charities and societies. Ethiopian charities and societies are organizations whose members are Ethiopian, are wholly controlled by Ethiopians, and generate at least 90 percent of their funding from local sources. Ethiopian residents’ charities and societies have members who are residents of Ethiopia, and they may receive more than 10 percent of their resources from foreign sources. Foreign charities are CSOs formed under the laws of foreign countries and have foreign members, are controlled by foreigners, or receive funds from foreign sources. According to the law, CSOs that do not implement projects for more than two years face closure.

Only Ethiopian charities and societies may engage in activities listed in Article 14 (j-n) of the CSP, including the advancement of human and democratic rights, promotion of equality and the rights of the disabled and children, conflict resolution, and promotion of efficiency in judicial and law enforcement services. In other words, charities and societies raising more than 10 percent of their income from foreign sources may not engage in these activities, and human rights and policy advocacy organizations may not cover more than 10 percent of their budgets from foreign sources of funding. In practice, the restriction on foreign funding for advocacy groups is usually directed against organizations engaged in rights-based work rather than policy advocacy generally.
While there were few changes in the legal code regarding the establishment and operations of CSOs in 2016, there were several important developments related to the implementation of existing laws. The CSA revoked the licenses of 125 charities and societies, including sixteen foreign charities, and issued final written warnings with orders for corrective measures to 167 other organizations. A CSA deputy director said that these measures were taken against charities and societies that had engaged in activities beyond their established objectives, opened bank accounts without the agency’s permission, did not submit annual reports, failed to declare their sources of financing, or had not implemented activities for more than two years—all of which are conditions indicated by the CSP and related directives as cause for punitive action. Some organizations that lacked funds to implement projects returned their licenses of their own accord.

In June 2016, the CSA disclosed in a newspaper article its plan to issue a more stringent directive regulating administrative action against charities and societies that fail to comply with CSP and CSA directives. The director of the agency’s Legal Affairs Directorate told the newspaper that the draft directive would become effective after approval by the CSA board. Human rights defenders expressed concerns that the agency had, in effect, exceeded its mandate under the CSP by giving itself the authority to impose penalties for non-compliance. The new directive had not been issued by the end of the year.

Also in 2016, the CSA introduced a grading system for registered charities and societies to indicate their level of compliance with CSP and CSA directives. The indicators include submission of annual reports and bank statements and compliance with the so-called 30/70 Directive, which classifies a range of expenses, including staff salaries, research, training, and transportation, as administrative in nature and directs that their aggregate cost may not be greater than 30 percent of an organization’s overall budget. The agency graded 191 organizations with the highest rating of A, 673 organizations with the middle rating of B, and 1,327 organizations with the lowest rating of C. This figure suggests that more than 60 percent of CSOs experience difficulties complying with legal requirements.

In June 2016, the government of Ethiopia passed a new computer crimes law that provides a comprehensive legislative framework for protecting computer systems and data. While the new law was generally welcomed as a positive development, human rights groups such as Article 19 expressed serious concern about the law’s potential to criminalize the exercise of freedom of expression and other fundamental rights. For example, its vague definition of criminal acts may open the door to selective targeting of individuals for normal use of social media and user-generated news websites. Also of concern was the broad mandate given to regulatory and law enforcement institutions to monitor, investigate, and prosecute persons suspected of violating provisions of the CSP.

While income from grants, donations, and membership fees are not subject to tax, CSOs must pay tax when procuring goods and services. CSOs engaging in income-generating activities are subject to the same taxes as private business organizations.

CSOs may earn income from the provision of goods and services and through government contracts. However, engaging in income-generating activities without the prior permission of the CSA can result in revocation of their licenses. In the only case of criminal prosecution of a charity in 2016, the manager of a local youth group was sentenced to nine months in prison and a fine of ETB 5,000 (approximately $220) for generating income without the agency’s permission.

Lawyers’ fees are considered administrative costs and therefore CSOs generally do not hire lawyers to provide legal advice.
**ORGANIZATIONAL CAPACITY: 5.3**

The organizational capacity of CSOs did not change significantly in 2016. As in previous years, the 30/70 Directive hinders the ability of CSOs to engage in needs assessments, conduct monitoring and evaluations, work in remote and inaccessible areas, provide training, and run network organizations.

Most CSOs explicitly identify their constituencies, as this is a requirement for registration and funding. However, they often face challenges in meeting the demands of their constituencies in the face of resource constraints. In addition, donors and others sometimes criticize CSOs for not sufficiently building the capacity of their constituencies, which is critical to ensuring the sustainability of their project interventions.

Most CSOs work on a project basis and do not have long-term strategic plans, which require a stable financial outlook. However, CSOs are legally required to have articles of association defining their objectives and internal management structures, including the powers and responsibilities of the general assembly, executive committee and an internal auditor — structures mandated by law. The operation of these structures is not always as intended, as the general assemblies and boards often exist only to fulfill legal requirements, and in practice organizations are dominated by their secretariats.

Research conducted in 2016 by the Ethiopian Charities and Societies Forum (ECSF) indicated a significant gap in CSOs’ human resources capacity. Most organizations lack qualified professionals who can write convincing project proposals and perform other core tasks. The 30/70 Directive can be a hindrance to hiring experienced staff, as salaries are sometimes considered administrative costs, which must be limited to 30 percent of overall budgets.

Internet penetration in Ethiopia is extremely low. CSOs’ investments in technology, such as new computers and software, cell phones, fax machines, scanners, and internet access, are considered administrative costs and thus are limited. Small and emerging CSOs often lack sufficient resources to acquire basic facilities.

**FINANCIAL VIABILITY: 6.5**

CSOs’ financial viability declined sharply in 2016. CSOs rely heavily on foreign sources of funding, and major international donors supporting CSOs in 2016 included USAID, Canadian Department of Foreign Affairs, German Corporation for International Cooperation (GIZ), Japan International Cooperation Agency (JICA), and French Development Agency (AFD). According to research by ECSF, a number of Ethiopian CSOs reported substantial funding declines in 2106. Reasons for the decline ranged from more donors’ stringent funding criteria, including their demand for matching funds, to changes in donor priorities, a lack of access to information about funding opportunities, and legal restrictions. Moreover, two pooled funding arrangements, the EU-funded Civil Society Fund II (EU-CSF II) and the multi-donor-supported Civil Society Support Program (CSSP), which focused on strengthening the capacity of emerging and small CSOs, ended in 2016. Efforts to extend these programs were underway at the end of the year.
Further hampering CSOs’ financial viability was the fact that in some cases the CSA considered all grant making costs as administrative costs, which forced many international CSOs that had previously sub-granted funds to domestic CSOs to implement projects directly in 2016. This development had an especially unfortunate impact on small, local CSOs that rely on foreign funding and have a narrow donor base. For example, in 2016 Save the Children Ethiopia received a warning letter from the CSA that prompted it to cease its partnerships with eighty local CSOs. More than 120 CSOs were closed during the year because they lacked funding for projects. Some of these organizations opted voluntarily to petition for cancellation. In fact, according to the CSA, in all but five cases licenses were revoked at the request of CSOs because they lacked funds.

Domestic resource mobilization accounts for a very small proportion of CSO funding. The amount of money that CSOs earn from their constituencies is insignificant, and very few CSOs try to earn income from selling services or products because of cumbersome legal requirements. Private-sector and governmental institutions do not contract with CSOs for their services and products. A few organizations, including Mekedonia, an Ethiopian residents’ charity that supports the elderly and persons with disabilities, have managed to raise funds through public collections. Exceptionally, Great Ethiopian Run, a commercial event management company, raised ETB 1.5 million (approximately $65,700) in a fundraising campaign in 2016 under the theme “Running for a Cause,” which it used to make donations to four local CSOs.

It is mandatory for CSOs to have sound financial management systems. CSOs are legally required to have independent external auditors assess their financial performance every year. The CSA provides an approved list of professionally licensed auditors. Only a few CSOs make their financial reports available to the public.

**ADVOCACY: 6.1**

In general, CSOs are not comfortable with lobbying and advocacy activities because of legal restrictions and their lack of experience. Few CSOs in Ethiopia are involved in issues related to human rights and good governance, since only Ethiopian charities may work on these issues and they constitute only 3.4 percent of the total number of CSOs. Despite these restrictions, in October 2016 the government selected a few advocacy CSOs, including Human Rights Council Ethiopia (HRCO), Vision Ethiopian Congress for Democracy, and Ethiopian Lawyers Association, to comment on the NHRAP. Within the very short period given to them, these organizations made valuable contributions to shaping the plan.

In March and June 2016, HRCO published new volumes in its series of special reports on human rights investigations and monitoring. The Ethiopian Lawyers Association conducted various advocacy activities, including assessments of Ethiopia’s justice-sector reform under the government’s two Growth and Transformation Plans (GTP I and II) and a workshop on access to justice.

The CSP provides for the establishment of consortia by charities and societies “to coordinate their activities.” However, the 30/70 Directive discourages consortia from engaging in policy and advocacy issues, and they instead serve mainly as channels of funding to members.

Traditionally, the government has seemed unwilling to understand the role of an enabling legal framework for CSOs. However, in 2016, in an important milestone, the government showed some interest in addressing the concerns of the sector. In November, a group of government experts approached ECSF to assess CSOs’ concerns about the regulatory framework, and the ECSF informally asked the donor community and some CSOs to share their ideas. A few organizations, particularly those working in the areas of human rights and
advocacy, expressed doubts that ECSF, which is dominated by service delivery CSOs, would be able fully to communicate the challenges facing CSOs and adequately engage with the government to amend the law.

**SERVICE PROVISION: 4.9**

CSO service provision did not change in 2016. The vast majority of Ethiopian CSOs work in areas of service provision, such as food security, agriculture, rural and urban development, health, HIV/AIDS, education, water and sanitation, infrastructure, and environmental protection, as these are the priority areas of donors.

Conducting community needs assessments to evaluate the relevance of project proposals is a key criterion for most donors. Larger organizations often conduct assessments, but they are a challenge for most small and emerging CSOs, since assessments are considered administrative activities rather than part of projects.

ECSF’s 2016 study indicated that “most CSOs do not seek to mobilize resources from untapped local sources like cost recovery mechanisms.” A reason for this is that costs related to publications, research, and workshops are considered administrative costs, so CSOs avoid them. In addition, the sale of products requires a business license and permission from the CSA, which are not easy to secure. Consequently, only a few organizations, such as the Forum for Social Studies (FSS), try to market their policy research products to larger audiences.

In 2016, in what was seen as an unusual and commendable step towards strengthening the partnership between the government and CSOs, the Federal Ministry of Health channeled funds from the United Kingdom’s Department for International Development (DFID) to select CSOs working on health issues. However, the government’s latest development plan, GTP II, which serves as the overarching development policy framework for 2015-2020, still gives very little attention to the role and contributions of CSOs in the country’s development. The plan refers only to women’s and youth associations, mentioning neither professional associations nor community-based organizations (CBOs) whose roles are explicitly articulated in previous medium-term plans.

**INFRASTRUCTURE: 5.6**

The infrastructure supporting CSOs was relatively stable in 2016. The CSP and subsequent regulations and directives are not conducive to the operation of intermediary support organizations (ISOs) in Ethiopia, as their costs are considered purely administrative. As a result there are few resource centers supporting CSOs, and those that do exist are largely international organizations located in Addis Ababa. A few ISOs, international CSOs, and local programs and network organizations, such as EU-CSF II, CSSP, Consortium of Christian Relief and Development Association (CCRDA), and Southern Region Civil Society Support and Resource Center, provide information, technology, training, and technical assistance to local CSOs. These organizations use funds from foreign sources and limit their services to the capital city. The USAID-funded Local Capacity Development (LCD) program aims to strengthen the capacity of CSOs.

The number of consortia registered with the CSA increased from fifty-two in 2015 to fifty-three in 2016. However, some consortia, including the Sustainable Land Forum and Poetry Action Network, closed in 2016.
because of financial constraints. ECSF, an apex organization established in 2013, brings together all thematic network organizations along with individual associations that do not belong to a network. Though limited in capacity, the forum is trying to promote the interests of the sector in various ways, such as by publishing works by CSOs, conducting research, and voicing the concerns of the sector.

A study conducted by Nega Solomon Asres published in 2016 in the International Journal of Applied Research, found that “the government is not interested in working with an independent civil society; rather, it creates its own party-affiliated associations that go in line with its agenda.” At the same time, the study notes that “most civil societies do not want formal engagement with local government.” Consequently, partnerships between the government and CSOs are weak. However, insofar as CSOs are required to have project agreements with line government institutions and work in accordance with the government’s development plan, CSOs and the government can have productive working relationships. Partnerships between CSOs and the business community are not strong, and very few businesses support the work of CSOs.

**PUBLIC IMAGE: 4.9**

The public image of CSOs did not change in 2016. Although in 2015 some efforts were made to create a collaborative relationship between the media and CSOs, nothing came of these efforts in 2016. CSOs do not receive good media coverage, as the media are strongly dominated by entertainment such as music and sport.

A 2016 Freedom House survey of Internet users in Ethiopia revealed strong public support for CSOs and high demand for their services, including in peace, human rights, and democracy. Nevertheless, respondents to the survey were not aware of the challenges that CSOs face in fulfilling public expectations. Generally, the public appreciates the contribution of CSOs to democratization and economic development but sometimes still associates them negatively with high levels of funding.

The failure of GTP II to mention the role of CSOs in the country’s development illustrates the government's tendency to undervalue CSOs. Even more worrying are the hostile opinions of CSOs expressed publicly by CSA officials in interviews in the national daily newspaper, The Ethiopian Herald, in 2016. Such statements included a warning by the CSA’s Director of Legal Affairs that the government intended to issue more stringent guidelines for administrative action against noncompliant charities and societies. Nevertheless, there was some evidence of significantly more positive attitudes towards CSOs among government officials at the local and regional levels. The business sector tends not to appreciate CSOs’ role in strengthening democratization and fostering economic growth.

Many domestic CSOs do not regularly promote their roles and activities publicly. However, in December 2016 CCRDA launched a weekly radio program called “Goodness” to publicize good practices among CSOs and introduce exemplary CSO leaders. The program is expected to play an important role in building a positive image of CSOs. During the year ECSF published descriptions of ten charities with the objective of promoting good practices among CSOs.

In 2016 CCRDA, the oldest and largest consortium of charities in Ethiopia, adopted a revised code of conduct for charities and societies operating in Ethiopia. The consortium established a panel on ethics at its general assembly meeting in March and, culminating efforts to self-regulate since the 1990s, sixty-two CCRDA members signed the code of conduct at a special event in December. The code calls on CSOs to observe standards of accountability, transparency, gender equity, environmental protection, and the efficient utilization of resources or face punitive measures. Signatories must submit regular reports to the panel on their
implementation of the code. Every CSO in Ethiopia is legally required to prepare annual activity and audit reports and submit them to the CSA. Few CSOs publish their annual reports.
According to the World Bank, Gabon’s GDP growth has continued to drop incrementally since 2013 and was at 2.3 percent in 2016. 2016 saw a contested presidential election, state repression and harassment of CSOs and media outlets, electoral violence, general strikes, and an oil price shock that hurt the country’s economy. Since 2012, civil society has clamored for the nation to truly address the crises facing Gabon through a national dialogue. However, it was only in the aftermath of the 2016 post-electoral crisis that the government began to take any action to calm political and societal tensions. The government organized an inclusive national dialogue to be held from April to May 2017.

The presidential election was held on August 27 and on August 31, it was announced that the incumbent, Ali Bongo, was the winner. Violence broke out that same evening with the National Assembly being partially set on fire, demonstrators taking to the streets, the opposition candidate’s headquarters being attacked, and the army being deployed to maintain order. The opposition was quickly repressed, with reports of deaths, people allegedly disappearing, and some choosing voluntary exile rather than remaining in Gabon. CSOs played a major role in the electoral process, educating citizens on voting rules and candidates. However, it was also a year of state-led repression of CSOs working in the fields of human rights and governance.
In 2016, there were no significant improvements in CSO sustainability compared to 2015. Effectively, there were no initiatives for legal reform, the reduction of available funding continued to negatively impact CSO organizational and infrastructural capacities, and advocacy initiatives undertaken during the year were not well received. The public image of CSOs remained mixed because of the difficult conditions under which the media outlets have been working. While no definitive sources for the number of active CSOs in Gabon exist, there are approximately 1,200 CSOs registered.

**LEGAL ENVIRONMENT: 6.2**

The CSO legal environment in Gabon was marked by increased state harassment and intimidation compared to 2015. In Gabon, freedom of association and the freedom to form a union are constitutional principles enshrined in Law No. 35-62 of December 10, 1962, which establishes associations, and the Law No. 3-94 of November 21, 1994, which created the Labor Code in the Republic of Gabon. These two laws support the creation of associations and unions, respectively. When it comes to other types of CSOs, the Gabonese legislature has decided that they are to be governed under Law No. 35-62. However, the necessary changes to adapt the law to the current concept of civil society were never made.

In practice, legal status is acquired in two steps. The first step consists of obtaining a provisional receipt, for which the procedure is relatively simple. This provisional receipt allows CSOs to begin operating. The second step, however, is obtaining the final receipt. Here, administrative burdens and the views of authorities on the positioning of CSO are elements that make the delivery of the final receipt uncertain between different CSOs.

Law No. 35-62 does not allow government control of the internal management and financial reporting of CSOs. The scope of authorized activities is clearly defined for CSOs and unions in Law No. 35-62 and Law 3-94, respectively. If a CSO violates the scope of authorized activities the Ministry of Interior and the president have the right to dissolve it. CSOs can record their internal management and financial reporting procedures in their statutes and standard operating procedures. Law No. 35-62 places no restrictions on CSOs and their representatives’ freedom to operate, the only constraint being that their actions must conform with other laws and regulations in force in Gabon. Although the principle of freedom of association is guaranteed, there is also no law protecting CSOs from harassment by administrative authorities or the risk of being dissolved by the state for arbitrary or political reasons. There is also no provision guaranteeing CSOs protection against state control. However, in practice, these freedoms are reserved for pro-government CSOs.

Indeed, pre-election intimidation and violence were widely reported. Here are just a few examples: On July 9, 26 people peacefully marching against the candidacy of incumbent president Ali Bongo Ondima were arrested. On July 23, a peaceful march by seven presidential candidates was broken up by police using tear gas and sound bombs. Police interrogated two international journalists who were covering election violence. The leader of the National Youth Union Movement was arrested on July 21, along with two other members of this organization.

Post-election, on the evening that the results were announced, the main opposition party’s headquarters was attacked and demonstrators were arrested (including leaders of the opposition and civil society alike, including Enrique Mamboundou of the Brakata Movement, and the Honourable Bertrand Zibi Abeghe, formerly a member of the party in power [Parti démocratique gabonais]). The death toll from this violence varies widely with the official number coming from the Minister of Communication set at five. The newspaper, Mbandja,
reported that 212 people disappeared and that there were mass human graves. Mbandja was suspended, and the editor-in-chief was forced into exile. A report co-authored by Dr. Nkoghe Mbot, president of the NGO Hippocrate cited that there were 20 killed and 50 missing. Dr. Nkoghe Mbot was subsequently arrested and released a week later.

Gabonese witnessed the arrest and incarceration of many trade union leaders without due process. Given the impressive number of arrests, detentions and cases of violations of human rights of civil society players during the year, many lawyers were mobilized. These lawyers, in partnership with several civil society organizations chose to form a collective of human rights lawyers in order to be more efficient. With regard to Act No. 3-94 pursuant to the Labor Code in the Republic of Gabon and all the decrees on the organization of trade union confederations, several specialized lawyers were admitted to the Bar in Libreville. The December 2016 arrest of Master Iga, a Constitutional lawyer close to the main opposition candidate, violated the procedures for the arrest of a lawyer and sparked outrage and anger among a large group of the lawyers admitted to the bar in Libreville. Depending on the issue, the CSOs of secondary towns and rural areas were sometimes forced to secure the services of these lawyers based in Libreville.

The promulgation of a Code of Communication that "Reporters Without Borders" qualified as a tool of self-censorship and a threat to the freedom of the press, representing a closing of space for press professionals. Between this and the burning of several media outlets such as TV+, NTN (television channels considered close to the opposition), the daily newspaper The Union and the group Gabon Television (state-owned media outlets close to the regime), the suspension of the private newspaper group Mbandja, the arrest, arbitrary detention, and torture of journalists, and the assault of AFP journalists by Gabonese police forces, 2016 was a particularly difficult year for journalists. All these facts raised concerns about freedom of the press and the security of journalists and media outlets.

The tax legislation applicable to CSOs is fairly flexible. Besides the Tax on the Revenue of Physical Persons (IRPP) and VAT to which CSOs are subjected, they benefit from many tax exemptions including paying tax on the grants and donations they receive. Current legislation does not allow CSOs to make a profit, but they can receive revenue from the supply of goods and services. However, funds obtained must be used for operating expenses and the implementation of activities.

**ORGANIZATIONAL CAPACITY: 5.4**

Law No. 35-62 requires that each CSO upon its creation must clearly establish its organizational structure and specify in its constituent texts its mission(s) and establish the compliance of the organization with the laws and regulations in force in Gabon. Though unions can easily define their missions, the exercise is more complex for some NGOs and associations. In practice, it is common to see CSOs intervening in areas other than those they have identified in their statutes.

In the past few years, whenever public interests calls for it, CSOs come together to support initiatives as defined by a common accord. One example is the work of the Legal Support Group (GSJ). GSJ brought together a group of CSOs to develop guidance to help CSOs apply Law No.105, which establishes contract specifications in the field of logging. Another group that works in the common interest is the collective of organizations known as the Gabonese Network of Organizations and Projects (ROPAGA), a major partner in the 2016 Forum of Social Development Associations which was held in Libreville in June. In an effort to maintain a calm and peaceful atmosphere in the lead up to the presidential election, the women's network, “Women Rise Up!,” brought together approximately a dozen different organizations and held forums to promote the importance of democracy and making the country a better place.
Very few CSOs integrated strategic planning techniques into their decision-making process, which are necessary to achieve the objectives they set for themselves. Similarly, very few CSOs manage their funds transparently. As a result, there are few technical and financial reports published and few external audits conducted.

As a result of the scarcity of financial resources, many Gabonese NGOs, have faced difficulty in retaining their qualified and permanent staff and in maintaining or buying new office equipment. Also, a lack of funding has significantly reduced the activities of CSOs.

**FINANCIAL VIABILITY: 6.3**

The main challenge faced by Gabonese CSOs in recent years is financial sustainability. A coping mechanism that CSOs have developed to deal with less funds includes the sharing of financial, human, and material resources and improving the capacity of organizations to do more with less. Nonetheless, in 2016 CSOs once again struggled with the scarcity of funding available throughout the country.

To finance their actions, Gabonese civil society groups resorted to diversified funding sources. Most funding comes from external sources or international donors (EU Delegation, the UN Food and Agriculture Organization, the German Development Agency, and the African Development Bank). However, in 2016, donors continued to substantially reduce their subsidies. Thus, most of the published calls for proposals were for projects with start dates planned for 2017. This could be the result of donors choosing to avoid what many observers of Gabonese politics have called "the year of all the risks" due to the 2016 presidential election, the social discontent, the economic crisis and the hostile climate that preceded the election, leading to the specter of instability in the country.

Next to these sources of external funding, the state allocates small grants that are not likely to allow operational autonomy to the recipient CSO and allow them to set up a long-term project presence. Finally, there are local philanthropic sources, which are generally large foundations. However, the terms of grants from the state and the foundations are not always clearly defined. Donations from politicians were occasionally seen, but these donations are more reflective of political ambitions than of a real desire to help CSOs. Beyond these conventional sources of financing, Gabonese CSOs have not yet developed mechanisms to work towards other types of financial support.

The absence of strong financial management systems also hindered the sustainability of Gabonese CSOs. However, those who receive funding from donors are obliged to incorporate rigorous resource management and have therefore developed stronger financial management systems. It is only within the context of a donor-funded project that CSO audits occurred with systemic transmission of technical and financial reports at the end of each project. In 2016, very few CSOs sponsored independent financial audits.

To try to reduce financing shortfalls, civil society supplemented its income by providing billable services to clients, including the government, private sector actors, and international organizations. For example, during the presidential elections in August 2016, organizations such as the International Organization of Francophonie gave small grants to two NGOs, Brainforest and Youth Without Borders, for operations involving election observation. In 2016, traditional NGOs continued shifting their business models to operate more like a social enterprise providing technical assistance to clients. This change is a continuation from 2015 of traditional NGOs toward a model of social enterprise. The unions, for their part, relied solely on the contributions of their members.
ADVOCACY: 5.0

The advocacy activities initiated by CSOs during the year mainly focused on political issues, with the election of August 27, 2016 at the heart of the matter. Before the presidential election, all CSOs were convinced of the inevitability of a crisis on the evening of August 27, 2016 and the need for the government and other stakeholders to calm the situation. Advocacy by pro-government CSOs focused on awareness of the different parties in the presidential election. CSO activists had already raised many questions about the success of the whole of the electoral process, including the securing of votes, respect for the people of Gabon’s choice and the possibility of an electoral coup d’etat. Many questions that drove civil society organizations formed around platforms such as the “Free Civil Society Platform,” the “Dynamic Unitaire,” and “Women Rise Up!” which targeted advocacy towards the different institutions in charge of the elections. However, because of the events of August 31, 2016, it is obvious that none of these defenses were effective against post-election violence.

In general, there are traditional channels of communication between CSOs and policy-makers who, as part of certain projects or activities, work together. In addition, donors and development partners prefer a participatory approach for projects they finance, an approach that sometimes forces the government to work with CSOs. But in 2016, these traditional communications channels were not very functional nor often used because projects were interrupted as donors froze financing.

2016 was marked by strong CSO involvement in the electoral process. Among other initiatives, they initiated public awareness campaigns on election issues and on the need to respect the rules of democracy. One important initiative involved public awareness caravans that traveled around the country to encourage respect for Article 10 of the constitution which stipulates the citizenship and residency requirements of presidential candidates. They also supported presidential candidates by holding events for the public to meet candidates, mobilize supporters, and provide voting instructions to citizens.

Besides CSO advocacy on electoral matters, there was little progress on the few advocacy initiatives for legal and policy reform. For example, the platform Gabon My Land My Right was invited to discuss reform of the Forest Code as part of broader advocacy efforts to improve forestry policy.

The qualifier "apolitical" often applied to CSOs has long allowed them to keep themselves away from the political process in Gabon. However, in 2016, some mechanisms allowing CSOs to monitor the electoral process as observers were implemented with the support of international partners. Thus, in July 2016 CSOs benefited from electoral process instruction by trainers of returning officers and observers, thanks to funding from the International Organization of Francophonie and the French NGO Secours Catholique-Caritas France.

Although in the past, Gabonese CSOs, with the support of international partners, have tried lobbying, they are still not very comfortable with the concept.

CSOs are aware that a favorable legal and regulatory framework can improve their effectiveness and sustainability; for this reason, they continued calling for a reform of the legal framework, which has been clearly established as outdated. The effort of local advocacy CSOs to promote legal reforms has not been very effective. However, CSOs hope that reforms undertaken at the end of the national dialogue in May 2017 will address the question of the revision of Law No. 35-62.
SERVICE PROVISION: 5.1

The ability of CSOs to deliver services remained similar to what it was in 2015. The challenge that CSOs had to overcome was limited funding. This was due to the socio-economic and political climate that prevailed before, during, and after the presidential election of August 27, 2016, which was not reassuring to donors.

CSOs provided a range of diversified products such as awareness raising, training, legal assistance, and medical caravans. However, the relevance of services provided was a problem. The different social players have agreed to recognize that the provision of basic social services is a priority, but these products and services do not always correspond to the real needs of populations or communities, needs that appeal to real and immediate solutions such as building schools and clinics, providing electricity, supplying clean water, etc. This mismatch was further reinforced by the projects funded by some donors and technical and financial partners who then shape the actions of the CSOs with the products and services they provide. In many cases, the CSOs are implementing activities that do not match the needs of the beneficiaries. Beyond communities, services and products provided by the CSOs for free (including publications and analysis) or at a great cost (including studies and training) can be extended to other players such as universities, the government, businesses, organizations and international partners.

Gradually recognizing that the CSOs have an important role in the provision of basic social services, the government implicitly admits that CSOs, due to their proximity to the communities, are the most likely to identify community needs and to help them in taking control of their rights. This explains the central government’s efforts in the systematic consultation of CSOs. This consultation occurs at different levels such as at the implementation of projects or the monitoring and evaluation in a consultation framework on providing reforms to legislation in force. However, consultation does not automatically mean acceptance of the recommendations of CSOs. The government provides virtually no resources in the framework of this partnership allowing CSOs to finance their actions in support of the government. In addition, the few donations and contracts available are available only to pro-government CSOs.

INFRASTRUCTURE: 5.2

In 2016, CSOs continually faced difficulties with infrastructure, including the absence of offices, work equipment and even internet access. The infrastructure problem was related to the financial viability of CSOs which, in addition to funding their activities, have to pay operating expenses. Large foundations mostly related to the Bongo family, which has been in power for nearly 50 years, continued to play the role of intermediary support organizations (ISOs) in 2016. However, the origin of funding for these ISOs is unknown except for those that are allocated under the Finance Law. The process of distributing these funds remains opaque. Even so, donations were principally used to respond to needs and projects identified at the local level. Other international agencies made donations at the local level or granted small amounts of funding. International agencies were more transparent with how they allocated their funds with decisions aligning largely within a CSO’s geographic location and within their relevant expertise.
ISOs work with CSOs based on their own goals and agendas. Their intervention is not made on the basis of a sector-wide diagnosis of CSO needs. In general, outside of minor amounts of funding, the services that ISOs provide CSOs are essentially training and providing staff with specific technical skills to fill a gap within a CSO.

Throughout 2016, the nonprofit sector did not register the creation of a large number of networks of associations. However there were a few already in existence that appear to be sustainable, namely the ROLBG, ROPAGA, GMTMD, and Dynamique Unitaire. In effect, the resumption of stability following the elections can be explained by the will of CSOs to evolve together, to coordinate their actions, and also to share the information they have.

Gabonese CSOs constantly demand capacity building, both with regards to the management of their structures and on fundraising. Indeed, very little training in this area is available at the national level. As a result, Gabonese CSOs and donors operating in Gabon increasingly have to look to other countries to find competent trainers in CSO management, fundraising, financial management, etc. To increase the local availability of these skills, donors and large foundations are sending Gabonese abroad to receive training in these areas.

In the framework of their activities, CSOs often worked in partnership with the press, the administrative authorities (ministries, local communities) and occasionally with private companies. The NGO International Development Research Center Africa worked with the multinational Olam Gabon to raise awareness on the Programme Graine (2015-2020), which was the first major agricultural program in the country. Programme Graine works to limit imports, ensure food security, create sustainable jobs, and promote sustainable development. However, this partnership, as many CSO-private sector partnerships in Gabon, threatens the independence of CSOs who become de-facto defenders of private interests.

**PUBLIC IMAGE: 5.0**

The public image of CSOs remained closely linked with the media coverage they received. This year saw a marginal decline in CSOs public image, as the informal rule that media coverage CSO activities in Gabon reflects both the position of the CSO and the position of the media. Effectively, pro-government CSOs had free access to the state media as well as to private media, and CSOs labeled as the opposition benefited only from the support of private media outlets who are also aligned with the opposition. This helps explain the stark inequality in terms of media coverage that favors pro-government CSOs. An exception to this rule is that CSOs considered to be aligned with the opposition also benefit from state-owned and aligned media coverage when their activities do not threaten the Gabonese government.

Without truly understanding the concept of CSOs, the general public seems to have a positive view of the role of civil society groups, particularly relating to their various interventions. In fact, many local communities see NGOs as defenders of their rights. However, the involvement of CSOs during the presidential election of August 2016, once again skewed the perception that the public had of the concept of CSOs. Certainly, a segment of the population still believes that CSOs should be apolitical, and this underscores the importance of raising the general public's understanding of the concept of CSOs. In the framework of their activities, CSOs often have the support of the general public, but this support is not systematic and is weakly expressed for fear of reprisals from the government. Indeed, the general public only really supports CSOs when they feel the issue being addressed directly affects them. This manifests itself in participating in local initiatives to facilitate a successful CSO and community led project on a case by case basis.
The Gabonese government and the private sector recognize that CSOs have a certain expertise. However, the strong positions of some CSOs on themes such as human rights and good governance often led the government to label them as opponents in an effort to politicize their work. Private sector companies, however, are trying to get CSOs to assist their public relations efforts. One particularly poignant example occurred after Mighty Earth published a report on OLAM Gabon’s implication in deforestation and land grabbing. Even before OLAM Gabon published its official corporate response, IDRC Africa, OLAM Gabon’s partner, had already come out publicly against the report’s findings to defend OLAM Gabon.

In 2016, many CSOs did not always have a communication plan to highlight their public image and promote their activities. However, communications, long driven by donors, is increasingly driven by social media which has helped CSOs to develop a wide range of tools and media to make their assets known. These efforts, although significant, are still minimal. Very few formal partnerships between CSOs and media outlets exist. Instead, CSOs and media outlets align themselves based on whether or not they have a pro-government or opposition position.

If efforts are made by CSOs in regards to media coverage of their activities, the question of self-regulation remains. In 2016, apart from CSOs who had already agreed to self-regulatory efforts, none has developed a code of business ethics and even fewer had a code of ethics. Otherwise, it has been noted that some NGO leaders strive for transparency. For example, CSOs such as Brainforest, IDRC Africa, and Attac Gabon are publishing annual activity reports on their websites, making them available at their headquarters, or publishing them through donors who then post them online.

![2016 CSO Sustainability Scores for Gabon](image-url)
The latter part of 2016 was possibly the freest period ever experienced by Gambian CSOs. When the incumbent president Yahya Jammeh rejected his defeat in presidential elections on December 1, Gambian CSOs responded with a barrage of public statements calling for him to step down. This response was a far cry from their passivity earlier in the year, when open criticism of the president was simply unheard of. Jammeh had dominated society and the state in The Gambia since he came to power in a military coup in 1994, and his rule was characterized by increasing international isolation because of the poor human rights record of his regime. But in April 2016, after political activists led by Solo Sandeng of the United Democratic Party staged a peaceful protest and the government responded with a violent crackdown, the political landscape in The Gambia fundamentally changed. Solo himself did not survive the crackdown, as he was tortured to death immediately after the protest. But the uprising became the impetus for widespread calls for Jammeh to leave office and a remarkable new grand opposition coalition to form under a relatively unknown leader, Adama Barrow.
Illegal migration out of The Gambia reached alarming proportions in 2016. The International Organization for Migration reported that in 2016 the country was among the leading migrant-producing countries in Africa. Gambians were reported to constitute the fifth-highest number of arrivals to Italy by sea between January and October 2016. The huge exodus of young Gambians reflected the country’s limited political space and dire economic situation, characterized by high unemployment, a high cost of living, and inadequate public services.

In 2016, the ability of CSOs to provide urgently needed goods and services to communities across the country showed significant improvement. CSOs’ organizational capacity strengthened as they reached out to new constituencies and engaged increasingly in strategic planning. CSOs’ public image was also stronger during the year, and the infrastructure supporting CSOs improved. CSOs’ legal environment, financial viability, and advocacy work did not record significant changes in 2016.

The overall number of registered CSOs is unknown but probably totals more than 1,000 organizations. Non-governmental organizations (NGOs) are a distinct legal form, and 125 NGOs were registered with the NGO Affairs Agency in 2016.

**LEGAL ENVIRONMENT: 6.2**

In 2016, the legal environment for CSOs in The Gambia remained generally the same as in previous years. The Companies Act 2013 governs CSO registration, and the Ministry of Justice registers applicants as charitable organizations. A separate law, the NGO Act, guides the registration of CSOs that wish to acquire NGO status. A CSO may apply with the NGO Affairs Agency to become an NGO only after at least two years in operation. The number of NGOs remains small since the status conveys no real benefit. A fee is charged for registration at both levels, and the speed of the process generally depends on the efficiency of office staff. By and large the laws do not restrict the registration of CSOs, and they are able to register easily.

CSOs operate freely within the law and normally engage with communities and partner with state institutions without impediment. However, the NGO Act gives power to the minister of interior to dissolve an NGO if it “undermines” the government. Other laws, such as the Public Order Act and Criminal Code, potentially inhibit CSOs’ operations, since they can be used to punish organizations that are seen as critical of or opposed to the government. Until they called for the president to resign in December 2016, CSOs refrained from addressing public issues openly, especially if they concerned presidential accountability. For example, CSOs did not stage protests or release reports that named and shamed the government, since such acts could make them liable to charges of sedition or violation of the NGO Act. In the latter half of 2016, as CSOs began to assert themselves more vigorously, no incident of arbitrary interference into CSO operations was reported, including during the government’s crackdown after the April protests and the political transition at the end of the year. However, the government began to arrest CSO leaders in a renewed crackdown in January 2017.

CSO funding is tax exempt. Foreign CSOs’ staffs enjoy tax exemptions on their salaries and other benefits. Materials for CSO activities may be imported duty free upon application to the NGO Affairs Agency. Individual and corporate donors do not receive tax benefits for their donations to CSOs.
Under the NGO Act, CSOs may sell products and services to earn income, provided such income is applied to programs serving beneficiaries. Although CSOs may not usually compete for government contracts, a few CSOs obtain them in the form of memoranda of understanding for activities such as constructing classrooms.

Although lawyers in The Gambia do not yet specialize in working with CSOs, they are generally familiar with relevant laws. Some well-resourced CSOs retain lawyers, and other organizations seek legal advice or representation as the need arises. Lawyers are generally located within the greater Banjul area.

**ORGANIZATIONAL CAPACITY: 5.6**

In 2016, Gambian CSOs continued to move towards a significantly higher degree of professionalism. In particular, they developed strong relationships with their constituencies. CSOs that are membership based, such as farmers’ associations, women’s and youth groups, and trade unions for teachers, journalists, and health workers, draw their members from the communities in which they work. Such organizations constantly seek—often with great success—to build their memberships and promote their members’ interests. For example, the Gambia Teachers Union (GTU) has rapidly expanded its constituency, which now stands at more than twenty thousand members. GTU operates a credit union scheme that is among the biggest in the country and is available to teachers as well as their spouses and children. Similarly, the Child Protection Alliance (CPA) has established committees and clubs in communities and at schools that are at the forefront of local child protection. The Forum for African Women Educationalists, Gambia (FAWEGAM), which spearheads girls’ education, has established mothers’ clubs and Tuseme (“Let Us Speak Out”) empowerment clubs for children.

CSOs usually have constitutions and identified missions, visions, and objectives, to which they largely adhere. The use of strategic planning tools and processes has become quite prevalent in the CSO community as an indicator of professionalism. Strategic plans usually cover one to five years and are used for decision-making in developing project proposals, building partnerships, and launching new campaigns. For example, Concern Universal has a plan for 2014-19 that focuses on projects involving resilience, livelihoods, and local governance, and the Agency for the Development of Women and Children (ADWAC) has a 2013-17 plan that emphasizes support to farmers through modern farming methods and environmental management. The 2013-17 strategic plan of the Association of Non-Governmental Organizations (TANGO), the umbrella organization of CSOs in The Gambia, aims to strengthen the management and operational capacity of members and increase their influence on public policy.

A clear management process prevails within most CSOs and is typically guided by tools such as written in-house rules, financial and procurement manuals, board manuals, and other control and quality assurance mechanisms. Policies govern such topics as vehicle use, sexual harassment, human resources, whistleblowing, open information, HIV/AIDS in the workplace, and children’s rights. Internal rules specify that regular annual general meetings be held, at which board members are elected. There is usually a distinction between management and boards, and, depending on the size of the organization, management may be further separated into program and finance divisions and senior management teams.

Although the majority of CSOs in The Gambia are small organizations without sufficient resources to hire a full complement of personnel, larger organizations often maintain adequate, well-paid staffs, including in-house accountants and information technology managers. It is common practice among CSOs to have job descriptions, employment contracts, and personnel policies. The use of volunteers or interns, mainly from the University of The Gambia and other tertiary institutions, is gaining momentum at larger organizations.
While the use of information technology is growing among CSOs, usually only larger, more established organizations have computers, laptops, photocopiers, scanners, and other office equipment. The majority of CSOs lack the resources to purchase modern office equipment or access internet services, which are in any case poor and expensive.

**FINANCIAL VIABILITY: 6.3**

While the global financial crisis and the dire political situation in The Gambia have contributed to a decline in resources, CSOs are making great efforts to sustain themselves so that the level of services that they provide to communities is not affected. Funding for Gambian CSOs generally comes from foreign foundations, foreign governments, international organizations, and companies located mainly in Europe and the United States. For example, the European Union has been a major donor, but since 2014 it has reduced its funding to The Gambia by 20 percent because of the country’s poor human rights record and the expulsion of its chargé d’affaires in 2015. Various embassies in The Gambia, including those of the United Kingdom and United States, provide small annual grants of $5,000 to $10,000 to several CSOs.

Resource mobilization from local sources remains extremely limited. Private companies and rich individuals scarcely donate to CSOs, not out of a lack of interest but because the country’s philanthropic culture is undeveloped. Within local communities, however, CSOs usually enjoy immense in-kind support, with community members often providing labor, land, or materials for buildings or furniture. Future-in-our-Hands (FIOH), for example, obtained labor support from the community of Sohm when it built classroom blocks for the senior secondary school with funding from Jersey Gambia Schools Trust.

CSOs usually have more than one source of international funding. Although larger, Western-affiliated CSOs such as AAITG, Concern Universal (CU), ChildFund International, and Catholic Relief Services (CRS) can obtain funding amounting to hundreds of thousands of dollars, domestic organization usually receive amounts ranging from $5,000 to $50,000. Such support typically lasts from six months to two years and does not continue in multiple phases. Hence domestic CSOs’ long-term financial viability remains a major challenge. In the absence of funding many staff members operate without salaries or basic office equipment.

Some membership-based CSOs and networks raise funds through subscriptions. But subscription fees are usually minimal and offer erratic incomes, since many members pay late, partially, or not at all. Most CSOs do not have the capacity to fundraise and do not have fundraising or resource mobilization plans.

A number of CSOs, such as farmers’ and women’s horticultural associations, offer services or products for sale to their members and the general public. Their products typically include handmade soaps, jewelry, dresses, tie-dyed cloth, utensils, cooking oil, and other personal and household items. Some CSOs hire out chairs for public events. The proceeds from such efforts are usually limited. The government generally does not give contracts to CSOs except, in a few cases, for services or products related to education and health. For example, FIOH obtained government contracts for the construction of schools.

Gambian CSOs increasingly use modern accounting and financial management tools and processes, not only because of donor requirements but also because of a widespread desire to adhere to organizational values and best practices. Internal and external audits and audit reports shared with donors and other stakeholders are the norm in larger CSOs. Few CSOs publish their audit or annual reports in the media or publicly share financial and other critical information.
Advocacy in The Gambia

CSO advocacy remained steady in 2016 as organizations continued to engage on social and economic issues with governmental stakeholders, including parliament and ministries. Although the Gambia Bar Association and other CSOs responded vigorously to the refusal of the president to step down after the December elections, their public statements were unprecedented and likely do not signal a new trend. The norm is that CSOs do not engage in political issues.

The government and CSOs generally enjoy a cordial working relationship. Several CSOs sit in on government policy meetings and project steering committees at both the central and local levels. TANGO, for example, is a member of the National Population Council. Several CSOs such as CPA are involved in the programs and activities of the Department of Social Welfare and through this relationship try to ensure that services are continually provided.

In 2016, CSO advocacy efforts targeted various themes in a passive, non-confrontational way. Before their public involvement with the election results, CSOs generally avoided becoming involved in civil and political rights and issues surrounding the presidency. For example, CSOs focused on gender and women’s rights, such as the Network Against Gender-based Violence (NGBV), advocated for girls’ and women’s right to reproductive health. In another project, NGBV worked with ActionAid International The Gambia (AAITG) to promote women’s access and ownership of land. AAITG also partnered with CSOs focused on climate change and food security to build the resilience of farmers with the adoption of new farming methods. Child rights organizations, led by CPA, advocated for better services for children and better enforcement of existing child rights legislation. These CSOs often conducted face-to-face meetings with parliamentarians and local community leaders to sensitize them to important issues. For example, a consortium called Promoting Rights in School (PRS), which was established under the auspices of AAITG by six organizations—CPA, FAWEGAM, GTU, Education for All Campaign Network (EFANet), Nova Scotia Gambia Association (NSGA), and Activista—encourage the provision of quality education in schools through seminars for policy makers, community sensitization meetings, and trainings for local government authorities. These meetings and forums were mostly a continuation of activities from previous years.

Lobbying has not been a major tool for CSOs, mainly because of a lack of capacity as well as the unfavorable political situation. However, CSOs sometimes lobby lawmakers on certain issues, such as higher budgetary allocations for children, women, farmers, and communities. For example, GTU sits on the National Advisory Council for Education, Gambia National Library Services Authority, West African Examinations Council (WAEC), and Committee for the Promotion, Appointment, and Discipline of Teachers (C-PADT) and uses these platforms to lobby for better educational services. In 2016, GTU played a key role in successfully leading the Education Sector Policy Sub-Theme on Teacher Welfare and Development at the Ministry of Basic Education and was instrumental in obtaining several policy pronouncements on teachers’ incentives and allowances. Similarly, AAITG and NGBV worked with the national assembly on implementing a law against female genital mutilation in 2016. AAITG’s youth section, Activista, supported women’s efforts to voice their demands to local governmental authorities and parliament. Thanks to the combined efforts of CPA, FAWEGAM, AAITG, Gambia Committee on Traditional Practices (GAMCOTRAP), other CSOs, and the Office of the First Lady, the national assembly amended the Children’s Act 2005 in July 2016 to prohibit child marriage in The Gambia.

During 2016, there was no local advocacy for legal reform to enhance CSO effectiveness and sustainability and no effort among CSOs to review the NGO Act. For the time being, CSOs did not see any possibility of making gains in this area because of the political situation.
Service provision by CSOs in The Gambia was especially strong in 2016. CSOs focus mainly on providing goods and services to communities, and most rural communities are more dependent on CSOs than on the government. CSO services are well diversified and touch on all aspects of social need. Dozens of organizations engage in the provision of healthcare (for example, Gambia Family Planning Association [GFPA], Gambia Foundation for Research of Women’s Health, Productivity, and the Environment [BAFROW], and Health Promotion and Development Organization [HePDO]), education (EFANet, FAWEGAM, and Children in Gambia Basse and Suduwol [CHIGAMBAS]), and capacity building for farmers (ADWAC, AAITG, and Concern Universal). In fact, a considerable portion of Gambians continue to receive basic social services from service points run by CSOs. CSOs also train young people and women in income generation and self-employment, help communities gain resilience to climate change, promote participatory budgeting, train public officials in good governance, combat corruption, evaluate and monitor public policy, and promote women’s empowerment, especially at the local level. In many areas in which the government should be the lead service provider, such as community development, education, and healthcare, CSOs assume this role.

The range of CSO services in such areas as health, education, food supply, the provision of farming implements, and job training for young women reflects a direct response to the needs of local communities. Community needs were in fact the impetus behind the emergence of CSOs in The Gambia, and this role has continued to expand. Today, given the inefficiency and limited capacity of the government coupled with a growing population, CSOs remain major providers of education, healthcare, food, and other support to enhance communities’ skills at meeting food production, environmental protection, and other needs.

CSOs serve communities and constituencies that are broader than their memberships, although the latter are the major target. For example, AAITG, FIOH, and EFANet regularly produce newsletters and distribute them online. Many CSOs promote their programs and raise awareness about development issues through commercial and community radio stations. For example, Gambia Family Planning Association airs programs on family planning, and the National Youth Parliament hosts weekly programs on local governance.

Charging fees for services and products such as publications and expert analysis is not a common practice. When CSOs charge for goods and services, the fees are usually below market prices and the income is invested back into the expansion of programs. AAITG, for example, offers loans for use of its seed and cereal banks.

The government recognizes and publicly expresses appreciation for the valuable services that CSOs provide. CSOs partner with government entities to provide basic social services. For example, working with the government GFPA offers healthcare in local communities, and the Wuli and Sandu Development Association (WASDA) works with the Basse Area Council on agricultural projects in rural communities.

**INFRASTRUCTURE: 5.3**

The infrastructure supporting CSOs in The Gambia slowly improved in 2016. Although training institutes are expensive and partnerships with the private sector are still minimal, partnerships among CSOs and between CSOs and some public institutions continued to grow.

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3 This score reflects a baseline adjustment.
There are no CSO resource centers in The Gambia, other than several informal centers operated by CSOs, which usually offer informational materials or serve as meeting places. For information and research, CSOs rely mostly on the Internet or a small number of libraries at institutions of higher learning, provided they are open to users other than students and faculty. In 2016, there were no intermediary support organizations (ISOs) providing CSOs with training or grants.

A high level of collaboration continued among Gambian CSOs in 2016. Typically, larger organizations, such as AAITG, CU, and CRS, create platforms for partnerships with smaller CSOs. For example, AAITG has partnered with CPA and FAWEGAM to implement a project promoting child rights in three of the country’s five administrative regions. A number of networks share information with their members and the wider society. For example, TANGO, CPA, and NGBV serve as information clearing houses for CSOs and regularly collect and share reports, surveys, development evaluations, and information on funding, training, partnership opportunities, technology, campaigns, and development and policy trends around the world. These networks also provide capacity building in various technical areas, including financial management, communications, advocacy, and monitoring and evaluation.

There are no training institutes specialized in capacity building for CSOs in The Gambia. However, several institutions deliver tailored training to CSOs on such topics as financial management, advocacy, monitoring and evaluation, and communications. In addition, CSOs conduct trainings for other CSOs if they have sufficient capacity. Such trainings are often offered through donor-funded projects established for that purpose. In 2016, CPA trained several CSOs on child rights, Gambia Press Union trained CSOs on freedom of expression, and NGBV offered training on gender-based violence. In addition, TANGO trained CSOs on human rights-based approaches to development and West African Network for Peacebuilding (WANEP) trained CSOs on election observation. AAITG partnered with EFANet, TANGO, CPA, ADWAC, and FAWEGAM to conduct trainings on human rights-based approaches to development, child rights, resilience and food security, and other topics. Foreign donors do not offer training. Some training materials are available in local languages.

Partnerships between CSOs and the private sector have been growing in recent years. Banks, mobile telephone companies, Internet service providers, and hotels have joined CSOs to promote various issues, such as education, child rights, women’s rights, the fight against climate change, and HIV/AIDS. But these partnerships remain ad hoc and have yet to be fully formalized or translated into robust funding relationships and productive campaigns. In 2016, both CPA and NGBV developed separate working partnerships with Gambia Press Union, which led to the development of formal codes of conduct for responsible reporting on children’s and women’s issues.

CSOs also partner with the government. For example, in 2016 the GTU Credit Union partnered with the Directorate of National Treasury (DNT) and the Ministry of Basic and Secondary Education to help the ministry weed out “ghost” teachers and recover tens of millions of dalasi, which were paid back to government coffers. Similarly, as a means to curb teacher absenteeism, GTU facilitated salary payments to teachers in rural areas where there are no banks. NGBV has developed a partnership with the Ministry of Health and Social Welfare to establish “one-stop centers” at the country’s three major hospitals. Child-rights CSOs, such as CPA, Child and Environment Development Association Gambia (CEDAG), Gambia Federation of the Disabled (GFD), SOS Children’s Villages, ChildFund, and FAWEGAM, work with the Department of Social Welfare to protect children from abuse and violence.
Although in December the media was critical of CSOs as they delivered statements in support of the president-elect and visited him to show solidarity, CSOs generally continued to enjoy favorable media coverage of their events and programs in 2016. Such coverage is normally offered free of charge, but other media services, such as advertisements, announcements, and specialized coverage, are usually paid for.

Public perceptions of CSOs improved considerably, particularly in the latter part of 2016. Public perceptions are generally highly favorable, especially in rural communities, where CSOs offer a wide range of important social services and it is understood that their role is essentially to help people. But in the wake of the political impasse following the December elections, public perceptions of CSOs improved significantly because of CSOs’ determined stance in openly condemning the outgoing president’s actions and demanding that he step down.

Both the government and the business community have favorable perceptions of CSOs, even though in the business community this view has not fully translated into productive partnerships and funding. The government relies on and trusts CSOs working in development as a source of expertise and information. Several businesses, especially within the banking, real estate development, and mobile phone sectors, visit CSO offices seeking to entice them to open accounts or offer services to facilitate their funding of CSOs’ activities.

CSOs are increasingly publicizing their work, especially through social media. Facebook and Twitter accounts are growing, and many more organizations are producing short audio and video materials about their work along with newsletters in hard and soft copies.

There is no general code of ethics for CSOs other than the code of conduct in the NGO Act. However, CSOs usually have internal codes of ethics and self-regulatory frameworks embedded in their personnel manuals and other in-house policies. Gambian CSOs are increasingly showing a desire to adhere to organizational values and best practices, both to prevent intrusive encounters with the state and to be more competitive for funding. In addition, CSOs realize that if they claim to serve as watchdogs they must be seen as exhibiting the highest professional standards. Thus their policies are generally geared towards ensuring transparency, accountability, and efficiency in management, governance, and programming. Most CSOs produce annual reports, which are published and shared with various stakeholders.
2016 CSO Sustainability Scores for The Gambia

The Gambia

5.4

The Gambia

5.4

Sustainability

Enhanced

Sustainability

Evolving

Sustainability

Impeded

CSO Sustainability

1

3

5

7

Legal Environment

Public Image

Organizational Capacity

Infrastructure

Financial Viability

Service Provision

Advocacy
In 2016, political life in Ghana was focused on the presidential and parliamentary elections taking place on December 7. Throughout the year, CSOs helped prepare for the elections with a myriad of activities, including voter education, discussion platforms for candidates, and an early warning system about the security situation surrounding voting. On Election Day, CSOs deployed about ten thousand domestic election observers. The candidate of the New Patriotic Party (NPP), Nana Addo Dankwa Akufo-Addo, defeated incumbent president John Dramani Mahama of the National Democratic Congress (NDC) in a peaceful transfer of power.

Ghana’s economy was buffeted in 2016 by the depreciation of the cedi, imbalances in the current account deficit, and rising inflation due mainly to increased utility costs. These developments kept the government from reaching all of its macro-economic targets during the second year of an arrangement with the Extended Credit Facility of the International Monetary Fund (IMF), which included a highly contested freeze on public-sector employment. The country’s economic difficulties led to labor unrest and demonstrations against the government. In January, for example, the country’s major organized labor groups conducted simultaneous protests in all ten regional capitals to express their displeasure with increasing utility tariffs. The unrest
compelled the government to offer rebates to consumers on payments for electricity. In the run-up to the elections, these and other actions by the government were intensely scrutinized by the media, CSOs, and opposition political parties.

In 2016, CSO sustainability improved thanks to increased funding, significant advocacy work, a stronger infrastructure, and a more positive public image. Especially important was the resumption of awards by Strengthening Transparency, Accountability, and Responsiveness in Ghana (STAR-Ghana), the country’s major funding mechanism, which had suspended grant making in 2015. CSOs undertook an impressive number of high-level advocacy activities to address a broad range of issues, including public corruption and governance in the oil and gas sector. CSOs’ strong performance and solid partnerships during the election period contributed to building a more supportive infrastructure and an enhanced public image.

Data from the Department of Social Welfare (DSW), which is charged with oversight of CSOs, indicates that 294 new organizations registered in 2016, down from 429 in 2015. The main reasons for the decline were the country’s general economic deterioration and a lack of funding for new CSOs. With the newly registered organizations, a total number of 6,800 CSOs were registered with the DSW in 2016.

**LEGAL ENVIRONMENT: 3.9**

The legal environment for Ghanaian CSOs did not change in 2016. CSOs continued to enjoy a favorable legal framework despite the absence of a specific law to govern them. The formation and registration of CSOs remained fairly easy. CSOs continue to register as not-for-profit organizations limited by guarantee with the Registrar General’s Department under the Company Code of 1963 (Act 179) and then with the DSW at national, regional, and district offices. The registration process requires CSOs to renew their operating permits annually, but typically only a few organizations comply with this rule because of the DSW’s inability to enforce it. For example, in 2016 only 602 of 6,880 registered organizations renewed their operating permits. Although the government does not attempt to close CSOs for non-compliance, district-level authorities have begun to request that CSOs show proof of registration before working with them or even accepting invitations to their events.

CSOs debate, oppose, and offer constructive criticism of government policies freely and without harassment or fear of closure. This lack of pressure continues to create a favorable environment for the establishment and growth of CSOs throughout the country.

Tax exemptions are available to CSOs mainly on the importation of certain items. In general, CSOs that provide direct relief and other social support services benefit most from tax exemptions, because they import goods regularly and therefore make the effort to request exemptions. Very few other organizations seek to obtain exemptions, mainly because they lack information about the application process or fail to comply with DSW requirements. Grants to CSOs remain untaxed, but organizations must pay statutory taxes such as withholding tax from payments made to some service providers as well as social security and income taxes on behalf of employees.
CSOs are barred from engaging in commercial activities unless the profits are used to support their operations. CSOs may compete for government contracts.

There are still few lawyers specializing in CSO issues in Ghana, so organizations that need legal services consult general legal practitioners. Some urban CSOs have lawyers on their staffs who offer legal advice.

**ORGANIZATIONAL CAPACITY: 3.9**

The organizational capacity of Ghanaian CSOs did not change in 2016. CSOs’ initiatives are driven largely by the needs and demands of their constituencies, which are usually evident in the issues that organizations choose to work on or the nature of the communities in which they work. CSOs typically mobilize core constituencies to support their activities. For example, in 2016, several CSOs worked to enhance diverse communities’ participation in the elections. VOICE Ghana, an organization serving people with disabilities, trained beneficiaries to serve as election observers, and the Social Initiative for Literacy and Development Program (SILDEP) and TEERE, based in the Upper East and Upper West Regions, educated community members about proper voting procedures to guard against disqualified ballots.

Although Ghanaian CSOs usually have mission and vision statements as part of their registration materials, their adherence to them varies. Strategic planning is common among urban and larger organizations, and they view strategic plans as critical policy documents to guide their operations. In contrast, rural and smaller CSOs see strategic plans mainly as a donor requirement that may help secure funding but will not necessarily be implemented. In 2016, STAR-Ghana required applicants for election-related funding to provide strategic plans along with written financial management policies, annual audits, and other documentation.

Management and governance structures vary between larger and smaller organizations. Most large CSOs have strong internal structures, with management teams overseeing daily activities, while boards serve in policy oversight and advisory roles. For instance, in larger organizations annual and quarterly financial budgets are usually approved at board meetings and then implemented by management. The boards of many smaller organizations do not have a function beyond fulfilling registration requirements, and board members often do not meet to provide strategic or policy advice. Overall, the operations of CSO boards are usually not transparent.

The recruitment and retention of paid professional staff remains a challenge for both larger and smaller organizations. CSOs’ capacity to retain qualified, experienced staff is dependent on their funding situations. Since most CSOs lack core funding and are sustained on a project-by-project basis, they can cover operational costs such as staff salaries only for the duration of specific projects. Smaller organizations do not usually engage qualified professionals for the long term and rely instead on volunteers to support their work. Individuals who volunteer are often unemployed and therefore expect some kind of financial incentive, such as stipends to cover transportation costs. Most large urban CSOs, but very few small or rural organizations, offer clear job descriptions and contracts to their employees.

Basic office equipment such as computers, printers, and mobile phones is commonly available at both large and small organizations. Internet service is fairly widespread and access to it has greatly increased as CSO staff members have begun to use smartphones. The acute power outages that affected CSO operations in previous years have largely dissipated.
Ghanaian CSOs’ financial viability improved in 2016 thanks to funding inflows to support election-related activities as well as the resumption of grant awards by STAR-Ghana, the country’s main multi-donor pooled funding mechanism. STAR-Ghana had suspended its grant making in 2015 after completing its first phase of funding.

Most CSOs rely on foreign-sourced grants for funding. In 2016, STAR-Ghana targeted election-related activities and awarded grants of about $3 million to thirty-eight CSOs and media organizations. Other notable foreign funding sources for CSO election-related activities in 2016 included traditional funders such as USAID, the United Kingdom’s Department for International Development (DFID), and the Open Society Initiative for West Africa (OSIWA). New sources of funding included the Ford Foundation and USAID’s Reacting to Early Warning Response Data in West Africa (REWARD) program, which disbursed funds to about twelve Ghanaian CSOs to promote peaceful elections. The DFID-funded Ghana Oil and Gas for Inclusive Growth (GOGIG) program provided support to CSOs working on oil and gas issues.

Several multi-national firms in telecommunications, mining, and finance have funding mechanisms or social investment programs that were important sources of funding in 2016, particularly for small and rural organizations. For example, the foundations of mobile telephone service operators MTN Group, Tigo, and Vodafone offered significant levels of funding to help communities develop critical infrastructure for healthcare, education, and water and sanitation.

Large urban organizations tend to have diversified sources of funding for their activities but often lack core funding to cover administrative costs. Smaller CSOs usually rely on funding from one or two donors, and thus their financial viability is fragile.

Very few CSOs have products and services they can sell to raise revenue. The most common products are books and research reports, but because of their nonprofit mandate CSOs do not sell them to make a profit and there is often little public interest in purchasing them. The collection of dues by member-based organizations in both urban and rural areas remains a challenge both because of members’ lack of funds and because of their dwindling interest in network-based advocacy.

Qualified accountants and well-developed financial systems are standard in most urban and large CSOs. Smaller and rural organizations usually engage financial professionals on an ad hoc basis when funding is available. In recent years, the basic financial management systems of smaller and rural CSOs have improved, thanks mainly to greater competition for funds, more stringent funding requirements, and capacity development by funders such as STAR-Ghana.

ADVOCACY: 3.5

Overall, CSO advocacy strengthened in 2016. CSOs continued to maintain good relations with policy makers at the national and local levels and successfully worked with them on projects cutting across all sectors. For example, CSOs at the national level were actively engaged in ensuring implementation of Ghana’s 2016-17 plan under the Open Government Partnership (OGP), an initiative that brings together governments and CSOs to empower citizens and make governments more accountable. At the local level, CSOs were less involved in the OGP process because of low awareness of the mechanism.
The Electoral Commission (EC) of Ghana engaged CSOs to support the election process. A number of CSOs, including the Integrated Social Development Partners (ISODEC) and IMANI Ghana, led public campaigns to encourage issue-based elections and the fulfillment of platform promises by political parties. The DFID-funded GOGIG program provided support to CSOs seeking to heighten awareness of oil and gas sector governance as an election issue. Other CSOs hosted platform debates and policy roundtables on such issues as the economy, agriculture, education, health, water and sanitation, local governance, public finance, and corruption. The Coalition for Domestic Elections Observers (CODEO) and other CSOs made a major contribution by issuing a public statement supporting the EC’s decision not to produce a new voter registry, despite significant pressure to do so from opposition political parties and other groups. CODEO and the Institute for Democratic Governance and Civic Forum Initiative (IDEG-CFI) circulated regular updates on security at the polls and the general conduct of polling officials, and the West African Network for Peace (WANEP) used its early warning system to advise the public on security and other concerns.

CSOs also advocated on other governance issues in 2016. The Civil Society Platform on the IMF Bailout continued to push publicly for the government to engage in prudent financial management in line with conditions set by the IMF Extended Credit Facility. Occupy Ghana continued its public accountability campaign and succeeded in persuading the court to order the attorney general to release an investigative report on alleged corrupt practices in the award of contracts for branding commercial buses. Occupy Ghana also filed a court case, still pending at the end of the year, seeking to compel the auditor general to retrieve misappropriated public funds. SEND-Ghana, which supports pro-poor policies, cooperated with the Ghana Integrity Initiative (GII), the local chapter of Transparency International, and the Ghana Corruption Coalition (GACC) to implement a project to review gaps in the country’s anti-corruption laws. A major issue of public concern was consumer protection and the effectiveness of public-sector regulatory bodies in ensuring efficient service delivery. CSOs such as the African Center for Energy Policy (ACEP) advocated for the rectification of errors in the software used to bill consumers for electricity, which contributed to the government’s decision to offer rebates.

Lobbying remains unchartered territory for most CSOs in Ghana. In 2016, a few organizations engaged in lobbying, sometimes successfully. For example, CSO efforts on child rights and local governance helped ensure passage of important new policies and law in these areas. In particular, Child Rights Initiative, Ghana Federation of Disability Organizations, and other organizations supported the Ministry of Gender and Social Welfare’s development of the Child and Family Welfare Policy, National Gender Policy, National Social Protection Policy, and Justice for Children Policy. A major disappointment was the failure of parliament to pass the Right to Information (RTI) Bill in 2016, mainly for technical reasons, despite years of advocacy work by CSOs.

Despite awareness of its potential benefits, enthusiasm for a law to provide a comprehensive legal framework for CSO operations remains low and CSOs were inactive on the issue in 2016.

**SERVICE PROVISION: 3.8**

CSO service provision has been stable in recent years. CSO services are generally diversified and represent a direct response to perceived and real weaknesses in public-sector service delivery. In 2016, CSOs provided services in areas ranging from water, health, education, and sanitation to research on economic issues, governance, public finance, and environmental protection. During the 2016 elections CSOs partnered with state institutions such as the National Commission for Civic Education (NCCE) to offer voter education.
CSOs often customize their activities to meet the needs of the communities in which they operate or of the public at large. For instance, CSOs in the Upper East Region led by Basic Needs Ghana helped meet the logistical challenges faced by mental health institutions and facilities serving other vulnerable groups.

CSOs continue to provide goods and services that go beyond their memberships. In particular, CSO research findings are often published and disseminated to the public through the mass media. Important publications in 2016 included a report on transparency and accountability in the oil and gas sector by the Institute for Economic Affairs (IEA) and the research network Afrobarometer and a pre-elections report on key issues by the Center for Democratic Development (CDD).

CSOs generally do not recover their costs. Although CSOs may earn income from the provision of services, income-generating activities are usually limited to policy research and consultancies.

Although legally CSOs are able to obtain government grants, there is no government funding mechanism that awards grants to CSOs. It is not known whether any CSOs received government contracts for service provision in 2016. However, the government often draws on the expertise of professionals from the CSO sector to support its own research and policy-making activities. For instance, the expertise of gender-focused CSOs is widely sought by the government in the development of gender-based policies.

**INFRASTRUCTURE: 4.6**

The infrastructure supporting Ghanaian CSOs improved in 2016 thanks to the resumption of grant making by STAR-Ghana and CSOs’ strong partnerships during the election period.

In recent years, the West Africa Civil Society Institute (WACSI) has been the most important resource center offering training to develop the capacity of CBOs, faith-based organizations, youth groups, and other organizations. The center earns some revenue from fees paid by participants. The African Women’s Development Fund (AWDF) also operates a resource center used in particular by CSOs focused on gender issues.

STAR-Ghana again became the most important local grant making organization when it resumed grant making in 2016. Its grants focused on the elections and totaled about $3 million. The USAID-supported REWARD program also re-granted about $710,000 in funds to support CSOs’ election-related activities.

Coalitions promoting the interests of the CSO sector are weak, and CSOs do not share information on a regular basis. However, during the elections various coordinating platforms emerged to share information on the electoral process. For instance, IDEG-CFI established elections situation rooms in all regional capitals to monitor the polls and share information with local and international elections observers. A women’s situation room was established with funding from the United Nations Development Program to monitor the participation of women in electoral activities.

A number of organizations offer customized training to CSOs on proposal writing, project and financial management, monitoring and evaluation, and other topics. In addition to WACSI, public and private tertiary institutions such as the Ghana Institute of Management and Public Administration (GIMPA), Adult Education...
Center at the University of Ghana, Legon, and Participatory Development Associates offer training, usually for a fee. Training materials are currently not available in local languages.

The election period provided opportunities for CSOs to continue existing partnerships and commence new partnerships with the media, government, and business sectors. Many CSOs and the media worked to analyze public policies and host debates on electoral issues. For instance, as part of its elections-watch activities, IMANI Center for Policy and Education partnered with major radio stations to broadcast live critical assessments of party platforms. In cooperation with the private sector, GACC partnered with the Chartered Institute of Marketing, Ghana (CIMG) to monitor and report on the ruling party’s abuse of its incumbency during the elections. WANEP cooperated with the National Peace Council, a government entity, to ensure peaceful voting. Other government and CSO partnerships in 2016 included cooperation by IRC Ghana and Water Health Solutions with the Ministry of Local Government and Rural Development to implement a sanitation challenge grant program for metropolitan, municipal, and district assemblies, with funding from DFID’s Ideas to Impact program.

PUBLIC IMAGE: 4.0

CSOs’ public image improved in 2016 thanks to positive election-related media coverage at both the local and national levels. Major media networks based mostly in Accra provided live coverage of CSOs’ events. For instance, events organized by IMANI, ACEP, IEA, and CDD were broadcast live on major media networks, including Joy FM, Citi FM, Metro TV, and the national broadcasting affiliates Uniq FM and GTV. During the year IEA, IDEG, CDD, Media Foundation for West Africa (MFWA), and other CSOs placed paid announcements in print and broadcast media to publicize their events.

Media coverage and recognition of CSOs’ contribution to policy discussions during the elections helped strengthen the public image of CSOs in 2016. For instance, MFWA published monthly reports on the use of intemperate language by politicians. These reports encouraged the public to question politicians on their commitment to peaceful elections. Public perceptions of CSOs, especially those engaged in providing infrastructure such as water, health, and sanitation facilities, remained strong in 2106.

The government’s view of CSOs remained positive during the year, although at the peak of the election period some CSOs did not receive the usual degree of governmental support because they were perceived as having an anti-government bias. For instance, despite several attempts by IEA to organize its flagship presidential debates, the NDC declined to take part in the debates because it believed that IEA was biased against the government. Similarly, the NPP failed to honor earlier commitments to participate in IEA’s policy discussions. The business sector has a positive view of the work of CSOs, but the two sides have not been able to establish a sustained, mutually beneficial funding relationship.

Many CSOs use newsletters and social media platforms to disseminate information and promote their images. Large, urban CSOs tend to have public relations and communications units to support their branding and promotional activities. For instance, the National Catholic Secretariat and SEND-Ghana have public relations officers who respond to comments on social media platforms. In 2016 most urban organizations developed technological and media tools to showcase and facilitate their work on the elections. For example, Penplusbytes developed the Social Media Tracking Center, a system to monitor and respond in real time to reports emanating from social media platforms such as Twitter and Facebook. Thanks to this rapid citizen feedback system, Penplusbytes was able to alert security agencies, electoral management bodies, and the media to problems that could potentially trigger security incidents.
CSOs in Ghana still do not have a binding code of ethics to regulate their activities. Large, urban CSOs with diversified funding are usually able to afford to publish annual reports. Although some smaller organizations also produce annual reports, they usually lack the financial resources to publish or disseminate the reports to the public.
GUINEA

2016 CSO Sustainability Scores for Guinea

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CSO SUSTAINABILITY: 5.4

Guinea’s economy is struggling and the country went through a difficult political period that ultimately resulted in a peaceful agreement between the government and the opposition. Overall, conditions were relatively peaceful, which allowed civil society organizations (CSOs) to maintain their status and operate in the traditional CSO sectors, including advocacy, service provision, and monitoring of government service delivery. Broadly speaking, the operating environment for Guinean CSOs did not experience substantial changes in 2016.

Guinea’s economy is slowly recovering in the wake of the Ebola crisis. The gross domestic product grew by more than six percent in 2016, due to increased gold and bauxite production and strong agricultural output. However, this wealth is unlikely to impact household income due to fiscal discipline imposed by the multilateral institutions of the World Bank and the International Monetary Fund. This economic hardship is reflected in the government’s inability to honor its contracts with CSOs. For example, after carrying out local infrastructure projects on behalf of the state with loans from local banks, CSOs were unable to get reimbursement from the state. Lawyers and legal professionals formed a legal defense group for these CSOs to recuperate their money.
In the political arena, a significant step was made toward holding local elections. While these elections were recently rescheduled for 2018, they had been previously scheduled to occur at different points in 2016, and then in 2017. CSOs were active in preparing voters for potential elections that have yet to be held. After ongoing demonstrations against the government for most of the year which rallied many thousands of people against economic mismanagement, poor governance, and electoral reforms, the president met with the opposition leader. The fact that this meeting even occurred was a significant step toward making this national dialogue reach near-consensus on concrete steps to implement. This led to regular exchanges on critical national issues, leading to the implementation of a standard framework for dialogue. On October 12, 2016, a political accord was signed between the government and the opposition party. CSOs were active participants in reaching this agreement. The agreement included the revision of the Local Authorities Code and the Electoral Code, and the compensation of victims of 2013 violence, including the Group of Organized Businessmen (GOHA) and members of the Guinean Free Radio and Television Union. CSO advocacy helped promote peace throughout this conflict, and the accord ended a wave of opposition-led street protests.

In this peaceful political context, the national policy on CSO management in Guinea helped a dozen CSOs to formalize a platform that actively participated in electoral matters. The platform consists of REGARD CITIZEN (REGARD CITIZEN), administered by the NGO CENAFOD, which houses the technical secretariat. The technical secretariat made suggestions for improvement of the Local Authorities Code and the Electoral Code to the Members of the National Assembly. These proposals for policy improvements were scheduled to be considered during the special session of the national assembly in February 2017.

The state’s ability to regulate the CSO sector suffers from a lack of reliable statistics, with information coming from multiple sources, including the state, private sector organizations, international NGOs (INGOs), foundations, and donor organizations. The government agency that oversees CSOs is the Ministry of Territorial Administration and Decentralization’s Service for the Regulation and Promotion of NGOs and Association Movements (SERPROMA). The lack of capacity and reliable data did not allow for an accurate estimate of the number of CSOs in Guinea in 2016.

CSOs operate in every part of the country, with a predominance of professional groups, cooperatives, and other associations of citizens in the rural and urban municipalities of the interior, and umbrella organizations clustered in the regional capitals and the political capital, Conakry.

**LEGAL ENVIRONMENT: 5.3**

The legal and regulatory texts that governed the operation of CSOs, the nature of their interventions, and their missions underwent no practical changes in 2016. They continued to benefit from fiscal exemptions and were not subjected to a levy on the subsidies they received from different partners (for those who were able to raise funds).

There are several forms of CSO in Guinea, including producer groups, cooperatives, nongovernmental organizations (NGOs), orders, unions, national councils and confederations. Producer groups, cooperatives, and associations are governed by Law 014. They have an economic purpose and are for-profit entities. NGOs, orders, unions and national councils are governed by Law 013, and are considered nonprofits. Confederations can be for- or not-for-profit, depending on the mission of the confederation in question.
Revenue generated by CSOs is for covering the costs of their activities. CSOs have the right to bid for
government and local contracts. The contracts obtained by CSOs to implement government contracts must be
registered with tax services for a fee which is included in the overall cost of the contract or the mission.

Law 13 (relating to NGOs) and Law 14 (relating to producer groups, cooperatives, and associations producer
groups), both of July 4, 2005, remained the same in 2016. The application of these laws, however, was
occasionally a barrier to some CSOs’ growth. Administrative obstacles and weak oversight of the demands for
renewing licenses were two issues that constrained CSOs. However, in 2016 the law was not rigidly interpreted
to constrict CSOs, and in practice the political space for CSOs to operate was more open.

The law relating to NGOs requires that operating agreements be renewed every three years. This requires the
filing of an activity report and payment of a fee. However, most NGOs do not do so for various reasons, and
they do not expect that this will cause a problem that will jeopardize their existence.

In 2016, this situation of non-issuance of legal documents to certain CSOs by the relevant state services did not
lead to their being blocked from formalizing relationships with partners.

Some human rights organizations have at times cried out for support for their activities in defense of the right
of citizens in the face of government silence. They have been particularly vocal regarding violence against young
girls, specifically in the case of repeated rape. Two major human rights organizations in Guinea are The
Coalition of Organizations to Defend Human Rights (CODDH) and the Convergence of Youth for Peace and
Development (COJELPAID).

CSOs are free to express their own opinions. The press, which is an important actor in Guinean civil society,
is free to address all subjects of national interest and to provide citizens the opportunity to voice their opinions.
Occasionally, authorities crack down on opposition media to defend their position in the face of a major
national decision. This typically manifests itself in the suspension of media organizations under the pretense
that they are not respecting proper journalistic methods for ensuring accuracy in reporting. In 2016, no
harassment was reported by CSOs. In 2016, CSOs made themselves heard in the public discourse and the
international community, speaking out against the adoption of the new electoral code produced by the National
Assembly.

Lawyers made advances in favorable interventions for CSOs, including those who were involved in public
contracts to build and improve infrastructure in regions (particularly in Boké and Kankan). Lawyers and legal
professionals formed a legal defense group for these CSOs to recuperate money that was owed to them by the
state. Although the legal texts that govern the creation and operation of CSOs have not fundamentally changed,
the creation of the association of jurists and lawyers who work for the interests of certain CSOs is a step
forward.

**ORGANIZATIONAL CAPACITY: 5.8**

In 2015, the organizational capacity of CSOs benefitted from the influx of funding to fight Ebola, but
organizations did not have the same level of local or international support in 2016. Nonetheless, given the
already weak capacity of CSOs, their organizational capacity generally remained the same.

Although the vast majority of CSOs have bylaws that detail the separation of power between the board of
directors, the executive, and the controller, it is clear that these distinctions are not always respected. Some state
that they cannot implement these policies fully due to a lack of human resources. Evidence of CSOs’ general
lack of adherence to bylaws can be seen in their lack of concern with ensuring they remain properly registered. Many CSOs fail to comply with the three-year registration renewal requirement, and CSOs know that they will not be sanctioned for doing so. In practice, CSOs do not conform to the structures as written.

In large CSOs, properly-functioning boards of directors have great influence on CSOs’ operations. They direct and control the implementation of the missions that members are assigned. An effective board’s presence affects the credibility of the organization, and reinforces respect for the principles of good governance in CSOs.

Additionally, the difficulties of mobilization and access to financial resources in 2016 did not allow the vast majority of CSOs to identify and establish local groups of constituents to support their efforts, which forced them to rely on foreign donor funding. This had multiple consequences, including disrupting strategic planning, decreasing permanent paid staff, and forcing most CSOs to work with outdated office equipment.

The few CSOs that are successful at mobilizing local resources are often diaspora-led groups that work in health, education, or youth activities. Two examples are the Telimele Prefecture Diaspora Association and the Gaoual Prefecture Diaspora Association. Religious organizations, such as the Association of African Muslims, are able to mobilize local resources to build mosques.

**FINANCIAL VIABILITY: 6.4**

CSOs’ working conditions were negatively impacted in 2016 by the drawdown of funding to combat the Ebola epidemic, especially for NGOs that depended on external funding. This is true across nearly all CSOs, but there is an exception for groups and confederations that bring farmers and professionals together; these groups continued to have external support through 2016. For example the French Agency for Development (AFD) continued to support the National Confederation of Farmer’s Organizations (CNOPG) and the Union of Cotton Producers of Upper Guinea. The CNOPG has the largest membership of all producer groups, and it covers the entire country. The Employers of Guinea and its member associations, and national orders of professionals such as lawyers and doctors, are exceptions to these trends, in proportions that vary from one organization to another. Some local associations that receive revenues from the contributions of expatriate children are also maintaining their financial viability.

CSOs in Guinea receive almost all of their funding from bilateral or multilateral donors in the form of projects or programs designed by donors and international partners, which are then submitted to CSOs with a pre-approved budget. The major donor organizations include USAID, AFD, the German Cooperation Agency (GIZ), embassies, the United Nations Cooperation Agencies (UNICEF, WHO, FAO), and the European Union. Collectively, they finance activities in education, health, agriculture, democracy and governance, and infrastructure.

Mining companies finance local projects that CSOs implement. Some of these companies include Bauxite of Guinea, Bauxite of Kindia, The Auriferous Society of Guinea, and the Foundation of Rio Tinto. CSOs participate fully in the management of community development from both mining companies and also in projects and programs funded by the government and its partners. Corporate social responsibility activities work to mitigate the effects of mining on the environment and support the communities adjacent to mining.
sites. Donors, government, and mining companies are the main source of financial resources for CSOs. Membership dues supplement their revenues, but they are not enough to ensure the operation of CSOs.

Funds from these international partners were scarce in 2016 and were, in the majority of cases, directly allocated to state structures for specific actions related to certain cyclical problems: construction or maintenance of infrastructure, health, or support for decentralized structures. For example, USAID works with the Ministry of Health through the StopPalu project to combat malaria. The AFD supports decentralization through the Ministry of Planning with the Program to Support Village Communities. The European Union supports civil society through the Program to Support Civil Society (PASOC). The Ministry of Territorial Administration and Decentralization benefits from PASOC capacity building.

Despite the diverse, positive actions of CSOs, they still have not created a culture of philanthropy that is supported by businessmen and -women. In the cases where a wealthy individual supports a CSO, it is because he or she is from the village where the CSO operates, is involved in a political party that would benefit from support, or is personally involved in the leadership of the CSO.

This scarcity of financial resources for CSOs in 2016 resulted in the fragility of financial management systems that had a negative impact on activities. This is an ongoing concern for international partners.

In the absence of a funding policy favorable to a significant number of CSOs (an exception being the umbrella associations of farmers’ organizations and media), CSO resources came only from projects submitted to partners or the personal investment of the CSOs leaders who may be in a position to finance small-scale activities.

Internal audits rarely occurred, and audits only occurred if an international donor funds a CSO through an ongoing project.

**ADVOCACY: 5.1**

CSOs were able to continue advocating as well as they had in 2015. Their major achievement in 2016 was the establishment of a dialogue framework to mediate a dispute between the government and the opposition parties which had provoked ongoing protests and destruction of property. The Coalition of Girls and Women of Guinea (COFFIG) and the Convention of Non-State Actors of Guinea (CANEQ Guinea) led this effort. At the level of decision makers in the executive and legislative branches, lines of direct communication exist between CSOs and policy-makers.

In 2016, there was political tension between the government and the opposition party, heightened by ongoing political disputes over the distribution of power through the process of decentralization. Talks had been cut off with the opposition, who then threatened an escalation of street protests. CSOs brought together civil society, the government, and donors through the Ministry of Territorial Administration and Decentralization (MATD). The dialogue resulted in a framework to revise the electoral code, to revise the local government code, and to establish a timeline for holding local and community elections. CSOs participated in this dialogue and ratified the resulting documents, despite the fact that some CSOs differed on two of the agreements related to the method of designating heads of neighborhoods and districts. Along with members of the National Assembly, CSOs filed a formal complaint with the Constitutional Court to annul the section of the agreement related to the nomination of heads of neighborhoods (“chefs du quartier”) and districts.
Additionally, the initiative of periodic meetings between the president and the opposition – which ensured the enduring peace in Guinea in 2016 – was the product of advocacy by CSOs, several of which evolved from prevention and peace management groups, such as COFFIG and CANEG Guinea.

CSOs’ proposals for consistent improvements of the electoral code and local authorities’ code, were articulated within REGARD CITOYEN and submitted to the National Assembly for review. While the Community Code considers CSOs to be partners of local governments, other advocacy and lobbying efforts for CSOs to obtain funding from authorities are still in the drafting stage.

When CSOs’ advocacy efforts fail, it can frequently be attributed to the clashing egos of organizations’ leaders. Even with the signing of the political accord in 2016 by the representative of the National Council of CSOs (CNOSCG), the leaders of dissenting CSOs continued to voice their objections loudly.

While efforts are made through networks and other coalitions to bring together more CSOs in order to strengthen collaboration, the trend of large groupings of CSOs is weakening, as leaders’ disagreements on national issues have prevented them from compelling institutional authorities to adopt laws favorable to the legal and economic frameworks governing Guinean CSOs.

**SERVICE PROVISION: 5.1**

Guinean CSOs are involved in providing education, health, drinking water, supporting good governance, defending human rights, and protecting the environment. Their ability to provide services, however, remained weak in 2016.

Broadly limited financial resources forced some CSOs to creatively expand their usual range of services, to better pursue areas with available money. One common tactic was to create formal or informal environmental management associations. Some of these recently-created associations include the NGO Let’s Save the Environment Guinea, the NGO Forum for Sustainable Development (FONGDD), and Volunteers for the Protection of the Environment. This trend is the consequence of hopes raised at the summits of the Conference of Parties (COP) 21 and 22, which suggested investment in countries suffering the effects of climate change.

CSO activities are typically designed and planned with the populations they are intended to help. However, CSOs struggle to provide enough services for their beneficiary communities. The only CSOs that were able to provide sufficient resources were those supported by donor-funded programs or INGOs.

The low level of member contributions collected by CSOs also undercut resource mobilization, constraining the scale of CSO activities. One area that suffered in 2016 was the sanitation of streets and squares in Conakry.

In addition, CSOs (including those that had evolved in the context of rural development) with projects to support social safety nets or projects for the International Fund for Agricultural Development (IFAD) escaped this crisis of Guinean CSOs in 2016. The agricultural producer groups were also able to continue providing services to their members.

In 2016, CSOs known to assist deprived children, such as Villages SOS, benefited from the support of foundations and clubs like the Djene Kaba Conde Foundation, which donated food kits and school supplies. Village SOS supports, protects, and educates vulnerable children and orphans. They are active in the regions of N’Zerekore, Kankan, and the city of Conakry. Donations, which take several forms (including both goods and services), are allocated by CSOs and the National Service for Humanitarian Assistance (SENAH) in Guinea for use by especially disadvantaged and orphaned children. In addition, persons and villages who were victims of
natural disasters or epidemics (primarily Ebola cases) have benefited from donations and support from several local and foreign sources. Donations sent from outside the country for the Guinean population generally arrive at their destination without problems.

Despite the existence of legal texts permitting CSOs’ participation in publicly-funded government projects, they benefited directly from few financial opportunities from the government. Although the government recognized the efforts of CSOs to provide basic social services, state services still struggled to fully accept sharing space with CSOs on decisions and project implementation. The substantial involvement of CSOs in actions or basic social service provision is, in most cases, imposed by financial partners. The major donor partners – AFD, the World Bank, USAID, and the UN – often require local partners to implement projects in health, education, the environment, and infrastructure.

To date, some networks of CSO observers that monitor government actions have been established and communicate their findings regularly through the media and reports. The Youth Leaders for Peace and Development (LEJEPAD) regularly presents monitoring reports on the government, and the Guinean Bloggers Association of Guinea (ABLOGUI) regularly reports on electoral promises and governmental actions.

**INFRASTRUCTURE: 5.6**

In practice, the infrastructure conditions for Guinean CSOs remained largely unchanged from 2015. New information and communication technologies have positively affected CSOs for several years. The mobile phone, computer, internet, and social media are used by the majority of CSOs in urban areas throughout the country. CSOs now make use of Facebook, messaging applications, and Twitter. Radios are still commonly used to share information, invite communities to events, distribute alerts, denounce abuses, and promote articles and other products. Mobile phones, computers, and communications networks are today within the reach of the majority of CSOs in major cities and the secondary towns throughout the country.

More and more CSOs have emerged specializing in communication services; the Guinean Bloggers Association (ABLOGUI) is one example. ABLOGUI provides services to collect and process information relating to the electoral process and on many other topics that affect governance, including state infrastructure promises and other promises of a social nature. The same intermediary service organizations (ISOs) that existed in 2015 are still active in Guinea. These include CNOSC, FONGDD, the National Confederation of Farmer’s Organizations, the United Citizens’ Platform for Development (PCUD), the African Training Center for Development (CENAFOD), Guinea 44, and the Guinean Association for Transparency (AGT). They developed the capacity of CSOs in management and structure, and continued to promote linkages across organizations. They also provide training on a wide range of topics, from water and sanitation to birthing and girls’ education. They are also heavily involved in election processes and monitoring government service provision.

In terms of information sharing, some fifteen CSOs grouped within REGARD CITOYEN share information on the electoral process in Guinea through a site called Guinea-Vote. The FONGDD manages a platform where CSOs can search for funding and partnering opportunities.

CSOs do not have a reliable mechanism for collecting and disseminating information that is easily accessible to citizens about the realities of the country. This fact is at the root of the often late reaction of CSOs to certain situations that compromise the peace of citizens. Some present options, including radio stations and other media outlets, are not within the reach of all CSOs due to their cost.
Also in 2016, all CSOs involved in prevention and management of conflicts worked with the media to disseminate messages of peace and social cohesion. These activities were led by CNOSCG, the African Youth Network of Guinea (RAJGui), and the Coalition of Youth Leaders for Peace and Development (COJELPAID).

Rural CSOs have developed training themes related to their farming practices with the support of the deconcentrated technical services of the state.

Many CSOs have trainers specializing in capacity-building in various areas: the structure and operation of CSOs, financial management of CSOs, and mobilization and management of human, financial, and material resources. There are CSOs specializing in functional literacy with appropriate tools for management training for managers, cooperative members, and production groups. In rural areas, many of these same trainings are available. The Village Literacy Teachers’ Association works in the rural areas of Dabola and Dingairaye. The Community Development Agents (ADC) also provide trainings, in addition to supporting local development plans in rural communes. Training sessions are available in French as well as in local languages.

The partnership between the Ministry of Territorial Administration and Decentralization (MATD) and the NGO CENAFOD (African Training Center for Development) for the training of young municipal accounting officers was a national success of formal collaboration between state agencies and CSOs. All 342 municipalities of Guinea benefited from this partnership.

Partnerships between CSOs, local governments, and mining companies are expanding as part of the community-driven undertaking of projects (including schools, health centers and stations, public latrines, environmental protection, and rural tracks). The NGO Friends of the World Club (CAM) managed several projects funded by mining companies. In Boke, they led an environmental education project in primary schools that was funded by the Guinea Alumina Corporation. They also led an awareness-raising project against malaria that was funded by the Bauxite of Guinea Company in Boke.

**PUBLIC IMAGE: 4.8**

The public image of CSOs did not change from 2015 to 2016. CSOs continued to advocate for the public good. The cost of media coverage, however, constrains some CSOs from publicizing their work. Nonetheless, overall CSOs’ activities were well covered by the media in 2016. For example, their advocacy for fair housing rights in front of the National Assembly and their peaceful march against the rape of young girls were two well-publicized initiatives.

Citizens viewed positively the role of CSOs in maintaining peace throughout the tense political climate of 2016. The leaders of CANEG, CNOSCG, and COFFIG were visible and instrumental leaders in promoting civil society’s role in peacebuilding and conflict mitigation in the country. Their role in this was perceived positively by the general public due to their direct contributions to the activities of civil society.

Community radio played a big role in the image of CSOs in rural areas. USAID and UNICEF have installed or rehabilitated community radios in Guinea in the prefectures of Kankan, Faranah, N’Zerekore, Koubia Dalaba, and Forecariah, among other locations. In Koubia, for example, the installation of the community radio station involved the community in managing their station and in oversight of spending on the project.

CSOs received varying levels of appreciation from individual state officials. In the majority of cases, officials had a negative perception of the presence of CSOs in their sector. This was observed at almost every meeting where CSO representatives and government officials were at the same table discussing projects and programs. Despite this, several officials acknowledge the diversity of the expertise of CSOs in Guinea and the credibility...
of the information provided by them. The private sector views CSOs positively as it relies on them as a community resource and a source of credible information.

A code of ethics for CSOs was developed and distributed in recent years with the support of USAID to build transparency in CSO practice, through a good governance project called "Working Together." It is unclear whether the majority of CSOs are aware of this code, and the weak application of bylaws suggests that it was likely not yet implemented. In addition, its application to CSOs is not followed by the SERPROMA.

The major CSOs produce annual reports, but they lack a strategy for disseminating these widely.
In 2016, pervasive ethnic tensions, bandit attacks in Baringo County, and terrorist attacks in the northeastern part of the country created an atmosphere of uncertainty in Kenya. A major event was the termination of the case against Deputy President William Ruto and radio journalist Joshua Arap Sang in the International Criminal Court (ICC) for lack of evidence relating to charges of crimes against humanity related to the violent aftermath of the 2007-08 elections. While a bill related to Kenya’s withdrawal from the ICC was pending in parliament, many observers believed that the case against the country’s top leaders had been instigated by CSOs. The Kenyan authorities made no progress in investigating the crimes.

In a positive development, the authorities charged four police officers with the June 2016 murder of an International Justice Mission lawyer, his client, and their driver. The case highlighted the risks that human rights defenders take in pushing for police accountability. However, the government continued to enforce recent laws that undermine media freedom. At least eight journalists and bloggers were arrested and charged for “misuse of public image.”
of a communications gadget,” “annoying a public official,” or “undermining the authority of a public officer.” Later in the year, a High Court judge declared the section of the law criminalizing the misuse of a communications gadget unconstitutional.

According to the Kenya National Bureau of Statistics (KNBS), the economy expanded by 5.7 percent during the third quarter of 2016. Economic growth was well distributed, with tourism and hotels, information and communications, and public administration among the most quickly growing sectors. Inflation was contained within the Central Bank’s target of 6.3 percent, which represented a slight increase over 2015, mainly because of rising food and beverage prices.

As the country approached elections in August 2017, questions emerged about the ability of the Independent Electoral and Boundaries Commission (IEBC) to administer credible elections and the competence of the judiciary to arbitrate electoral disputes fairly. In the latter part of 2016, the Non-Governmental Organizations (NGO) Coordination Board, the state body responsible for regulating CSOs, announced the de-registration of the International Foundation for Electoral Systems (IFES) as an NGO and the end of an IFES-supported program, the Kenya Electoral Assistance Program (KEAP), which aimed to encourage peaceful, credible, and inclusive elections. This move came about after President Uhuru Kenyatta expressed concerns that the program aimed to influence election outcomes. However, the order was struck down by the court, which ruled that because IFES was registered as a private business rather than an NGO, therefore it could not be de-registered. IFES continued to operate throughout this period.

Despite this, there was growing appreciation for CSOs’ work at the national and county levels. CSOs and the private sector cooperated to enhance government accountability and improve the delivery of public services. However, organizations working on public policy, governance, and human rights programs had difficulty finding funding and experienced greater government scrutiny. In an ongoing trend, donors continued to offer project-based funding rather than general operating support, which left many organizations scrambling to find funds to cover operational costs.

According to the National Council of NGOs in Kenya, a forum established under the NGO Coordination Act (1990), in 2016 there were more than 8,500 registered NGOs, a distinct type of organization established for the public benefit to provide services in health, relief, agriculture, education, and other areas. The NGO Coordination Board reported in 2013 that there were also approximately 30,000 registered societies, nonprofit companies limited by guarantee, and trusts and more than 300,000 community-based organizations (CBOs). More recent data is not available.

**LEGAL ENVIRONMENT: 4.2**

The legal environment for CSOs in Kenya declined in 2016. CSOs continued to register under either the NGO Coordination Act (1990), Societies Act (2012), or Companies Act (2015) in a sometimes difficult process. One problem is that registration has yet to be decentralized to the county level under the government-wide devolution that began in 2010. NGOs must still register in person with the NGO Coordination Board in Nairobi, which is a burdensome task for organizations located in counties without adequate roads that are as many as 600 kilometers from the capital.
In 2016, the NGO Coordination Board subjected CSOs seeking to register to more rigorous vetting and strictly enforced reporting requirements because of the impending elections. For example, in assessing registration applications, the board more closely scrutinized organizations’ area of focus, proposed activities, and locations. Organizations registered to operate at the national level were not allowed to pursue activities at the county level without a county operating permit, which can be difficult to obtain, in part because county governments have not issued checklists of requirements. CSOs operating under the NGO Coordination Act continued to face daunting operational challenges, which tend to be worse for new organizations that are unfamiliar with the legal requirements. For example, NGOs must inform the NGO Coordination Board and show certificates of registration and articles or memoranda of association to banks if they wish to open new bank accounts. Moreover, organizations that do not file annual reports and financial statements with the registrar of societies or companies can have their licenses revoked. In the summer of 2016, the media reported that 959 NGOs were deregistered—an unusually large number that the NGO Coordination Board has not confirmed—because they did not adhere to annual reporting requirements.

The Public Benefits Organization (PBO) Act (2013), an overarching legal framework, was signed into law in 2013 but has never been implemented because the government has yet to issue a date for its commencement. The law would create a more enabling environment for NGOs by encouraging them to maintain high standards of governance and management through effective self-regulation, establishing an independent regulator, making the registration process more transparent, and requiring the government to support NGOs in various ways. On October 31, 2016, a high court ruling directed the cabinet secretary of devolution and planning to set a date to operationalize the act. By the end of the year the cabinet secretary had not complied with this order, and the government moved the functions of the NGO Coordination Board to the Ministry of Interior, effectively bypassing the court’s judgment. The government also set up a task force in 2016 to assess the merits of the act. Among other topics, the task force discussed setting limits for funding from foreign sources, based on the Statute Law Miscellaneous (Amendments) Bill 2014, which seeks to curb foreign financing to no more than 15 percent of NGOs’ budgets. Informally, the government has implemented certain provisions of the PBO Act, including stricter controls on NGOs’ reporting requirements and adherence to laws and regulations under the NGO Coordination Act.

The political atmosphere in 2016 posed additional challenges for CSOs. Organizations implementing programs on governance and human rights continued to flounder, especially because the ICC case against the country’s top leaders was seen as having been instigated by CSOs. There was greater government scrutiny of such organizations, and in some cases their activities were frozen. For example, the government attempted to deregister IFES and terminate its Kenya Electoral Assistance Program (KEAP) after the president expressed concerns that money entering the country through the program would be used to influence the 2017 elections. In response to this move, six organizations committed to electoral democracy—International Commission of Jurists (ICJ) Kenya, Institute for Education in Democracy (IED), Society for International Development (SID), Kenya Human Rights Commission (KHRC), Constitution and Reform Education Consortium (CRECO) Kenya, and CSO Reference Group (a group of forty-four CSOs working on the PBO Act)—issued a press release calling on the government to withdraw its attack on domestic and international organizations supporting the elections. The High Court of Kenya overruled the effort by the NGO Coordination Board to de-register IFES. In another incident, government officials criticized SID for its publication of information on inequality, even though it was based on data from government sources.

The law provides for tax exemptions for CSOs, and the Kenya Revenue Authority generates tax exemption certificates online to organizations that it deems are tax compliant. However, the exemptions can be difficult to obtain, because the accounting requirements are complicated, the rate of response to requests is slow, and few organizations have the capacity to contend with the bureaucratic red tape. Nevertheless, CSOs working in humanitarian areas such as HIV/AIDS, malaria, tuberculosis, and maternal and children’s health are often able to obtain tax exemptions on the importation of medicines and equipment related to their work. Donor organizations are usually granted exemptions on duties for medications. CSOs working in the agricultural sector sometimes also obtain tax exemptions. For example, a women’s group working on supply chain development
funded by the Dutch organization SNV was able to obtain value-added tax exemptions on its agricultural activities.

CSOs may earn income from their goods and services, but most organizations do not. CSOs registered as companies limited by guarantee may bid for government service contracts. Other CSOs may compete for government contracts at the national and county levels provided they have tax-exemption certificates.

Kenya has a fairly robust legal system, and CSOs are usually able to go to court to seek legal redress. An organization called Kituo cha Sheria provides legal advice to CSOs and takes up pro bono cases on their behalf. The International Institute for Legislative Affairs (IIA) also provides CSOs with legal assistance on policy issues.

**ORGANIZATIONAL CAPACITY: 4.0**

In 2016, CSOs’ organizational capacity deteriorated. A major reason for the decline was that many organizations undertook projects in areas outside of their core business and strategic goals. For example, declining funding opportunities prompted CSOs such as the Consumer Unity and Trust Society Africa Resource Center (CUTS–ARC) Nairobi, which focuses on international trade and competition, to seek funding related to climate change by linking this topic to trade. From a strategic planning perspective, this kind of shift in focus resulted in a failure to adhere to original institutional objectives. Other organizations gravitated towards projects that were less likely to be seen as confrontational by the government. The Institute of Economic Affairs (IEA), for example, implemented a capacity-building project to prepare county-level CSOs and community-based organizations (CBOs) to train stakeholders on issues to look for when making election decisions. Even though such initiatives were election-related, they were less confrontational than programs on public financial management, democracy and human rights, and other topics involving governance and accountability. Organizational capacity also declined as a result of donors’ emphasis on project-based funding, which forced some organizations, such as SID, to let go of several long-term and permanent staff members.

CSOs continued to engage with their constituencies in diverse ways in 2016. For example, numerous social accountability initiatives took place at the county level. IEA trained CSOs on using community scorecards and citizen report cards to hold both national and county governments accountable, and the Community Empowerment and Development Center (CEDC) in Busia County implemented activities focused on civic education, community scorecards, and data collection. With the changing funding landscape, however, some CSOs found that the pursuit of funding opportunities could undermine their ability to implement projects that directly addressed the needs of their communities. CEDC, for example, undertook analyses of county budgets, which for communities were a less effective channel of feedback on the quality of services provided by their local governments.

Most CSOs have strategic plans aligned with their missions, visions, and objectives. In a typical example, IILA began implementing a new five-year strategic plan in 2016 that factored in devolution of governance to the county level. However, CSOs’ ability to operationalize strategies is generally determined by the availability of resources. In recent years, donors have reduced core funding in favor of project funding, and this shift can make it difficult for CSOs to obtain funding while adhering to their missions and plans. Only CSOs with broad mandates specified in their articles or memoranda of association are able to meet their objectives while fulfilling donors’ needs. Other organizations must seek to refocus their activities so as to keep them in line with their missions while attracting donor funding. For example, just as CUTS–ARC Nairobi has broadened its focus to include climate change, IEA, which usually works on public finance and budgeting, has become involved in agricultural development, which it links to budgeting issues although it is not strictly part of its mandate.
In most CSOs, board members are involved in decision making. However, some CSOs simply set up boards to fulfill registration requirements, after which chief executives singlehandedly control their organizations. Some board members are ineffectual and seem keener on obtaining allowances than performing governance work. Board members do not play a role in fundraising and rarely rescue organizations from financial difficulties.

With limited funding and donors’ shift from general operating support to project-based funding, CSOs are feeling pinched. They often seek to reduce operational costs by hiring temporary or part-time staff for support services such as accounting, audits, and communications. Staff turnover is frequent because of low pay, and many CSOs are unable to retain experienced staff. Most CSOs lay off some or all employees at the end of a project. This pattern has contributed to a brain drain from civil society to county governments. Through the NGO Coordination Board, the central government can also affect organizational capacity by denying work permits to expatriate staff, as happened in 2016 to Practical Action, a UK-based organization with regional offices in Kenya. Work permits are usually denied to staff members who are signatories or decision makers in their organizations, which ensures that jobs that can be performed by Kenyans are not taken by foreigners, but the process can also be used to target organizations that are too vocal in questioning the government.

Several CSOs are unable to purchase modern office equipment or upgrade existing assets, since donors rarely fund infrastructural needs. CSOs engaged in policy work usually invest in Internet services to perform research, access documents, and share information with stakeholders.  

**FINANCIAL VIABILITY: 4.7**

The financial viability of Kenyan CSOs did not change in 2016. The majority of CSOs obtain funding from foreign sources. Funding remains a particular challenge for organizations working on public policy, especially if they are not focused on devolution and accountability, which are current donor priorities. In addition, in a trend that started after the 2008 financial crisis, most donors have stopped offering general operating support, which has caused CSOs’ long-term financial viability to suffer, since they are no longer able to apply for flexible funding to realize priority areas of their strategic plans. In 2016, organizations such as the Uraia Trust and IFES provided funding for capacity-building initiatives related to the elections.

Local philanthropy has yet to be fully embraced in Kenya. Not only are average incomes low, but most people believe that CSOs have ready access to foreign funds and tend to mismanage their resources. At present, more local support comes from philanthropic institutions than from individual donations. However, local grant making organizations are small and do not offer significant amounts of funding. Corporate foundations, such as the Safaricom Foundation, Equity Foundation, and KCB Foundation, as well as the M-PESA Foundation, an independent charitable trust, provide funds for work in education and health. Competition for funding from these foundations is intense. The Kenya Community Development Foundation (KCDF) operates an endowment fund that matches grants from other sources, thereby encouraging CBOs to build their capacity to fundraise.

CSOs generate income from techniques ranging from the sale of publications to paid training services. The volume of publications sold by CSOs is likely to decrease, since publications are usually project related and restricted funding does not always cover their costs. CSOs are usually legally prevented from raising funds through activities outside of their mandates, but some organizations such as KCDF get around this restriction by registering independent entities such as an investment company to generate resources. The Kenya Red Cross Society (KRCs) runs a hotel as part of its strategy for generating funds for emergency situations.
CSOs are legally obligated to produce financial reports, which they usually post on their websites. Before granting funds, most donors and intermediary organizations ask to examine a CSO’s accounts to ensure that the organization is viable and follows proper financial procedures. The Denmark Development Cooperation (DANIDA) requires CSOs to provide timesheets showing the amount of staff time allocated to various activities. DANIDA and other donors also increasingly require organizations to maintain separate accounts for donated funds to ensure appropriate financial management. These measures are helping CSOs become more accountable.

**ADVOCACY: 3.2**

CSO advocacy continued to be robust in 2016. CSOs sought to engage more meaningfully in governance and policy formulation, and county governments were especially receptive to CSOs’ interventions, since they have limited resources and welcome any support that will help them mobilize the public to participate in local planning and budgeting processes. For example, IILA worked with policy makers and members of parliament to develop a model law on tobacco control for county governments, which Laikipia County adopted. Other CSOs helped the government of Makueni County enact laws on access to information. Several organizations, including IEA, pursued social accountability initiatives, such as citizen report cards, community scorecards, and capacity building for county governments. CEDC developed a community scorecard on service delivery in county health facilities and met with government officials, frontline service providers, and service users to discuss its improvement. CSOs also worked on sensitizing county governments on the need to allocate more resources to the health sector. For example, the Palladium Health Policy Project pushed for larger allocations for HIV/AIDS and malaria in the budgets of Siaya Kisumu, Kakamega, and Migori counties. The Institute for Social Accountability (TISA) continued to assess the performance of county governments and public participation in planning and budgeting, while the Center for Enhancing Democracy and Good Governance (CEDGG) in Baringo County presented a memorandum on budget estimates during county-level hearings.

Advocacy efforts at the national level were also strong in 2016. The Freedom of Information Network, which includes ICJ-Kenya, Elimu Yetu Coalition, Center for Governance and Development, Bunge la Mwananchi, and African Women’s Development and Communication Network (FEMNET), campaigned for years for passage of the Freedom of Information Act, which was finally signed into law in September 2016. KHRC formed the Kura Yangu Sauti Yangu coalition, which supported Kenya’s preparations for the 2017 elections by promoting a more organized election framework and more accountable electoral body.

While progress has been made in building coalitions and networks, CSOs’ advocacy activities are still sometimes unfocused or have overlapping mandates. For example, CUTS−ARC Nairobi, IEA, and a network of CSOs helped shape the Competition (Amendment) Bill, which seeks to discourage anti-competitive business behavior. But their cooperation could not be sustained because of differing agendas and competition among participating organizations. A major reason for the lack of cooperation is that individual donors sometimes want to claim that policy changes result from the initiatives they fund, which can cause CSOs to work in isolation and duplicate efforts. For example, the Uraia Trust funds both IEA and KHRC on the development of community scorecards, but because the organizations have different mandates and are competitors at the national level, they have yet to work together to achieve the common goal of social accountability.

CSOs’ initiatives often reach constituencies beyond their target audiences. For example, in 2016 IEA offered county government officials in Busia and Baringo training on social accountability, then developed a bilingual (English-Kiswahili) toolkit on developing community scorecards and social audits and trained fourteen county-
based CSOs on these tools and mechanisms. The CSOs participating in the training proceeded to work with their county governments on devolution and social accountability.

In 2016, NGOs continued without success to urge the government to implement the PBO Act. CSOs worked with members of parliament to consider the PBO (Amendment) Bill 2016, which would enforce implementation of the act. This bill was still under consideration at the end of the year. After the government failed to honor the High Court ruling that its failure to appoint a date for implementation of the act contravened the constitution, CSOs filed contempt of court proceedings against members of the government. A hearing for the case is expected in spring 2017. Meanwhile, the Kenya Correspondents Association (KCA) met with members of parliament to discuss the PBO Act and its effect on CSO operations. Some CSOs voiced concern that members of parliament who feel threatened by CSOs’ work among their constituencies would seek to impose additional controls through new legislation.

**SERVICE PROVISION: 3.4**

In 2016, Kenyan CSOs continued to provide services in a wide range of areas. For example, CSOs implemented clean water projects, constructed classrooms, funded sanitation facilities, and educated communities about the importance of using these services to reduce disease and eradicate poverty. With the donor community increasingly focused on governance and devolution, many CSOs offered capacity-building services to county government officials. For example, IEA received KEAP funding to train stakeholders in employment, education, health, water and sanitation, and housing. Most organizations try to engage in continuous service delivery that adheres to their institutional mandate, despite the changing funding model.

CSOs’ provision of goods and services is largely driven by community needs. For example, in 2016, most CSOs working in the health sector subsidized the costs of health services and medications for their beneficiaries. Malaa, a CBO in Makueni County, donated land for a community water borehole, and Nkoilale, a CBO in Narok County, provided land for a community health facility. Community members generally appreciate CSOs’ development initiatives if they enhance the delivery of public services, ensure accountability in public financial management, or offer capacity building. Communities also respond well if organizations engage with them to ensure that interventions address specific needs. This engagement is important for church organizations in Kitui County, for example, which play a large role in community development and work closely with local communities to meet basic needs such as water.

The government supports CSOs involved in the provision of healthcare and agricultural support services by allowing for tax exemptions on the import of commodities. County governments’ appreciation of CSOs is also seen in their efforts to hire CSO staff to fill empty positions. Anecdotal evidence suggests that quite a number of staff members who have worked with CSOs have taken up jobs with county governments.

**INFRASTRUCTURE: 3.6**

The infrastructure supporting Kenyan CSOs did not change appreciably in 2016. Although Kenyan CSOs host various centers and networks to enhance information sharing, foreign donors’ preference for project-based funding undermines their ability to sustain these important resources. As a result, most CSOs seek to minimize costs by providing resources online, even though many organizations at the local level are unable to access them. For example, IEA offers online portals through which users can access free information on trade, budgeting, and social accountability, and the African Economic Research Consortium provides its members with free online access to journal articles. Other organizations host physical resource centers. The Institute of
Law and Environmental Governance (ILEG) operates a resource center for the Yala Swamp community, and the KCA runs a media hub in Kisumu City that is used by journalists, CSOs, and county government officials. In addition, CUTS−ARC Nairobi hosts a resource center in Nairobi that offers information on trade and development, and Internews hosts resource centers for journalists in Nairobi and Eldoret. In 2016 the Uraia Trust provided training and resource materials on civic education and engagement. It is common to find annual reports and strategic plans for coalition partners in resource centers serving members of networks and coalitions. The utilization of resource centers by the public is not robust.

Local grant making organizations include the Uraia Trust, ActionAid Kenya, and Forum Syd, which sub-grant donor funds to local CSOs for projects to involve the public in governance and social accountability. In addition, the Aga Khan Development Network (AKDN), through the East African Institute, funds work on research and evidence-based dialogue forums for decision making on policy. AKDN promotes pluralism through its rural development program, which enhances the capacity of local communities to participate in decision making. The Kenya Community Development Network promotes the sustainable development of communities by helping them identify and prioritize their development needs. The Ford Foundation offers grants that focus on youth and empowerment, equitable development, creativity and free expression, inclusive economies, and Internet freedom. The Agency for Cooperation and Research in Development (ACORD) supports programs that strengthen the capacity of small-scale farmer and pastoralist organizations.

Coalitions among CSOs have gained prominence and are usually issue driven. For instance, the Tax Justice Network and the Pan African Climate Justice Alliance address tax inequality and climate change, and the Devolution Forum brings together CSOs working on devolution. TISA in Nairobi, Center for Human Rights and Civic Education in Mwingi County, and CEDGG in Baringo County work together in a coalition on social accountability. UNESCO has formed a working group of journalists to articulate professional concerns. Some donors prefer to fund networks and neglect individual organizations doing the same work.

A number of CSOs provide training. For instance, in 2016 KCDF offered training on fundraising and advocacy at the local level, and KEAP supported capacity building for CSOs and CBOs on employment, education, health, water and sanitation, and housing. The Yetu initiative funded by USAID and the Aga Khan Foundation U.S.A seeks to strengthen community-based philanthropy through capacity building, mentoring, and the exchange of best practices. Training materials are usually available only in English. Some training courses are offered in local languages if interpretation is budgeted during project conceptualization. In some cases, trainings employ infographics and video documentaries in local languages.

In 2016, as in previous years, CSOs did not fully with engage the media. ILA partnered with the media to conduct interviews and public discussions for a documentary on legislation related to tobacco. In addition, KHRC discussed a partnership with the media to educate coastal communities about the benefits of salt. Cooperation between CSOs, the private sector, and the government in 2016 focused on accountability in governance and improvements in public service delivery. For example, the Uraia Trust and its national and county partners collaborated with government officials and the public to enhance public service delivery. The Kenya Private Sector Alliance (KEPSA), 2030 Water Resources Group, Swedish International Development Cooperation Agency (SIDA), and International Water Stewardship Program of the German Agency for International Cooperation (GIZ-IWASP) introduced the Water Sector Innovation Awards 2016 to recognize outstanding innovations in water, sanitation, and hygiene. The awards program provides a platform for public- and private-sector players and CSOs to showcase their activities and overcome fragmentation in the WASH sector. Palladium Health provided training to four county governments to enhance their ability to undertake evidence-based decision making and participate in national health budgeting.
In 2016, CSOs’ public image remained mixed. The media generally give more coverage to CSOs engaged in political and human rights issues than other development issues. The media sometimes call on CSOs in specific sectors such as public finance to offer information. Policy research institutions such as IEA, TISA, and CUTS–ARC Nairobi may be asked to comment on public policy issues and legislation. CSOs also take part in live discussions of socio-economic and political issues. In 2016, the daily newspaper Nation offered a four-page analysis of a study of primary school education in seven counties by IEA, ActionAid Kenya, and county-based CSOs. Journalists, politicians, and celebrities sometimes seek payment to attend CSOs’ events, which makes it difficult for many organizations to obtain coverage. A high rate of turnover in the media also impedes journalistic capacity and accurate reporting.

Public perceptions of CSOs tend to depend on their perceived affiliations with political parties. For example, CSOs seeking to ensure accountability during government financial scandals are likely to be perceived as pro-opposition and therefore are not supported by citizens and stakeholders who support the government. The perception of CSOs by the government and business communities remains mixed. The government is especially lukewarm to CSOs engaged in governance work, which it assumes were involved in the controversial ICC case. The activities of CSOs focused on human rights, accountability, and justice, such as KHRC, International Commission of Jurist-Kenya Chapter, and Africa Center for Open Governance (AfriCOG), are viewed with suspicion and thoroughly scrutinized, especially when they submit their annual reports. In general, the business community seems to believe that CSOs do not have a role to play in its activities, and few CSOs have been able to gain businesses’ trust. However, small-scale enterprises (so-called jua kali businesses) and small and medium-sized enterprises tend to view CSOs as partners.

Few CSOs have built alliances with the media. They typically invite journalists to attend press briefings and conferences but do not provide them with simplified analysis and easy-to-read materials, such as media briefs. CSOs also seem fixated on traditional media channels and overlook the growing popularity of local and vernacular radio stations. In 2016, CSOs publicized their activities through social media, especially Twitter, Facebook, and Instagram. However, many CSOs do not define their key audiences well and their messages often seem intended for policy makers rather than ordinary citizens.

Self-regulation is gaining traction among Kenyan CSOs. For example, the organization Viwango (Standards), established in 2011, guides organizations to achieve greater accountability and higher-quality, more sustainable programs. Viwango’s standards for Kenyan CSOs were developed through a consultative process organized by the Kenya Civil Society Competence and Sustainability Program (KCS-CSP), a collaborative effort involving more than twenty CSOs and CSO networks. In 2016, more CSOs enhanced their accountability by sharing their annual reports and audited financial statements online.
2016 CSO Sustainability Scores for Kenya

- Legal Environment
- Public Image
- Organizational Capacity
- Infrastructure
- Financial Viability
- Service Provision
- Advocacy

Kenya
3.9

Sustainability Scale:
- 1: Sustainability Enhanced
- 3: Sustainability Evolving
- 5: Sustainability Impeded
- 7: Sustainability Impeded
One year after the end of the Ebola scourge, the high toll of the disease on the people of Liberia was still being felt. More than ten thousand cases of Ebola and 4,800 deaths from the virus were reported in the country between 2014 and June 2016, according to the World Health Organization. Blindness, joint pains, hearing impediments, and fatigue among survivors are common, and reproductive disorders are likely. In addition, Ebola weakened an already fragile healthcare delivery system. Deaths were disproportionately concentrated among healthcare workers, and a number of healthcare facilities and CSOs, especially at the community level, were closed because of the death or relocation of staff. They are not expected to reopen, despite a dire public need for their services.

Two additional developments were important in reshaping the country in 2016. First, Liberia has traditionally had a highly centralized government, but in recent years major steps have been taken to empower local governments in accordance with the National Policy on Decentralization and Local Governance adopted in 2012. While the government still functions at a fairly centralized level, many stakeholders, including CSOs,
recognize that decentralization could improve service delivery by engaging communities. However, there has been an increase in reported cases of administrative malpractice at the county and district levels, including allegations that county development funds were squandered in almost all of Liberia’s fifteen counties. A particularly prominent case in 2016 involved the indictment of several national and local politicians for receiving payments to award concession agreements in Lofa County to Sable Mining, a British company. Second, as part of the drawdown of the United Nations peacekeeping mission after thirteen years, the national government began to assume more responsibility for the security sector. Liberian authorities now fully administer security hubs in rural areas, and though poorly resourced they seek to provide a reassuring security environment—a message that was conveyed to the public through a joint CSO-government awareness campaign.

With general elections approaching in 2017, many CSOs re-directed their programs from Ebola response to voter education in cooperation with the National Elections Commission (NEC). The shift in focus helped CSOs bridge funding gaps that emerged as the Ebola crisis wound down. CSO advocacy initiatives showed improvement but otherwise CSO sustainability was stable.

In 2016, Liberia had 1,041 accredited CSOs, compared to 842 in 2015. Of these organizations, 858 were domestic and 183 were international CSOs. The increase in the overall number of accredited CSOs in 2016 may be due in part to the introduction of online accreditation procedures.

**LEGAL ENVIRONMENT: 4.8**

The overall legal environment for CSOs did not change appreciably in 2016. The 1977 Associations Law remains the main guide for the legal establishment of CSOs. The 2008 National Policy on Non-Governmental Organizations (NGOs), which deals with project implementation, the NGO Council, and related matters, remains largely unimplemented.

CSOs register at the Liberia Business Registry, are then accredited by the NGO Coordination Unit at the Ministry of Finance and Development Planning, and subsequently register with the government ministry or agency with oversight responsibility for the area in which they will be working. CSOs register only once in a process that usually takes one to two working days, but they must be re-accredited annually. CSOs have repeatedly complained about the registration process, especially the lack of fixed guidelines and the need to visit multiple locations. In 2016, the accreditation process was streamlined somewhat when the NGO Coordination Unit began to process accreditation applications online. The registration process is expected to be further expedited with the establishment of regional service centers, which serve as hubs for a variety of services, including birth certificates, business and vehicle registrations, and driver’s licenses. The service centers did not start to accredit CSOs in 2016 but are expected to begin this service in 2017.

Liberian CSOs operate freely within the framework of the law, and there were no reported cases of state-sponsored harassment of CSOs in 2016. However, isolated instances of administrative impediments were reported, which were linked largely to the bureaucratic bottlenecks experienced by organizations applying for services from state agencies. For example, the Sustainable Livelihood Promoters Program (SLPP) reported that it had to make repeated visits to the responsible ministry over a two-month period to complete its re-accreditation process.
CSOs are exempt from income tax and receive duty-free privileges on imports that support their work, provided they apply to the government, are registered and accredited, and meet certain other requirements. Many organizations do not take advantage of duty exemptions and other tax benefits because of their poor accounting and reporting systems and common delays in processing their applications. CSOs are accorded gratis license plates for their vehicles.

CSOs are allowed to earn income from the provision of goods and services. According to the Association Law, Chapter 23, Section 2, “a not-for-profit corporation whose lawful activities involve among other things the charging of fees or prices for its services or products shall have the right to receive such income and, in so doing, may make an incidental profit.” There is no provision under this law or the labor law that prohibits CSOs from competing for government contracts and procurements.

There are no attorneys in Liberia who specialize in the CSO sector. However, the Liberia National Bar Association has chapters in nearly every county in Liberia, and its members are qualified to offer legal services outside of Monrovia.

ORGANIZATIONAL CAPACITY: 5.1

The organizational capacity of Liberian CSOs did not change significantly in 2016. As the Ebola crisis ended and “business as usual” began to return to most communities, restrictions on group gatherings were relaxed and CSOs engaged their constituencies in annual general meetings, workshops, and retreats. In the renewed environment, CSOs’ efforts to build constituencies were encouraging. For example, during the second phase of a major USAID-funded feeder-road project carried out through the Ministry of Public Works, organizations such as the Lofa Integrated Development Agency (LIDA) succeeded in involving local communities in road maintenance by offering small stipends and showing that their participation would ensure that their commuting needs were addressed throughout the year. CSOs do not normally share project information such as costs and employees’ salaries with local communities.

Most organizations have mission statements to the extent that donors make them a requirement for funding. Although most CSOs do not engage in meaningful strategic planning, some organizations are starting to incorporate strategic plans into their decision making.

The internal management structures of most CSOs are still evolving and do not fully display a clearly defined division of responsibilities. Most CSOs lack monitoring and evaluation mechanisms, systems of internal controls, and functioning procurement and logistical processes. They also tend to have weak communications and human resource systems. While boards are a requirement of donors and sometimes of the government as well, they are often not functional and thus are not of much help to their organizations.

Since most CSOs operate on a project-by-project basis and lack sustained budgetary support, they are unable to maintain core staff. In the post-Ebola environment, some clinics and other healthcare organizations remained permanently closed, mainly because they were unable to obtain funding to reopen after closing during the Ebola crisis because of the death or relocation of staff. Volunteers are not widely used in Liberia, since high unemployment and skyrocketing prices make it difficult to find people willing to provide services free of charge.

CSOs’ physical capacity is still weak. Offices tend to be based in buildings that were not designed to serve as office space, and they are usually small and rented on a temporary basis. Internet penetration, particularly outside of Monrovia, is extremely low, and anyway most CSOs are unable to pay the high cost of Internet access. Only the executive director has access to a computer, printer, and sometimes the Internet at most CSOs.
FINANCIAL VIABILITY: 5.9

Although CSOs’ financial viability remained more or less steady in 2016, their reliance on external sources of funding was a major source of uncertainty in the delivery of programs and projects. According to “The Issues and Challenges Facing CSOs in Liberia,” a recent study by the Center for Transparency and Accountability in Liberia (CENTAL), approximately 95 percent of CSO funding comes from foreign sources. In 2016, donors applied their funding to the aftermath of the Ebola crisis, and CSOs working outside of the health sector continued to experience funding gaps, with advocacy and media programs most heavily affected. Most donors do not offer core funding.

Local fundraising remains a major challenge for Liberian CSOs. Despite some potential prospects, including the telecommunications and banking industries as well as individual donations, local philanthropy is rare. CSOs are not yet able to tap into local fundraising opportunities, both because the economy is stagnant and because they lack the needed expertise and resources. In 2016, local grant making by multinational organizations such as Chevron and ExxonMobil faded away as these companies terminated their offshore exploration activities. Because of a sharp drop in commodity prices, other large corporations still active in Liberia, such as ArcelorMittal and Firestone, reduced their operations, including community outreach programs funding CSOs.

Some CSOs, such as the Development Education Network-Liberia (DEN-L), earned income by providing paid training services or renting their facilities. A few professional membership organizations allowed the government to collect dues on their behalf. For example, the National Teachers Association of Liberia (NTAL) realized considerable revenue by authorizing the Finance Ministry to withhold membership fees from members’ salaries. Although not a widespread practice, several CSOs earned income from government contracts in the health, education, and infrastructure sectors. For example, LIDA, which specializes in community development, had a five-year contract ending in 2016 for the feeder-road project in Nimba and Bong Counties, which was funded by Swedish International Development Cooperation Agency (SIDA). Similarly, in 2016 Medical Emergency and Relief Cooperative International (MERCI) signed a contract with the Ministry of Health to manage health services in the southeastern county of River Gee.

A few organizations have trained financial staff and sound procedures, but in general the lack of financial management systems remains a serious impediment for Liberian CSOs. Limited resources often keep organizations from acquiring adequate technical expertise, and some CSOs have treasurers who keep funds at home or have sole access to accounting ledgers and other documents. Most CSOs do not conduct annual audits, which makes it difficult to monitor and evaluate their financial performance.

ADVOCACY: 3.7

The advocacy efforts of Liberian CSOs improved in 2016 as they pursued multiple policy and advocacy initiatives. Importantly, they continued to enjoy open lines of communication with the government. For example, a consortium of CSOs working on water, sanitation, and hygiene went with the legislative committee on water and sanitation to the White Plains water treatment plant in Lower Montserrat County to inspect Monrovia’s water supply. The visit was prompted by reports that most of the city’s population did not have access to safe drinking water.
On the advocacy front, organizations active in agriculture and related sectors formed an environmental coalition that successfully pushed for passage of the Forestry Sustainability Act of 2016, which advances community rights to mineral and forest resources and incorporates communities into decision making about resource use. In the extractive sector, the Liberia Extractive Industry Transparency Initiative (LEITI) made headway in encouraging the extractive industries to disclose their earnings and payments to government coffers. Another notable effort in 2016 was the Rights and Resources Initiative, in which a coalition of eight CSOs, including the Rights and Rice Foundation and the Forest People Program, worked with communities around the country to address large-scale land acquisition and contributed to concession agreements affecting more than 40 percent of Liberia’s land space. In addition, the Coalition for Transparency and Accountability in Education (COTAL) effectively insisted on transparency at all levels of education and played a pivotal role in transforming the country’s educational system.

CSOs and the independent media played a catalytic role in exposing corruption and sensitizing the public to its destructive consequences. For example, CENTAL and Global Witness were instrumental in exposing the involvement of government officials in the Sable Mining bribery case. Watchdog and grassroots associations maintained websites and held meetings to highlight corruption as a central problem facing the country. At times these groups put the government in a defensive posture with corruption allegations involving government officials.

The Liberia Action Network on Small Arms (LANSA) effectively lobbied the Liberian government to comply with the global arms monitoring and regulation law and the Arms Trade Treaty (ATT), which was ratified by the national legislature in 2013 but was not completely covered by the Liberia Firearms and Ammunition Act, passed in 2016 by both houses of the national legislature.

CSOs were not active in legal reform affecting the CSO sector in 2016.

**SERVICE PROVISION: 4.4**

In 2016, CSOs diversified the services they provide in the post-Ebola environment. Healthcare has become a primary focus since the Ebola epidemic, and special attention is now paid to the side effects of Ebola survival and the needs of survivors. At the same time, most service-providing organizations have shifted their focus from emergency assistance to development, and many organizations have scaled up their engagement to include rights-based approaches focused on justice, transparency, gender, and empowerment. For example, the Carter Center Access to Justice Program has, for the last three years, worked with domestic organizations in Lofa, Bong, and Nimba counties to provide free legal information, assist with dispute resolution, strengthen the capacity of traditional leaders to advance good governance, and support a policy framework that increases access to justice at the community level.

CSOs do not fully respond to communities’ needs. Service delivery by CSOs continues to be donor led, and organizations do not always involve beneficiary communities in their decision making. For this reason, projects are sometimes duplicated, resulting in a waste of resources. Sustainability is also a problem as projects typically close following the termination of donor support.

CSOs sometime reach audiences that are larger than their immediate beneficiaries. For example, with support from the Liberia Accountability Voice Initiative (LAVI), a USAID-funded project, LEITI reached out to county leadership, traditional leaders, women, youth, disabled persons, and other stakeholders to share information about twenty-six extractive-based concession agreements that could potentially affect the southeastern counties of Sinoe, Maryland, and River Gee. LEITI and its partner CSOs disseminated information through community...
radios, town hall meetings, and newspapers. By using this approach these organization were able to reach a large number of communities not immediately affected by the project.

Building cost recovery into service delivery continues to be a challenge for Liberian CSOs. Most communities do not expect to pay for services, because they believe that CSOs provide emergency and general relief assistance to help them out in situations of desperate need or to complement free services offered by government.

The government’s previous attitude of suspicion, envy, and turf protection towards CSOs are rapidly fading away. In their place, the government has begun to recognize CSOs’ vital role. For example, during the Ebola crisis the government praised CSOs as major contributors to the fight against the disease, and today most government officials appreciate CSOs’ interventions as important to the government’s development efforts. Some government officials also value CSOs for their specialized expertise and their willingness to make their expertise available to local communities. The government offers some funding to CSOs for service delivery, especially in the health sector. For example, Africare receives government funding to provide health services in Nimba County, and Curran Lutheran has funding to provide health services in Zorzor District, Lofa County.

**INFRASTRUCTURE: 4.8**

In 2016, several resource centers continued to serve CSOs. The center run by DEN-L continued to train member organizations in program development; New African Research and Development Agency (NARDA), a consortium of CSOs, conducted trainings for its members; and the Carter Center offered training in conflict resolution and the rule of law. A new resource center, the LAVI Learning Lab, was launched late in 2016 with funding from USAID to offer training and work space to a wide range of stakeholders.

Local grant making exists but is limited. The Open Society Initiative for West Africa (OSIWA) in Liberia provides grants to local CSOs working in economic advancement, judicial reform and the rule of law, journalism, equality, and democratic practice. For example, OSIWA provided a grant to the We-Care Foundation to train teachers and produce manuals on early childhood education and an anthology of Liberian literary works.

As in previous years, CSO collaborations functioned well in 2016. Umbrella organizations such as NARDA in Monrovia and DEN-L in Bong County worked closely with their members on information sharing and discussion. The Coalition for Transparency and Accountability in Education (COTAE) effectively tracked and monitored the expenditure of government grants to public schools in fifteen counties and trained forty-five county-based monitors in three regions.

CSOs and the government cooperated on several joint projects in 2016. The Liberian government set aside funds for at least thirteen CSOs to implement projects aimed at enhancing transparency and accountability in the management of public resources, and CSOs provided services to help national leaders become more accessible and accountable to their electorates. In addition, the National Partners for Democratic Development (NAYMOTE) offered capacity building in service delivery and the participation of youth and women in decision-making processes. Some CSOs have good working relationships with businesses. Organizations such as NARDA have credit lines with vendors and are able to obtain supplies that they pay for later. Liberian CSOs also cooperate well with the media. The Anti-AIDS Media Network (AAMIN), a Liberian media group, worked with the National AIDS Commission (NAC) to conduct a series of trainings for about thirty journalists and CSOs aimed at strengthening demand for services in six counties.
**PUBLIC IMAGE: 4.6**

There was no significant change in the overall public image of CSOs in 2016. The media continued to provide positive coverage with programs showcasing CSO activities. For example, the media provided wide coverage of a project mapping out Ebola survivors implemented by the Liberia Institute for Effective Governance on behalf of BRAC International. Full media coverage was also given to the launch of new donor projects.

The government’s perception of CSOs is steadily improving. In 2016, the government saw CSOs as partners rather as adversaries, as was evident in government-CSOs cooperation on the passage of the Forest Sustainability Act and their joint visit to the White Plains water treatment plant. At the local level, communities appreciate the work of some CSOs. However, many people continue to believe that CSOs’ allegiance to foreign donors is stronger than their loyalty to local beneficiaries and that CSOs tied to external donors have less autonomy and lack accountability because they operate on a short-term project basis. Businesses perceive CSOs as credible organizations and are often prepared to assist CSOs, especially international organizations, by offering credit for procurements. Overall, this element of trust has improved relations between CSOs and the business sector.

Many more CSOs are using the media to share information with the public. For example, CSOs advertise job vacancies in local dailies and, increasingly, on a popular government website. Some CSOs, such as National Partners for Democratic Development (NAYMOTE) and Sustainable Development Institute (SDI), use Facebook, Twitter, and other social media to share information about their programs and activities.

CSOs have yet to take significant steps towards self-regulation and transparency. They do not publish their annual reports publicly, although they do make them available for government review. Some organizations are also reporting about their activities to local authorities, which may indicate that they are starting to appreciate the importance of accountability to local constituencies.
With the establishment of the Senate for the first time under the Fourth Republic, all government institutions were finally established in 2016. The year was also one of major international meetings for Madagascar, which welcomed, among others, the 16th Francophonie Summit as well as the Eastern and Southern Africa Common Market Summit (COMESA). It ended on a very positive note with a promise by technical and financial partners to release $6.4 billion over four years, as well as private sector commitments of $3.3 billion from the Conference of Donors and Investors (CBI) in Paris in December.

The economy is gradually recovering and medium-term prospects are encouraging. Compared to 2015, Madagascar improved two places in the “Doing Business” 2016 ranking, and is now 164th out of the 189 countries ranked. However, its level on the Human Development Index (HDI) remains one of the lowest in the world, at 154 out of 188 countries. The General Secretary of the UN, Ban Ki-Moon, expressed a wide variety of concerns during his visit to the country, including widespread poverty, corruption, and attacks on freedom of expression and the right to free assembly.
The pending adoption of a new Code of Communication is a major barrier to freedom of expression. As reported by Reporters Without Borders (RSF) and the International Union of Francophone Press (UPF), journalists will potentially be subject to imprisonment. Furthermore, 2016 was marked by violations of the freedom of assembly and expression. During the commemoration of the events of March 1947, groups of people on their way to lay flowers at the Avaratr’Ambihitsaina Mausoleum were dispersed with tear gas. Similarly, a senator was sentenced to a year in prison for calling for protests to block the streets of Antananarivo, making it impossible for people and goods to circulate. There was headline coverage when force was used to disperse a peaceful demonstration of villagers in the locality of Soamahamanina, located about sixty kilometers to the west of the capital. The villagers had refused to sell their land, and disputed the award of a gold mining license to a Chinese company. There was similarly prominent coverage of the imprisonment of two leaders of the association Vona Soamahamanina, whose charges included attacks on the security of the state.

CSOs include both formal and informal associations, such as fokonolona (community-based organizations), neighborhood organizations, parent-teacher associations, journalist groups, women’s groups, youth groups, NGOs and INGOs, foundations, cooperatives, unions, professional associations, and religious associations. These are grouped into seven categories: associations, NGOs, trade unions, foundations, cooperatives, credit and saving groups, and cultural religious associations. The only data on the number of CSOs comes from a 2012 European Union report that estimates there are approximately 15,000 CSOs in Madagascar.

**LEGAL ENVIRONMENT: 4.8**

The legal environment for CSOs did not evolve in 2016. The legal framework is antiquated and made up of numerous texts. Each organization type is governed by a different law: associations (Ruling 60-133 of October 3, 1960 from the French law of 1901), NGOs (Law 96-030 of August 17, 1997), foundations (Law 95-028 of September 26, 1995), cooperatives (Law 99-004 of April 21, 1999), or the law for unions.

The majority of CSOs operate as associations, which have the least restrictions and fastest registration process. It typically takes less than three months to register as an association. There are no reporting requirements and little oversight of associations once they are registered. However, once operational, many CSOs that registered as associations discover that they cannot create partnerships or bid on contracts. These activities require them to provide a program and financial report that is not required under the law on associations. It typically takes only two months to register as an NGO, but formal approval is required before obtaining legal status. The registration process for international NGOs (INGOs) can take over a year. They must first request a host agreement with the government through the Ministry of Foreign Affairs. There are multiple levels of reviews, including the beneficiary communities that review the INGO’s request, which includes 11 documents with 10 copies of each. The granting and renewal of the host agreement is at the government’s discretion because there is no law on the matter. INGOs must request approval to operate as a nonprofit.

No major progress has been made related to taxation. As soon as CSOs engage in revenue-generating activities, the organizations, regardless of their status, are subject to the ordinary tax system. They are subject to the tax on income from wages and salaries, which they deduct from the salaries of their employees. They are also subject to value-added tax (VAT), as are all consumers under the law. According to some CSOs, it is possible to ask for tax exemptions, but the procedures are far from simple. In principle, they are not subject to income
tax. But in practice, legal status, activities, and income (including income from activities) determine whether or not income tax is paid.

NGOs and foundations benefit from tax advantages that are not granted to associations, unless they are recognized as having public benefit status. They are exempt from customs duties and corporate tax, the flat tax on transfers, and registration fees for deeds and transfers. Foundations are exempt from a business tax on nonprofit activities, receive tax and customs advantages, and have the possibility of working as a “social enterprise,” but without benefit sharing for NGOs. The absence of a clear legal regulatory framework governing the sector makes tax exemptions uncertain and subject to the interpretation of the authorities. For example, many national organizations and NGOs work in the humanitarian and development fields, but they are not recognized as being for the common good and are not subsidized under the Public Investment Program or the tax incentive structure.

Duty-free importation of goods is granted, based on a decision from the Director General of Customs, to NGOs with a headquarters agreement, and to lawfully-incorporated charities which are recognized by decree as acting for the public good. This duty-free status may be requested by national CSOs, but is subject to a decision from a government council based on communications to the council from the ministry responsible for the operation. It can take two or three months, and sometimes even longer, to learn if an organization will receive duty-free status.

Faced with these legal shortcomings, in 1993 the idea of drawing up a common charter for civil society emerged. In July 2015, the government tried to take leadership of the initiative, using the Ministry of Communication and Institutional Relations. This was denounced by The Monitoring Center for Public Affairs (SEFAFI), which said that the drafting of a civil society charter did not fall under the jurisdiction of the state. This prompted the Citizens Organization for the Defense of Common Interests and Good (ROHY) to announce that it was disengaging with the process in November 2016. A month later, ROHY drafted and submitted to CSOs a proposal for a Charter redefining the role, objectives and the mission of CSOs. This Charter is not law, however, and it only concerns voluntarily signatory CSOs.

The decree implementing Law 2015-05 on voluntary work is viewed positively by civil society, even if many feel it creates excessive supervision of volunteering by the Ministry of Population, Social Protection and the Promotion of Women (MPPSPF). CSOs expect to see an increase in the number of volunteers moving forward. Under this law, volunteers are recognized as key players in the development of Madagascar, and they are entitled to training and support to enable them to assume their responsibilities in their organization, and it is clear that their contributions are not taxed.

According to tax authorities, subsidies are exempt from taxation if they are intended for the financing of educational, cultural, social, or economic development assistance activities, but activities carried out by submitting a bid for tender or answering a call for expressions of interest with another entity or a donor are considered revenue-generating activities. For INGOs, taxation is set out in the headquarters agreement which often grants, for example, a duty-free import system for materials and equipment. Even if they are reinvested in financing social, educational, cultural or economic development non-profit activities, the income or profit obtained from revenue-generating activities is always subject to taxation.

Legally, the Ministry of the Interior can dissolve CSOs, and regional representatives have the right to withdraw a CSO’s approval. A list of dissolved associations from the registers of the Ministry of the Interior is posted at the Registration Service for Civil Society Organizations within the Province of Antananarivo but does not state the reason for dissolution. In principal, delisting is a consequence for noncompliance with regulations, like failing to produce Minutes of General Meetings or other reports.

Barriers to public demonstrations and acts of intimidation against civil society persisted in 2016. Leaders of CSOs are regularly monitored by authorities. This is one reason that some organizations have opted for a
rotating leadership. The president of the Municipality of Antananarivo Employee’s Union was dismissed from the civil service by the Ministry of Public Service, Employment and Social Laws. Similarly, the chairman of the board of the Voahary Gasy Alliance (AVG), which has raised awareness of natural resource trafficking, was summoned by the police without warning. Soon after, one of the leaders of the Alliance of Federations and Trade Union Organizations of Madagascar (AFO Syndikaly) was questioned following the filing of a report of corruption offenses of senior officials to the Independent Anti-Corruption Bureau (BIANCO). In September, the coordinator of the coalition “Maroantsetra Lampogno,” Clovis Razafimalala, who has repeatedly denounced illegal logging and illegal rosewood exports in the northeastern part of the country, was arrested and remains in jail.

Legal services are expensive, and many CSOs cannot afford them. Lawyers sometimes volunteer to defend trade unions in court and volunteer to work with CSOs, particularly large CSOs. They are also members of CSOs, human rights CSOs. CSOs can benefit from legal support through “Trano Aro Zo,” local legal clinics, from environmental legal clinics and other structures such as Development and Environmental Law Center (DELC) Madagascar, or from legal advice organized by associations such as the Federation of Farmer Organizations FIFATAM, Fiantso, Miary, or Tafo Miaavo.

Confronted with financial problems, the majority of CSOs are trying to diversify their sources of income. They are not prohibited from raising revenue, and they have the option to bid on state calls for tender. In the end, with tax levies, their gains are minimal. They want the state to recognize deserving organizations and to clearly specify in the Finance Act the tax and customs advantages granted.

**ORGANIZATIONAL CAPACITY: 4.4**

The organizational capacity of CSOs improved moderately in 2016 due to several years of support from foreign donors in building CSO capacity. CSOs actively look to create local groups for their activities. The ROHY and OSCIE (CSO on Extractive Industries) movements are examples of successes in this area. With their critical mass and their mastery in various fields of intervention, they have achieved a certain prominence.

The cascade training delivered by various bilateral and multilateral programs and donors, like the European Union’s (EU) 10 million euro DINIKA (the Program to Support Malagasy Civil Society) works to improve governance, support initiatives of emerging actors, restructure CSOs, build a culture of citizenship, and improve information sharing. Dinika works in three regions, Analamanga, Analanjirofo and Atsimo Andrefana, supporting 156 CSOs across 176 initiatives, and trains 14,000 CSO members. Other donors supporting CSOs include the French Embassy in Madagascar’s “Innovative Civil Society Projects and Coalitions of Actors in Madagascar” fund, the United States Agency for International Development (USAID), the humanitarian organization Action Against Hunger, the World Bank, the UNDP, and the German cooperation agency GIZ. In addition, programs carried out by the different platforms for their membership organizations have begun to bear fruit. Examples include the National Platform for Civil Society Organizations in Madagascar (PFNOSCM), which covers 22 regions in the country, the Platform for Civil Society Nutrition (HINA), which is present in 11 regions, and the Voahary Gasy Alliance, made up of 28 associations, NGOs, and foundations. They all have branches accessible to CSOs.

CSOs based in regional headquarters are increasingly aware of the value of strategic planning and an internal management structure, which are often required by donors. This management structure laid out in governing documents did not exist on paper until the last few years, which saw a trend towards conforming to the documents with increasing transparency. Among the impacts of capacity building sessions is a trend towards
setting up a mission and developing strategic plans. This is an asset when the CSO wishes to access donor funding where this is a selection criterion.

Due to funding constraints, the number of permanent staff at a CSO are usually kept to a minimum and, if necessary, consultants are recruited. CSOs rely heavily upon volunteers, and their numbers grow every year. With the passage of law 2015-05 on volunteering, CSOs expect to see an increase in the numbers of volunteers, but no statistics are available to support or refute this expectation yet.

Apart from funding that is specific to grants for projects, very few CSOs have the resources to acquire office furniture, computer equipment or vehicles. A recent survey found that CSO members and staff use their personal goods (computer, video projector, mobile phone, vehicle, etc.) for CSO work.

**FINANCIAL VIABILITY: 5.2**

Although the economic situation in the country has improved somewhat, the flow of donor money remains weak and has benefitted CSOs working in the drought- and famine-affected south. The United States government added five million dollars, the United Kingdom provided another three million pounds, and France provided an additional 1.5 million euros to assist in the south. The World Bank provided an additional 35 million dollars to help people affected in the southern regions of Androy and Anosy. For CSOs elsewhere, 2016 was a lean year compared to 2015.

With scarce financing, even medium and large CSOs have had to make drastic cuts in their operating budgets, resulting in a drop in staffing levels. Civil society is handicapped by inadequate financial resources, which limits its ability to submit projects to technical and financial partners. Associations applying for grants must be able to contribute up to 10-20 percent of the budget.

The financial resources of Malagasy CSOs are limited to the membership dues, administrative fees, and overhead fees from various projects. Membership fees remain nominal, ranging from 200 ariary monthly to 10,000 ariary annually and do not represent even 1 percent of an organization’s budget. Members show little willingness to participate financially in a project outside of “tsipaipaika” or one-off contributions for small recreational events. However, when the initiative is theirs and they see direct benefits, they are much more enthusiastic. This is the case for associations of parents of students (FRAMS), which, in addition to annual fees, contribute financially and materially to classroom construction and rehabilitation.

CSO budgets are largely funded by financing from foreign donors. These funds, with few exceptions, come through international NGOs which then subcontract with local CSOs already well-versed in their procedures. SAF-FJKM, a local CSO, in partnership with CARE, an international NGO, is implementing the "Velotegna" food security project, financed by the BMZ (Bundesministerium für wirtschaftliche Zusammenarbeit) in the Atsinanana region. Associations like the Cooperation Association of Madagascar (AIM) and Manambina work in partnership with ADRA (Adventist Development and Relief Agency) in the framework of Project ASARA (Improving Food Security and Increasing Agricultural Revenue) financed by the European Union. Since 2013, CSOs of all sizes can apply for project funding directly through the European Union's multi-donor DINIKA Program. They are required to produce reports with their accounts audited and certified by accounting firms to meet the requirements of technical and financial partners.

Although the concept of corporate social responsibility strengthened links between CSOs and businesses, financial support from local sources remains rare and has become even scarcer. One CSO alliance has seen its donors decrease over the years to only one in 2016. The slowdown of economic activities is the principal cause.
When there is local support, it is usually in in-kind goods or services rather than money. Savonnerie Tropicale, a large industrial soap producer, has supported the Malagasy Red Cross since 2008. Other companies have followed suit by signing partnerships with CSOs, including mobile phone companies, major mining companies and national companies. The proliferation of farm schools, which were implemented as part of the social commitment policy of the Ambatovy Project, has had noticeable social and economic benefits to the farmers of the region.

CSOs are required to submit annual program and financial reports as well as draw up a detailed plan of operations for each fiscal year, but generally it is technical and financial partners who are strict on this point, and CSOs benefiting from their funding must comply scrupulously.

CSOs can earn additional revenue to support themselves. CSOs like SAF-FJKM strive to fuel their budgets with their own resources. They can grow their own wealth, provide their services, and as a legal entity, can bid on state calls for tender.

**ADVOCACY: 3.8**

CSOs were very active advocates in 2016. The government and its decentralized territories (regions and communes) and decentralized services continue to partner with CSOs on various projects. Civil society was involved in the drafting of the budget bill and worked directly with ministries in different sectors for priority projects, as well as at the Parliamentary level during a pre-vote debate. In October 2016, for the first time the draft budget law was presented to civil society by the Directorate General of the Budget, which sees this collaboration as an opportunity for advocacy with ministries for different sectors for a reorganization of budget allocation. For example, the Collective of Citizens and Citizen’s Organizations (CCOC) regularly plans a public debate on the Finance Bill, although it recognizes, as in 2016, that its recommendations are not always taken into account. The platform therefore called for more transparency on budget data.

Civil society was also invited by the government to participate in the work of the Strategic Dialogue Group (GDS), a meeting of members of the government and diplomatic missions on various themes, in 2016 on corruption. A good number of CSOs are involved in the fight against corruption.

In July 2016, CSOs also collaborated on the evaluation of the third RRI (Rapid Results Initiatives) cycle on government actions on 177 different projects in different ministerial departments with the support of BAD or the African Bank of Development. Approximately 50 objectives were achieved with visible impacts such as improved management of government fuel expenses and greater efficiency in reimbursing VAT credits.

Similarly, the Advisory Group on Tobacco Control, of which CSOs are members, meets twice a year. This is the case for the Sahy Association (Sahy is the Malagasy word for Dare) which is very active in the fight against HIV/AIDS, drugs, alcohol, and tobacco. The Voahary Gasy Alliance (AVG), meanwhile, now has targeted contacts in three ministerial departments which they are able to call on at any time. At the municipal level, participatory budgeting is an opportunity for local associations to be fully involved. It has been experimented with in Madagascar since 2006. By 2016, almost 200 out of 1,695 communes used it every year, presenting a new opportunity for many CSOs.

While attaining many successes in 2016, civil society activists were reminded of their limits by the government. Defending those who accused of breaking laws related to demonstrations and expression is not easy in the face of a state that has control over the police and justice systems. Civil society, particularly journalists’ associations and press publishers, lobbied various institutions, including the Senate and the National Assembly, to amend
certain provisions of the draft Communication Code. To date, their actions have failed and the Communication Code will be voted on without amendment.

The CSO conditions are illustrated by two examples of activists being harassed and intimidated by the state. In the village of Soamahaminana, villagers and civil society activists mobilized for several months to shut down Jiuxing Mines. In October, the mining company left. Five activists were arrested following demonstrations in September for undermining the security of the state, assault and battery of the police, and holding a demonstration without representation. They received a one-year suspended prison sentence for organizing a protest without authorization. One month later, the former minister Augustin Andriamananoro, a native of Soamahamanina, was arrested for undermining the security of the state, holding a public meeting without authorization, setting brush fires, and violence against state forces. He received a three-month suspended prison sentence.

In addition, advocates for the release of Clovis Razafimalala, an ecological activist and coordinator of Maroantsetra Lampogno, have been unsuccessful in seeking his release from prison. In October 2016, the Special Rapporteur of the United Nations Human Rights Council, John H. Knox, emphasized the right to freedom of expression by saying that people who draw attention to alleged environmental crimes should never be harassed or punished; rather, they should benefit from state protection. However, these words fell on deaf ears.

The Liaison Office for Rural Training Institutions (BIMTT) as part of its Land Monitoring and Right to Adequate Food Project, launched a local advocacy effort for the approval of ‘dina’ or collective agreements, relating to, among other things, cattle theft and crop destruction. The USAID-funded Preserving Madagascar’s Natural Resources Program (SCAPES) addressed the trafficking of precious wood and reptiles from the tropical forests in northeastern Madagascar. SCAPES worked with CSOs, timber traders, journalists, law enforcement, park rangers, courts, and the government. The new National Coalition for Environmental Advocacy and three regional CSOs, Maroantsetra Lampogno, COCAZ, and TMTI, have improved skills at identifying, monitoring, and denouncing wildlife crimes. The illegal trafficking of tortoises is another area where civil society, the police, the ministry of Justice, and the ministry of environment work together through the project, Applying the Law Against the Abuse of Resources in Madagascar (ALARM).

The ROHY movement, backed by its partners, lobbied against the adoption of the July 2, 2016 Bill 014-2016 establishing the Special Court on Economic, Financial and Tax Crime. This bill was drafted without any input from civil society, including those who had studied corruption issues for years. Due to their efforts, this bill was removed from the National Assembly’s agenda. The same was true in the drug and tobacco control sector where, through lobbying efforts, CSOs successfully prevented the deregulation of cigarette imports and obtained the ratification of the Protocol to Eliminate Illegal Tobacco Trade. Thanks to their advocacy, they can expect the November 4, 1997 law on narcotics and psychotropic substances and precursors to be updated with the tabling of a bill by a deputy. A measure to allocate part of the taxes on cigarettes to tobacco prevention has been put in place although they are still waiting for the allocation.

The Voahary Gasy Alliance inaugurated a new approach by organizing meetings with the diplomatic corps, ministers involved and the Union of Magistrates for the revaluation of judgement for the effective implementation of laws against human trafficking. The approach consists of continuous lobbying of government officials and the international community with relentless follow up and publicizing all stages of the legal process in cases of flagrant trafficking offenses from when they are informed to the enforcement of sentences, including arrests, deferments and temporary detentions. The platform also edited a publication called “Good Environmental Governance: 27 Case Studies,” taken from reoccurring public calls to the AVG Orange 512 toll-free number.

CSOs are aware of the need for a legal and regulatory framework for greater efficiency and sustainability. This explains the local advocacy effort and the broad mobilization around the drafting of the Common Charter of
Civil Society pending the drafting of a law on civil society and its organizations. They are considering lobbying Parliament to pass a bill that will recognize the status of associations recognized as being for the public good to active CSOs, which will benefit from a number of advantages such as tax breaks and subsidies.

**SERVICE PROVISION: 4.2**

CSOs continue to supplement or provide the state with basic social service delivery and fight against the major challenges in the country, including combating poverty, promoting gender equality, protecting the rights of vulnerable groups, preserving the environment, and establishing the rule of law. Their expertise was recognized by the state and its divisions which solicited their assistance, as was the case during the famine in the south (referred to in Malagasy as the “kere”) in 2016. For several years, CSOs have been selected following requests for proposals to implement state programs like the Intervention for Development Fund, (FID) or the National Community Nutrition Program (SEECALINE). The funding for CSO activities reflected that additional funds were channeled to the south to mitigate the effects of drought and famine, but CSOs elsewhere were able to operate as they had in previous years.

In most cases, the products and services provided by CSOs go far beyond the needs of their members and benefit a large constituency. Their activities are thus included in the Annual Work Plan (PTA) for various ministerial departments, even if they do not receive any public financial assistance. While CSOs prefer to implement projects that reflect the priorities of their communities, from time to time, they have to implement projects that match donors’ priorities.

Publications, summaries of workshops and expert analysis by certain CSOs are available on the internet. Associations have even chosen to publish their productions and make them available to the general public on the shelves of bookshops and other points of sale in the country. Examples include the Study on the Pilot Project of ethanol distribution by the Tany Meva Foundation. The HINA Platform publishes regularly on CSO experiences related to nutrition. The Intercooperation Action Madagascar publishes documents on the Farmer Field School approach to sustainable food security.

CSOs do not recover all of their costs, mainly because of the endemic poverty in the country. In prior years, they provided services free of charge, but today it is common to expect the beneficiary to pay some of the cost of a service. CSOs argue that this can lead to injustice in sensitive areas like health, safety, and access to drinking water. For example, supplying water to vulnerable households is sometimes more costly than for affluent households connected to the network. Similarly, when VOI members (Vondron’olona ifotony) or grassroots community associations have to contribute for the construction of advanced security checkpoints, they also have to pay intervention fees based on the components mobilized for an intervention, while these services are free in urban centers.

**INFRASTRUCTURE: 4.4**

The CSO infrastructure improved modestly in 2016. Access to information and training is two-tiered, based on the location of CSOs. Those located in rural areas are at a disadvantage compared to those in urban areas which have the advantage of being close to resource centers like the Center for Technical and Economic Information (CITE), the Exchange Center (CEDII), to institutional documentation and information, and the BIMTT. CEDII derives part of its income from printing and copying services, the sale of books, the organization of events on behalf of CSOs and entrepreneurial assistance. This is the same for BIMTT which establishes its own resources from the proceeds of the sale of its products and services and member contributions.
Associations and foundations on the national and international level (like Monaco Aide and Presence, the Association Karana Malagasy [AKAMA], renamed the Friends of Madagascar Association, the Aga Khan Foundation, and Akbaraly), as well as service clubs are associated with projects initiated by CSOs in the form of intersectoral partnerships in 2016. For some, grants come from funds collected locally, others receive funding from abroad, while some receive both.

The Voahary Gasy Alliance (AVG) succeeded in developing a partnership with the Secretary of State for the Police, the Ministry of Justice and the Environment through the ALARM Project. Seven organized gangs were apprehended and dismantled, 25 people were imprisoned (including a Chinese citizen and a police officer) and monitored daily, and 1,200 turtles were seized and released into the wild. In partnership with two private sector players, Guanomad and Scoop Digital, AVG campaigned for the promotion of good environmental governance with stars of Malagasy TV movies in 11 cities in the country where it organized awareness-raising events as well as collaborative environmental actions, free of charge.

Orange Solidarity Madagascar and three ministries (Post, Telecommunications and Digital Development, Population, Social Protection and Women’s Promotion, and Public Health) undertook projects to expand digital technology, equality of opportunity, and wellbeing. They created four urban digital houses to benefit women with the Ezaka Association and the International Youth Chamber. They also established four “Maman Kangourou” centers in maternity wards with Compassion Madagascar, trained 55 community doctors in rural areas with South Health, and constructed a village in the migratory zone of Bongolava with the organization Reinsert Families with Great Precarity.

CSOs are increasingly finding it necessary to form platforms in order to increase the overall effectiveness of their actions and coordinate their interventions. Some groups have already reached a critical mass. For instance, umbrella groups such as the ROHY Movement, Civil Society Alliance for Strengthening Nutrition (HINA), and the Voahary Gasy Alliance (AVG) bring together hundreds of platforms, coalitions, national and regional issue-specific organizations, and foundations. The latter, with a group of lawyers, managed to mobilize ministers, diplomats, BIANCO and the Committee for Safeguarding Integrity (CSI) in the fight against the illegal exploitation of the country’s resources. With the support of a Canadian network of activists, (journalists Friends of the Earth), they were able to conduct an international campaign, notably including the company TOTAL, against the possible environmental impacts of non-conventional oil exploitation from the asphalt bitumen at the Belomanga site.

In 2016, new coalitions continued to form. These include the National Coalition for Environmental Advocacy (CNPE), the Civil Society Organization on Extractive Industries, and the Locally Managed Marine Area Network (MIHARI). The CNPE brings together 50 coalitions, federations, platforms, NGOs, associations, and community organizations in 22 regions.

The multiplication of networks and platforms have considerably improved access to information, funding opportunities and their dissemination through new forms of technology, intensification of resource mobilization training, project management for member associations, valuation of assets, and capitalization of best practices. For several years, associations and NGOs have benefited from training on CSO management. Internally, the country has expertise in many areas that can meet training needs.

Training materials are now available in the dialect of the intervention zone. Generally, capacity-building sessions are scheduled for CSO managers, so CSOs want short-to-medium-term training to take place in their locality and benefit all members.
Networking has also made it possible to give priority to CSO members with recognized expertise in their field such as awareness-raising and training or with real and personal property, such as meeting rooms, catering and vehicles, and choice of service providers.

**PUBLIC IMAGE: 4.3**

The public image of CSOs improved in 2016. CSOs benefited from greater media coverage with the emergence of new print, radio, and TV media stations. New print titles include *La Dépêche, Mon Journal, and Sakamalabo, Le Citoyen, La Ligne de Mire, Free News, and Triatra*. New radio stations include AZ radio and Sky One, and new television stations include IBC Téléc, Sky One, and AZ TV. Press agencies critical of the party in power, and those whose editorial perspective aligns with the opposition are more likely to relay what is said and done by civil society, and to highlight state failings on the eve of the presidential elections. Debate programs and talk shows showcase members of civil society organizations.

CSOs, particularly in rural areas, enjoy a positive image with the public, who appreciate their basic social service support, such as education, health, access to land and supply of drinking water. This is especially true in those areas that were hit by drought where CSOs provided life sustaining assistance. In urban areas, they are judged on the basis of their powers of appeal and their engagement in the defense of public freedoms, so that CSOs engaged in social work and community action are somewhat eclipsed in the urban public’s mind.

However, it is sometimes difficult for the public to dissociate civil society from the political class and they see it as a springboard for high office. Trends in recent years have seemed to confirm this view. Eminent members of civil society have in fact become leaders or members of institutions, ministers, and senators as politically leaning associations emerge with every regime change.

The state appreciates the actions and activities of CSOs as long as they do not venture into the role of speaking out against government actions. However, since they have become key actors in development, public authorities sometimes have a tendency to view them as serious competitors and seek to reduce their independence to act.

Companies are gradually engaging with civil society, via their foundations or as part of their corporate social responsibility policy. Most large domestic or foreign companies like SIPROMAD, Madagascar International Product Company, have a CSR policy. This group, which is present in industry, hospitality, real estate, tourism and construction, through the Akbaraly Foundation, has invested in improving the quality of life of the population before focusing on the fight against women’s cancers. Similarly, Guanomad, which specializes in the production and sale of organic fertilizers, has entered into partnerships with CSOs working to protect the environment and food security.

Very few CSOs have a public relations strategy or maintain relationships with the press, a mission they leave to their platforms. In recent years, they have invested in an expanded code of ethics common to all CSOs, included in the civil society charter started by the ROHY movement, calling for more transparency and accountability.
2016 CSO Sustainability Scores for Madagascar

CSO Sustainability

Sustainability Enhanced  Sustainability Evolving  Sustainability Impeded

Legal Environment
Public Image
Organizational Capacity
Infrastructure
Financial Viability
Service Provision
Advocacy
Madagascar
4.4

1  3  5  7
In 2016 Malawi struggled to overcome a devastating loss of property and livelihoods caused by the floods and drought that had hit fifteen of the country’s twenty-eight administrative districts in 2015. In April 2016 the Malawi Vulnerability Assessment Committee, a multilateral group composed of the Malawian government, domestic and international CSOs, and the World Food Program, estimated that more than 6.7 million households were vulnerable to food insecurity. Although this figure was later challenged, the prospect of massive suffering prompted the government and CSOs to focus overwhelmingly on food relief. By the end of the year the government, supported by multilateral and bilateral donors and domestic and international CSOs, had managed to avert catastrophe by providing food and supplies to most affected households.

The Malawian public continued to be frustrated by poor service delivery and endemic corruption in 2016. According to a December 2016 Afrobarometer survey, only about one-third of Malawians approved of the performance of their president, members of parliament, councillors, and mayors, and more than half thought that the government performed “fairly badly” or “very badly” on thirteen out of sixteen policy issues. Support
for democratic processes continued to decline as the proportion of Malawians who said that elections were the best way to choose the country’s leaders dropped from 71 percent in 2014 to 57 percent in 2016. Much of the public viewed the government as failing to deal decisively with strikes by public university students, who were displeased with an 85 percent increase in tuition fees, and were disappointed by persistent corruption and graft, which had prompted donors to stop providing direct budget support to Malawi in 2013. After the government raised taxes and fees to compensate for the loss of revenue from donors, some people felt overtaxed. Reflecting these frustrations, some opposition parties, analysts, and CSOs called upon the current government, which is led by the Democratic Progressive Party (DPP), to cede power voluntarily in 2016, claiming that it seemed unable to deal with the country’s urgent economic and political problems. The government rejected this demand while highlighting its reform efforts.

There was no significant change in any dimension of CSO sustainability in 2016. The legal environment remained largely unchanged, although CSOs expressed concerns as the Non-Governmental Organizations Board, the main government oversight body, drafted a controversial new NGO policy. The funding environment for CSOs was stable and characterized by heavy reliance on international donors. Many CSOs without links to international organizations scaled back their operations as a result of funding shortfalls. Service provision was concentrated on food relief and local governance, and advocacy initiatives were limited, although the new National Advocacy Platform (NAP) sought to unite several CSOs working on socio-economic and political advocacy.

The NGO Board does not publish clear statistics about the size of the sector. According to a news report, the NGO Board registered 123 new organizations in 2016, bringing the total number of organizations in the board’s database to 594. However, other reports present different figures.

**LEGAL ENVIRONMENT: 5.4**

The legal environment for CSOs in Malawi has not changed since the NGO Act was passed by parliament in 2001. CSOs must undertake a cumbersome process to register, which includes concluding a memorandum of understanding with the government ministry responsible for their area of intervention and registering with both the NGO Board and Council for Non-Governmental Organizations of Malawi (CONGOMA), the umbrella body for all CSOs. Community-based organizations (CBOs) register with their district councils through district social welfare offices, and faith-based organizations register with the Office of the President or cabinet offices. Organizations registering as nonprofit organizations register with the Office of the Registrar General and additionally with the NGO Board if they work for public benefit. Under the NGO Act it is illegal for unregistered organizations to operate.

In 2016 the NGO Board continued to push CSOs to report on their resources and activities as required under the NGO Act. Most organizations found it a challenge to meet the act’s reporting and accountability requirements. But in contrast to the previous year, when the government threatened to take action against CSOs that it claimed were unregistered or operating in contravention of the law or their charters, the government did not threaten to close or de-register any organization in 2016. Otherwise, few state impediments were imposed on CSO operations in 2016. A human rights defender who regularly demonstrates on issues such as food insecurity and poor governance continued to do so without state harassment during the year.
In 2016 the NGO Board conducted a review of the NGO Act and worked on drafting an NGO policy, which will inform a potential amendment to the act. Although the government stated that its intent was to provide a more conducive policy environment for CSOs in Malawi, CSOs raised concerns that the government’s activities lacked transparency and inclusivity and would increase government control over CSOs. The draft policy would concentrate powers for the registration, regulation, and deregistration of CSOs with the NGO Board, thereby excluding CONGOMA; would require CSO projects to be approved by the NGO Board and local councils; and would reduce CSOs’ ability to self-regulate. Although during the year the NGO Board conducted consultations with CSOs and revised the policy in response to comments, the process generated concerns among CSOs about the potential closure of civic space. In early 2017 the government released a draft of the new policy for public comment.

Parliament passed the Access to Information (ATI) Act in December 2016. CSOs generally see the ATI Act as a positive step, since it can serve as a tool for obtaining information about government programs and will improve transparency and accountability. Moreover, the Malawi Human Rights Commission (MHRC), which supports an engaged civil society, is responsible for overseeing the act’s implementation. However, there are concerns that the act’s implementation has been delayed and MHRC may not be given the resources needed to carry out its mandate effectively.

CSOs must file tax returns with the Malawi Revenue Authority and comply with the Taxation Act unless otherwise authorized. In 2016 CSOs continued to be taxed like other nationally registered entities. A few commodities, such as relief food supplies and medical equipment, were exempt from import duties provided CSOs applied for authorization to the minister of finance, economic planning, and development. However, the process for obtaining exemptions remained long and uncertain.

CSOs continued to experience difficulties in obtaining legal support in 2016. There are no specialists in CSO law in Malawi, as the subject is not taught in the universities. Lawyers typically rely on general constitutional law to support CSO cases. Legal services are usually paid for, and very few lawyers are willing to provide their services pro bono.

**ORGANIZATIONAL CAPACITY: 5.4**

In 2016 CSOs in Malawi continued to face the challenge of building visible and reliable constituencies. To garner support many organizations must offer financial incentives or handouts such as t-shirts, bicycles, medical kits, and agricultural products. Advocacy CSOs found it particularly difficult to build constituencies, in part because such organizations—with the exception of faith-based organizations such as the Public Affairs Committee (PAC), Catholic Commission for Justice and Peace (CCJP), and Catholic Development Commission—typically operate with few staff or focus on concerns with which the public does not readily identify or for which they have not presented adequate evidence. In 2016 several public protests were poorly attended because of weak organization and inadequate outreach efforts. The lack of support left some protests looking like the personal crusades of CSO leaders.

The majority of Malawian CSOs have defined mandates, but aside from large, donor-funded organizations, most CSOs do not have strategic plans or access to institutional support for strategic planning efforts. Many of the CSOs that have strategic plans elected to deviate from their plans in 2016 to pursue new funding opportunities arising from donors’ responses to the humanitarian crisis. Organizations that followed their plans either had little funding or reduced the scope of their projects. In 2016 the USAID-funded Supporting the Efforts of Partners (STEPS) program and the Segal Family Foundation offered some organizations capacity building services, including training in strategic planning.
Many CSOs have internal structures on paper that reflect a separation of management and board roles and responsibilities. However, organizations often fail to segregate these functions in practice because they find that doing so entails an economic burden. Some larger CSOs have boards of directors that engage actively in policymaking and oversight, although this is often done only to fulfill donor expectations.

In 2016 CSO staffing remained an issue because of shrinking funding and the lack of technical expertise. During the humanitarian crisis, Malawian CSOs employed additional volunteers to expedite the delivery of relief supplies to affected communities. But in general CSOs continued to find it difficult to retain qualified personnel, mainly because they could not pay them sufficiently or could do so only on a time-bound, project-to-project basis. The perception of many donors and international CSOs that domestic CSOs lack the capacity to manage grants and projects may in fact be due to their inability to retain qualified personnel and their need to rely instead on semi-qualified technicians.

Most CSOs, especially in urban areas, have computers, photocopiers, and Internet access. Some district-based CSOs and CBOs receive donor funds to obtain equipment, which is usually second hand. Although in 2016 the quality of technological resources improved somewhat at urban and peri-urban domestic CSOs and in the district and rural offices of international CSOs, the poor electrical supply across the country hindered access to information at many CSOs. Mobile phone use is increasing and helps overcome this deficit.

**FINANCIAL VIABILITY: 5.9**

Malawian CSOs have traditionally relied on international donors, including USAID, the United Kingdom’s Department for International Development (DFID), Norwegian Agency for Development Cooperation (NORAD), and German Agency for International Cooperation (GIZ), for financial support. In 2016 many domestic CSOs (except for some faith-based organizations with international linkages) found it difficult to access funding from their traditional donors as the latter diverted funds to respond to the humanitarian crisis. In addition, donors increasingly emphasized the participation of Malawian CSOs in formal and informal alliances and coalitions with international CSOs based in Malawi. While organizations able to link up with international CSOs accessed funds for projects in areas such as food relief, government accountability, HIV/AIDS, and climate change, CSOs that did not have such links struggled to raise funds. Many organizations not involved in the crisis response were forced to scale back their operations.

In 2016 domestic financial support for CSOs was limited. The two main sources of local funding were the Tilitonse Fund, formed by multiple donors to promote local efforts at social accountability, and the National AIDS Commission, funded by the government and the Global Fund to Fight AIDS, Tuberculosis, and Malaria. In 2016 the Tilitonse Fund scaled back its grant making as it underwent a transition to become a local foundation. Because of several allegations of mismanagement between 2011 and 2014, the Global Fund withdrew its support from the National AIDS Commission and opted to work instead through ActionAid International, which re-granted funds to a limited number of domestic CSOs.

Few Malawian CSOs have diversified resource bases, as their fundraising efforts are geared exclusively towards donors. A few institutions, including the Center for Social Concern (CFSC) and Center for Human Rights and Rehabilitation (CHRR), have begun to explore income-generating opportunities such as the rental of property and social enterprise projects. CSOs delivering services in health, education, and local development can compete for government contracts, but few organizations take advantage of this opportunity because they lack the knowledge and skills needed to prepare bids or are simply used to relying on external donor support.
In the aftermath of recent government and CSO corruption scandals, donors still view CSOs’ financial management skills with some skepticism. While most CSOs segregate financial and project management, they are not always perceived as effectively managing donor resources or detecting fraud. In addition, most CSOs lack staff capable of developing technically sound funding proposals. As a result, CSOs continued to face scrutiny by prospective donors and other stakeholders in 2016. Donor mistrust was compounded when the NGO Board released a study in September 2016 stating that the vast majority CSOs do not account for their resource use and activities to the government or the public, as required by law.

ADVOCACY: 4.6

In 2016 Malawian CSOs at the district level continued to sign memoranda of understanding with district assemblies, according to media reports. The memoranda sought to establish better project targeting and reporting mechanisms through ongoing consultation, information sharing, and accountability. At the national level, the National Assembly’s Public Accounts Committee and other committees conferred with faith leaders, CSOs, and other stakeholders. Sector-based CSOs engaged in ad hoc consultations with the government and offered feedback on government programs in the mining sector, flood relief, and other topics. These interactions were not prescribed by policy or established practice but resulted largely from donors’ demands or the goodwill of individual government officials.

CSOs’ advocacy efforts continued to lack cohesion in 2016. Some organizations failed to mount effective campaigns and lacked supporters. Several important CSOs turned to political parties for support, which fostered division in the CSO sector. Some human rights CSOs issued disjointed statements or conducted events such as press briefings and minor demonstrations that were not viewed by either the public or the government as deserving of attention.

Among several groups engaging in important advocacy campaigns in 2016 were CHRR, CCJP, Center for the Development of People (CEDEP), and National Advocacy Platform (NAP). NAP sought to unite CSOs active in the socio-economic and governance sectors to take united stances on national issues, such as social accountability and transparency. A group of faith-based organizations known as the Pro-Life Alliance engaged in an anti-abortion campaign and submitted petitions to the parliament requesting that it refrain from debate on the legalization of abortion. The Malawi Electoral Support Network (MESN), an umbrella group of CSOs dealing with election-related issues, helped solicit the public’s views on electoral reforms and submitted recommendations to a national task force. At the end of the year these recommendations were under consideration by a special legal commission on electoral reforms. After the 2016 "Maizegate" scandal involving the suspicious purchase of a large quantity of maize, CSOs and the media successfully pressured the government to launch a commission of inquiry, and three CSOs convinced the High Court to suspend the minister of agriculture until the commission’s inquiry was completed.

In 2016 CCJP, PAC, and the Association of People Living with Albinism lobbied parliament and the government to enact laws protecting people with albinism, who have been victims of ritual killings. The Center for Multiparty Democracy (CMD) advocated for the passage of a bill to regulate the registration, operations, and funding of political parties, which parliament does not appear eager to enact. Organizations such as the Civil Society Agriculture Network (CISANET) and Farmers’ Union of Malawi (FUM) provided advice on agricultural policy. Few CSOs engaged in lobbying on other important issues, such as increasing the budget for health care or enacting a mining and minerals law. As reported in previous years, CSOs generally prefer to engage in loud advocacy through the media rather than lobby the government directly, which demands evidence, patience, and a low-profile approach.
CSOs made minimal effort to reform the NGO Act in 2016, largely because of their lack of awareness of the law. Since 2015 the NGO Board has pushed CSOs to register, produce annual reports, and otherwise comply with the NGO Act, but in 2016, when the NGO Board attempted to ensure that CSOs fulfilled these requirements, many organizations did not know whether the board’s actions were legal or not. The incident seems to have spurred CSOs to reconsider their passive approach to the legal framework, but they still lack a clearly defined agenda for legal reform. Some CSOs, including CONGOMA and several international organizations, worked on the steering committee drafting the new NGO Policy with the Ministry of Gender, Children, Disability and Social Welfare, the NGO Board, and the Ministry of Local Government and Rural Development.

**SERVICE PROVISION: 4.5**

In 2016 CSOs continued to provide diversified services to various constituencies. Major areas of focus included food relief in the aftermath of the floods and drought and local government accountability following the 2014 elections. CSOs continued to work on health and HIV/AIDS, early childhood development, food security, alternative energy sources, afforestation, climate change, social accountability, and many other issues.

While some CSOs are national in reach, many CSOs provide their services to designated communities agreed with district assembly officials. For example, drought-affected communities were given priority over non-affected communities in relief projects. Communities respond to CSO interventions differently. Many people support and patronize services related to food, medicine, and fuel-efficient cook stoves but take part in activities related to socio-economic and political issues only if they are offered incentives, such as bicycles or clothes. This syndrome is pervasive and remains a critical economic challenge for CSOs while also undermining citizen engagement.

CSOs provide most services free of charge. Only CSOs working in health or education have any possibility of cost recovery. For example, hospitals and health centers run by the Christian Health Association of Malawi (CHAM) offer government-subsidized services and charge low fees to recover some costs.

In 2016 the government publicly recognized CSOs’ relief efforts, agricultural interventions, and HIV/AIDS programs as complementing its own efforts to alleviate poverty and suffering. District assemblies noted CSO programs promoting social accountability in local governance. However, several provisions of the draft NGO policy suggest that there is some governmental mistrust of the sector.

**INFRASTRUCTURE: 5.6**

In 2016 CSOs continued to be served by resource centers such as the Staff Development Institution and Malawi Institute of Management. As these centers are based mostly in urban areas and charge fees, their services are inaccessible to most Malawian CSOs. In 2016 the European Union (EU) supported the National Initiative for Civic Education (NICE), which makes newspapers and publications on governance, democracy, and citizen participation publicly available. NICE operates resource centers open to the public in all districts. Some CBOs in rural areas have trouble accessing them.

In 2016 the re-granting of funds from international sources to local organizations declined in some sectors. The National AIDS Commission, formerly a major source of re-granted funds, pared down its grant making when it was accused of financial mismanagement. ActionAid International won a bid from the Global Fund to manage its funds and resumed grant making for HIV/AIDS projects. However, ActionAid’s screening process
for sub-granting was more stringent than that of the National AIDS Commission, and as a result few domestic CSOs managed to obtain grants. The Tilitonse Fund scaled back its support to domestic CSOs as its planned lifespan came to an end (although its grant making may resume after it is reformed as a local foundation).

A few new coalitions were formed in 2016, including the Pro-Life Alliance, composed largely of faith-based organizations working to end parliamentary debate on abortion, and a group of CSOs and musicians that promoted an end to the ritual killing of people with albinism. Project-based coalitions dealing with issues such as mining and food relief continued to offer financial support to their members, mainly at the instigation of donors. CONGOMA and NAP, which are supposed to build and coordinate the capacity of their members, offered little support in 2016 because of limited funding.

Training facilities for domestic CSOs are based largely in urban areas or are made available by international CSOs. Donors sometimes offer tailor-made training to domestic CSOs in the framework of specific projects. For example, in 2016 the STEPS program helped twenty-seven CSOs, including the Creative Center for Community Mobilization (CRECCOM) and Federation of Disability Organizations in Malawi (FEDOMA), build their organizational capacity in financial management, human resources, and other areas. STEPS also hosted a two-day CSO conference that brought together more than four hundred participants to discuss topics ranging from advocacy to management. The Segal Family Foundation has set up a social impact incubator that targets small-scale and promising organizations focusing on social entrepreneurship, an area that until now has lacked support. The incubator offers a range of capacity-building opportunities and in 2016 graduated eighteen organizations. Other training opportunities during the year focused on building the capacity of Malawian organizations to partner with international CSOs.

Except for ongoing cooperation in the mining sector, little intersectoral collaboration took place in 2016. NAP and CONGOMA, the logical entities to promote collaboration, lack a coherent vision and sense of purpose in this area.

**PUBLIC IMAGE: 5.1**

The media continued to cover CSOs’ activities in 2016, often in response to statements issued by CSOs or invitations from them to cover their events. CSOs that spoke out against corruption and graft, cronyism, the persecution of people with albinism, and other issues made headlines in both print and online media. The coverage was largely positive but sometimes lacked analysis or follow-up, in part because of the media's perennial search for fresh news. In a formal sense media coverage is free of charge, but informally journalists expect a “token of appreciation” for their coverage.

While service delivery organizations are often viewed more positively than advocacy organizations, the public tends to perceive CSOs as generally opportunistic, divided among themselves, and without a coherent agenda for helping ordinary citizens. This perception was cemented in 2014 when some CSO leaders ran for office and, after losing the election, went back to their organizations. The experience left a bitter feeling of mistrust with many people, which CSOs have yet to overcome. Although a few CSOs took stances on critical issues in 2016, they found it difficult to garner public support.
In 2016 government support for service-providing CSOs remained significant, especially if their activities were seen as complementing the government’s poverty eradication programs. It is not clear how the business community perceived CSOs in 2016, as there was little collaboration between the two sectors.

CSOs did little to improve their public relations in 2016. Financial struggles, a lack of evidence- or issue-based campaigns, and glaring divisions among CSOs on important national issues were among the many reasons for this failure. Many CSOs, especially on the local level, do not have communications staff and instead communicate with the public on an ad hoc basis. Their use of social media is not effective.

In the absence of clear knowledge of the NGO Act and the limited effectiveness of CONGOMA, most CSOs do not self-regulate. Some organizations produce annual reports for their donors but do not make them available to the NGO Board, CONGOMA, or the public. In general, CSOs are not committed to their own accountability, including complying with legally prescribed reporting on resource use.
Mali is one of the poorest countries in the world, with 60 percent of the population living under the poverty line, of which close to three-fourths are in rural areas. Three and a half million people live with food insecurity (19 percent of the population) and the country has exceeded emergency thresholds for acute malnutrition. Mali’s exit from its protracted political crisis continued in 2016. The government and armed groups signed the Peace and Reconciliation Accord in 2015, and have since been trying to implement it. The success of these attempts was varied throughout the year. In addition, provisions were put in place for the management of the demobilization, disarmament and reinsertion (DDR) process and the reintegration of former military deserters.

Despite the signing of the Peace and Reconciliation Accord in Mali, intended as a framework for dialogue and progressive peace building in Mali, the political-security situation did not improve compared to 2015. Instead, in the northern regions of the country, there was a reconfiguration of the area by the creation of new armed groups such as the Congress for Justice in Azawad and the Movement for the Salvation in Azawad. The regions of Mopti and Segou in the center of the country experienced insecurity, including attacks. Overall, the
proliferation of inexpensive weapons that circulate freely has contributed to the general decline of the security situation across Mali. The pre-existing unresolved conflicts in these regions continue to create and increase dissent within and between communities for ethnic, social or socio-political reasons. For example, clashes between Bambara farmers and Peul herders in the Tenenkou area (Mopti region), resulted in the death of 20 and displaced numerous people.

In all of the northern and the two central regions, banditry led to a significant reduction in socioeconomic activities and humanitarian access to populations in need. The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) to maintain peace, as well as the Malian Armed Forces and the French armed forces, were targeted by armed attacks. Resentment, caused by the public’s conflation of armed forces and humanitarian actors, seems to be growing in certain zones. Consequently, there are more armed escorts which hampers movement and generates a perception of disrespect for the humanitarian principles of neutrality and impartiality. This perception greatly detracts from the relevant actions and the credibility of humanitarian actors. However, NGOs generally have good access to the population even though it is reduced in the north and south. International NGOs (INGOs) are able to reach people across the country by subcontracting with national NGOs.

In terms of public governance and access to basic social services, the country is recovering slowly from the crisis. This year in particular saw the Ministry for Solidarity making numerous investments in the rehabilitation of administrative and legal office buildings that were ransacked during the occupation of 2012 to 2013. The crisis was rooted in structural conditions like weakness of state institutions, poor governance, fragile social cohesion, northern communities’ feelings of having been neglected, marginalized and treated unjustly by the central government, a weak civil society, and the effects of environmental degradation accentuated by climate change and economic shocks.

Municipal elections in 647 of 703 municipalities were held in 2016. In the remaining 56 municipalities, in the northern regions and Mopti, elections could not be held because of an absence of state representatives and an inability to guarantee security in these zones.

Overall, the situation for civil society organizations (CSOs) did not fundamentally change. CSOs organized relatively fewer inter-community forums, which are spaces for dialogue and the restoration of community life, due to insecurity and low funding. As in the past, Mali’s approximately 1,300 CSOs are distributed throughout the country and intervene in all of the usual areas, notably health, education, governance, water, and the environment. Many of the activities implemented by NGOs and associations in the northern regions consisted of delivering humanitarian aid, and partnerships with international NGOs.

**LEGAL ENVIRONMENT: 4.3**

The legal environment did not change between 2015 and 2016. There were no new laws for CSOs. The laws regulating associations and NGOs in Mali, notably the 2004 Law 04-038, are sufficiently clear with regards to internal management, authorized activities, and financial management for associations. This law does not impede the registration of CSOs, which is easily done at all levels of the country’s decentralized administration (regions, districts and municipalities). Basic associations are created easily, and can easily obtain receipts from the decentralized administration agencies (prefectures and sub-prefectures) throughout the country. Once a receipt is obtained, associations can freely take part in activities related to their goals.
In order to benefit from some state support and advantages (like tax exemptions and other financial benefits), associations must sign a document between themselves and the state called a framework agreement. To obtain such an agreement with the state, the organization must have operated for three years, and annual reports of activities are to be provided as evidence, along with copies of meeting minutes from management bodies and three certified copies of the financial records. A framework agreement is typically only denied in the absence of proof that a CSO is operational.

When looking for indicators of administrative barriers and state harassment and imposition, it is important to note that the application of Article 234 of the customs code, which concerns goods sent to NGOs, has become more strict. Memo No. 3793 from the General Director of Customs dated September 6, 2016, requires that from this date, the implementation of benefits for NGOs in accordance with the application of the aforementioned article remains subject to the signature of an order from the Minister of Customs following a notification from Ministers directly implicated by the NGOs work. This memo is in addition to the list of documents which NGOs must already provide (a copy of the framework agreement, three copies of activity reports for the last three years, and a copy of the certificate of operationality), which results in tougher conditions for granting exemptions.

It is also important to note that because of insecurity, several CSOs were unable to operate and schools remained closed at the end of 2016 in the north and center of the country. In the central region, the list of NGOs who cannot operate includes German Agro Action, the Institute for Popular Education, the Norwegian Council, and Save the Children of Refugees, among others.

The legal framework does not address the question of donors nor any benefits that a donor can accrue. Donations to CSOs by nationals are very rare in Mali. When they occur, they are not, in practice, subject to state taxation.

NGOs (associations who have signed the framework agreement with the state) are not subject to certain kinds of taxes. However, they do pay property taxes and taxes on wages and salaries, and when services are provided they are subject to Value Added Tax (VAT). NGOs are also taxed on importing vehicles.

The avenues available to NGOs for self-financing (like organizing funding-raising activities, implementing income generating activities, or providing training or support services) are not well understood or utilized by CSOs. The law does not prohibit NGOs from generating income under the same conditions as the private sector. However, as associations are not-for-profit, financial resources generated in the course of generating activities may only be utilized within the objectives of the NGO.

In addition, NGOs can bid for tenders within the framework of free competition, when they are invited to. These tenders are generally made for activities such as awareness, information, education, communication, information for social behavior change, nutrition, malaria and neglected tropical disease prevention, and studies. NGOs are not subject to taxes on contracts in the same way consulting firms and private services are, creating unfair competition.

The legal framework on foundations is being drafted but it does not yet exist. In spite of this, several foundations exist. Humanitarian foundations include the Orange Foundation, the Sharing Foundation, and the Foundation for Childhood. The Aguib Sosso Foundation is a religious foundation, and the Foundation of Mali supports concrete, innovative projects.
There is no specific provision for the protection of CSO officials, and as yet, no specialized lawyers in the field of CSO services in Mali. However, CSOs such as the Civil Society National Council, the Forum of Civil Society Organizations, and the Federation of Malian NGO Coalitions defend CSOs’ rights.

**ORGANIZATIONAL CAPACITY: 4.3**

The capacity of CSOs to form support groups remained low in 2016. This ability was grounded in the activities of two large umbrella organizations, the National Council for Civil Society and the Forum for Civil Society Organizations (FOSC), which were very cooperative in 2015 thanks to personal relationships between their leaders and because of their thematic groups (education, health/population, small and medium enterprises (SME), natural resource management, institutional support and others). However, the weak financial resources of these organizations and a management change at FOSC led to a slowdown in their collaboration in 2016. There remains a discrepancy between Malian CSOs in coordinating efforts for joint action and state lobbying and advocacy in favor of NGOs/CSOs. However, local and regional coordination efforts from these larger organizations exist, and they work together without difficulty.

CSOs have given up the practice of strategic and operational planning because of the difficulties caused by the volatility of financial resources and the lack of financing sources. The great majority, if not the totality of NGOs, have been reduced to sub-contractors carrying out activities within sub-projects, projects and programs of INGOs. The practice of long-term planning, which looks at the needs of a population and proposes solutions for their benefit, was abandoned in favor of drafting responses to requests for proposals from INGOs or local agencies for bilateral cooperation funding. Seeking funds has reduced CSOs from autonomous organizations responding to the needs of their communities to service providers responding to the needs of donors. This hurts their credibility with their communities.

The structures and tools of internal management are defined in most cases, but their use by CSOs remains insufficient. With scarce resources and a need for credibility, CSOs are doing more in terms of internal control and external management audits. To effectively support their submissions to various calls for tender, CSOs must produce reports of their activities and finances, audit reports and furnish proof of their legal existence, their relevant experience and their logistical and organizational capacity.

In most cases, CSOs' management bodies (the management board and the oversight committee) play their role in orienting, validating, and providing feedback and control in accord with their statutes, but it must be recognized that a large number of these bodies are only symbolic. However, the majority of CSOs submit their accounts for annual audits and produce financial reports to be sent to the public authorities (per Law 04-038, the Framework Agreement with the State (ASACE)).

Taking into account all of the above, the principle weakness of CSOs related to internal governance is the lack of function of their governance bodies and their inability to renew themselves with new members.

CSOs use contract personnel to implement programs. Salaried personnel are generally employed on contracts of limited duration. This means that CSOs do not have the ability to maintain their personnel for the duration of projects. Just as in 2015, CSOs continued to lose their qualified personnel to INGOs, which offer better working conditions, leading to very high turnover in staff at national NGOs and a lack of permanent competence within them. CSOs fill gaps with volunteers who are able to perform tasks and execute structural functions. However, by their very nature, volunteers do not offer the same continuity and quality of service as full-time employees do.
Renewing office materials and equipment is becoming increasingly difficult for CSOs. This is explained by their weak capacity for internal financing and the low institutional fees that they are allowed by their INGO partners, who receive the majority of donor funding. However, there has been a small improvement in the equipment certain CSOs have been able to acquire for their websites and social networks (Facebook, Twitter), which have become indispensable tools for reaching the wider world thanks to new information and communication technologies. The National Council of Civil Society (CNSC) and FOSC provide good examples of using these new communications technologies.

**FINANCIAL VIABILITY: 5.5**

CSO financial viability did not change in 2016. Sources of funding remain the same as in 2015, with heavy dependence on external support in the field of humanitarian aid and a tentative turn towards development. Security generally affects all governmental and non-governmental activities in the north and center of the country. This affects the ability of people and goods to circulate, which hinders the work of NGOs and humanitarian actors. A few INGOs closed programs due to security concerns, but overall the financial viability of CSOs stayed constant.

The management and administrative fees for project implementation paid to NGOs are insignificant, and few local NGOs benefit from disposed property at the end of a project. Much of the property left behind at the end of a project benefits the local offices of INGOs rather than the local partner who provided the services under a project. These materials could give national NGOs a good base for visibility and continued operations. Programs where INGOs are responsible for the program and domestic NGOs provide the services, have a limited benefit on local NGOs’ capacities to finance themselves and their ability to maintain staff and equipment.

Local sources of funding are very rare and poorly diversified. National NGOs rarely participate in the implementation of national projects and programs (governmental programs). Village citizens' associations can contribute to activities in their villages (like constructing and outfitting health centers or schools, or drilling wells for potable water).

The overall picture shows the precarious position of national CSOs, because they depend on funding from overseas. This overseas funding is also channeled to INGOs, which remain the primary beneficiaries. For example, funding from Switzerland passes through Swiss NGOs (Helvetas, Suisse Contact Inter Coopération, etc.). The same can be said for countries like Denmark, France, the Netherlands, and Germany, who all prioritize funding NGOs from their own countries. In this environment, national NGOs have more and more difficulty remaining viable, with short-term projects not being renewed coupled with income generating activities being affected by insecurity.

The majority of CSOs do not have a strategy for financial viability, and the practice of establishing financial reserves after allocating the year’s operating expenses is nonexistent. CSOs must therefore accept all offers of partnership to survive. However, CSOs can access public tenders from bilateral and multilateral organizations and from other sources like INGOs, research departments and community-based organizations. These public tenders generally provide paid services for social mobilization, facilitation of capacity-building sessions, support or evaluation. The resources generated by providing these services cannot by themselves ensure the financial viability of beneficiary CSOs. Providing these services necessitates a certain level of advanced expertise, something that not all CSOs have access to, especially newer ones.
Subscription payments, if provided for in their governing documents, are very irregular and the amounts collected are too insignificant to cover a substantial portion of CSO operating expenses.

The majority of national CSOs include financial management systems with their regular administrative, financial and accounting process manuals. They regularly undertake internal audits, but only large NGOs have access to experts for the annual external audits that enhance their credibility.

**ADVOCACY: 3.7**

With respect to advocacy, CSOs had a successful year. Cooperation between the central government and local governments resulted in CSOs having a presence in different bodies, including the Truth, Justice and Reconciliation Commission, and the Central Office for the Fight Against Illicit Gains. In terms of collaborating with the government on various projects, it should be pointed out that today the Malian budget is a citizen’s budget, which is to say that it is shared with the citizens and distributed across the different regions. Additionally, CSOs have participated in an evaluation for Public Financial Management and in the Evaluation Framework.

With regard to advocacy initiatives for the creation of policies, it is important to note the change management strategy for Efficient Management of Public Finances 2017-2021 and the Strategic Framework for Economic Recovery and Sustainable Development (CREDD 2016-2018). Civil society was an active participant in developing these policies through sector groups, validating indicators, and in workshops to integrate sustainability goals.

With their lobbying efforts, in addition to advocacy for the improvement of democratic governance through its participation in the various bodies mentioned above and in formulating policies, Malian civil society, impacted the current constitutional reform process. In particular, the National Council of Civil Society (CNSC) was a key actor in constitutional reform. Civil society made the following notable recommendations: the inclusion of the right to food (food and nutritional security) in the Constitution; explaining all the roles civil society may play (such as citizen control of public action, creating political dialogue and influence on public policies, opposing the party in power, citizens watch, social mediation, demanding accountability, and citizen education); providing spaces for dialogue with civil society in the legal texts governing the senate and allowing this space to be used for questions of national interest; and maintaining civil society representation in support of the Agency for General Elections.

CSOs play a key role in developing Mali’s social, economic, and cultural development plans because they know the priorities of the people. However, in 2016 the municipal elections did not take place until November, which meant that the elected representative could not engage with these plans until 2017.

Advocacy initiatives on inter-Malian dialogue processes for the sharing and diffusion of the Peace and Reconciliation Accord in Mali were relatively tentative compared to 2015. Overall, spaces for free advocacy exist in Mali and CSOs undertake and conduct many initiatives on different issues including good governance, corruption, dialogue, peace and reconciliation, and monitoring public finances. The results of this advocacy did not always live up to expectations due to persistent insecurity and instability combined with government turnover and inconsistent engagement. In addition, there is a need for stronger advocacy skills.

NGOs in Mali are aware of how a favorable legal and regulatory system can improve their effectiveness and sustainability. This is why they are constantly vigilant to detect and prevent legal and regulatory obstacles against their actions. For example, several years ago the government proposed that NGOs pay a percentage of their
The range of services provided by CSOs did not change in 2016. They generally provided services like basic social services (including infrastructure and support for potable water, sanitation and hygiene, education, health, energy, food and nutritional security), support and capacity building services, and support services for income generating activities.

INGOs continue to work with national NGOs. The number of INGOs has certainly fallen, but along with United Nations agencies, they remain the most active organizations in delivering humanitarian aid and undertaking development actions. INGOs who were active in Mali in 2016 included the Norwegian Council of Refugees, Save the Children, Education Development Center, World Vision, Oxfam, German Agro Action, and Action Against Hunger, among others. Their activities enjoy a favorable judgment in terms of their increased ability to operate, technical capacity, and experience in undertaking aid activities, especially since they rely on local organizations selected using rigorous criteria.

Outside of donor-funded projects, NGOs increasingly have more difficulties recovering costs for services in health, potable water, energy and training because beneficiaries have fewer resources. For example, when budgeting to implement activities to benefit a community, local contributions, generally provided in-kind, had been envisaged, but because of the increase in the insecurity of the situation and the absence of community leaders in place to mobilize the public, in the central regions this contribution no longer existed. Insecurity limits the means of contact with the public, which has led to a decline in their appeals. Services are usually issued without prior solicitation of the beneficiary population and sometimes do not meet their expectations. This is also the case for humanitarian aid, where food is distributed without taking into account the food habits of the population (for example, cereals in the north and pasta in the central regions).

As in 2015, CSOs have benefited from having their contributions recognized by the state and the populations they serve. However, this recognition by the public has not been followed by stronger participation or contribution to operating costs for CSOs, who are perceived as donors. There have been no changes in this regard.

As in 2015, intermediary support organizations (ISOs) continued to benefit from funding from technical partner programs and funders, notably the European Union through the Program to Support Civil Society Organizations (PAOS Phase II), which was completed in late 2016. However, demands for support exceeded available funds, only allowing approximately 15 percent of demands to be funded. CSOs benefited from funding through programs from The World Bank, the African Development Bank, and others, for health, education, nutritional and food security, and water. There was real progress in relation to cross-sector collaboration through clusters and periodic meetings of USAID partners and other bilateral and multilateral partners.
With regards to ISO and NGO resource centers, the High Islamic Council and the Sufi Community no longer provide aid to communities. Active ISOs include: the Malian Organization to Save the Children in the Sahel (OMAES), Malian Association for the Survival of the Sahel (AMSS), Malian Association for the Protection and Development of the Environment (AMPRODE SAHEL), Research Firm for Increasing Development Actions (CRAD), and Institute for Popular Education (IEP). The NGOs Alfarouk and Qatar Charity distributed goods directly to people in mosques and communities.

Generally, services offered by ISOs have responded to NGO expectations for information, training, and representation, although some needs, such as access to funding, have not yet been met. Information services and capacity strengthening offered by ISOs have been offered without charge. NGO members of ISOs pay an annual membership fee, which gives them access to the different services at the ISO.

NGOs share information and collaborate. This collaboration is organized around the design and coordinated implementation of projects. Donors require that INGOs develop consortia with national NGOs. This has a dual effect of instigating collaboration and sharing of ideas at one level, and, at another level, it means that the national NGOs do not have direct access to funding.

For example, the CNSC and the CSO Forum share information between themselves on the activities they coordinate, which becomes an interactive platform, a space to share and exchange information, for dialogue, and for partnership between those at the top and their representatives at the bottom.

To strengthen NGOs’ capacities, technical expertise is available throughout the country, especially in the form of on-the-job training. There are no centers for specialized training for development and management of development organizations, nor are there any specific training programs in different areas of development.

**PUBLIC IMAGE: 4.3**

In 2015, the Peace and Reconciliation Accord was signed (in May and June) and NGOs were favorably covered in the media during 2016 through debates, conferences, the organization of inter-community forums, and especially when disseminating information on the Accord with the communities.

Media perception of the role of NGOs has evolved positively. Increasing demands on media by NGOs suggest an increasing enthusiasm. Although there are certain CSOs who have communication officers, the media do not specialize in CSO activity analysis, and are not able to clearly reproduce information from CSOs, which affects the perception the public has of the contribution of CSOs. However, trust and cooperation is growing between NGOs and the media. NGO actions on the ground for the benefit of their populations have been given more visibility. The media proved their effectiveness at raising awareness and relaying messages from CSOs to citizens through newspapers, radio, and television.

The perception of governmental partners has not changed. Governmental partners continue to recognize NGO contributions in providing services and in delivering food assistance to the displaced.

However, when they carry out income generating activities to finance themselves, the private sector generally perceives NGOs as donors and in rare cases as competitors. This is mainly due to the fact that NGOs and private sector actors generally bid on the same tenders, but NGOs are not subject to taxes while the private sector is, which leads to the perception of unfair competition.
CSOs have adopted and applied codes of ethics. National CSOs such as the OMAES, AMPRODE SAHEL, the AMSS, and the Malian Association for the Promotion of the Sahel have codes of behavior and ethics. International NGOs such as Save the Children, Education Development Center, and others also have codes of ethics. Financing agreements between national NGOs and INGOs often include these codes as contractual conditions that require an organization to have and implement them. Subnational NGOs are also required to submit an annual financial and activity report to the Ministry of Regional Administration through its Basic Development Support Unit, a governmental organization that monitors their activities.
**MOZAMBIQUE**

**2016 CSO Sustainability Scores for Mozambique**

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<td>Legal Environment</td>
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<td>Organizational Capacity</td>
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<td>Advocacy</td>
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<td>Infrastructure</td>
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<td>Public Image</td>
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**CSO SUSTAINABILITY: 4.8**

The year 2016 was one of the most difficult periods in Mozambique since peace accords ended fifteen years of civil war in 1992. Political, economic, and social instability escalated to alarming levels. The military conflict between the ruling party, Front for Liberation of Mozambique (FRELIMO), and the opposition movement, Mozambique Resistance Movement (RENAMO), intensified as each side accused the other of harboring death squads. Reported kidnappings and assassinations of local leaders and party members culminated with the October murder of the former state council member Jeremias Pondeca, a RENAMO representative in the peace dialogue hosted by a joint commission of RENAMO and government negotiators. In the same month, the head of the RENAMO parliamentary bench, Ivone Soares, reported an attempt on her life in Quelimane.

The true scale of the debt scandal first reported in 2015 became evident in 2016 as Mozambique became the largest issuer of high-risk debt in the world. Debt reached more than 115 percent of GDP and Mozambique paid $700 million a year in debt service charges, which the finance minister officially declared unsustainable. As a result of research, seminars, and other forms of pressure from Mozambican CSOs and other actors, the government finally agreed to submit to an independent forensic audit, which is expected to be completed in

<table>
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<th>Country Facts</th>
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<td><strong>Capital:</strong> Maputo</td>
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<tr>
<td><strong>Government Type:</strong> Republic</td>
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<td><strong>Population:</strong> 26,573,706</td>
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<td><strong>GDP per capita (PPP): $1,200</strong></td>
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<td><strong>Human Development Index:</strong> 181</td>
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mid-2017. Many people consider the debt to have been illegally acquired and question whether the Mozambique
government should have to assume responsibility for paying it off. As the year came to an end, inflation was at
25 percent and the local currency had fallen 70 percent against the U.S. dollar.

Civil society suffered from the political and military unrest in 2016. The directors of several leading national
organizations were subjected to state-sponsored harassment and death threats because of their work on the debt crisis,
decentralization, and corruption. For example, CSOs came under attack because of their efforts to reveal the existence,
scope, and illegality of the debt and its implications for the country’s development. The pressure on CSOs to back
down was enormous, especially since three companies that had received loans were linked to former president
Armando Guebuza and other leaders of the ruling party. The debate over decentralization focused on the
possibility that RENAMO would achieve its demand to rule in provinces in which it claimed to have won the
last general elections. These provinces hold rich natural and mineral resources, many of which are currently
under the control of the government and leading party members. Mistrust of CSOs for pursuing such issues
filtered down to district and community levels, where dialogue was constricted and some CSOs had to close
their projects.

No up-to-date statistics about the number of CSOs in Mozambique exist. Estimates put the number at ten
thousand formal and informal organizations.

**LEGAL ENVIRONMENT: 5.0**

Although there were no changes in the law governing CSOs in 2016, escalating conflict and state-sponsored harassment
contributed to a more difficult legal environment.

All CSOs register as associations under the Law on
Associations (Law 8/91). CSOs can acquire legal status at
the national level from the Ministry of Justice, at the
provincial level from provincial governors, and at the
district level from district administrators. While the
registration process does not constitute a serious barrier to CSO operations, the requirement that organizations
seeking to register publish their constitutions in the Boletim de Republica remains an expensive and time-
consuming element. CSOs may operate legally without completing this process, but some institutions such as
banks and donors demand publication in the bulletin as proof of registration. Organizations that focus on
sensitive topics may face delays in registration. For example, the Mozambican Association for the Defense of
Sexual Minorities (LAMBDA) has been waiting for nine years for its registration to be approved and has never
received a justification for the delay. Interestingly, LAMBDA continues to be invited to participate in
workshops and meetings on health-related topics hosted by the government. The law allows the state to dissolve
a CSO if its number of members falls below a certain threshold, but this provision has never been applied.

There were several important impediments to CSO operations in 2016. The political and security situation had
a direct impact on CSOs working in areas of conflict. For example, two CSOs monitoring the use of natural
and mineral resources, Agency for Local Development (ADEL) in Sofala and Community Radio Catandica in
Manica, were forced to abandon their activities because of the armed conflict. In addition, several incidents of
severe harassment of CSOs occurred in both the capital and at the local level. Civil society political analyst and
TV commentator Jose Macuane was kidnapped and wounded on May 23, 2016, following a television
appearance in which he questioned the government’s transparency and asserted that CSOs have a constitutional
right to march on the streets. The attack was presumed to be state sponsored because of its timing and warnings made by his attackers to vocal CSOs and academics at the time of the kidnapping. At the end of the year the leaders of the Center for Public Integrity (CIP), Institute for Social and Economic Studies (IESE), MASC Foundation, Observatory for Rural Development (OMR), Human Rights League (LDH), and other organizations working on decentralization, debt, and corruption were subject to serious harassment, ranging from death threats to emails and telephone calls from anonymous and government sources “advising” them not to release certain materials. At the local level, staff members of several community radio stations experienced government harassment because of their governance-related work. The most violent attack was against the director of Radio Catendica, whose house was invaded, forcing him and his family to flee and settle in another district. Other staff members at Radio Catendica abandoned their posts out of fear of similar reprisals.

In general, CSOs do not receive tax exemptions or deductions on income from grants. To receive tax exemptions a CSO must be approved as a public utility institution. It is estimated that fewer than 5 percent of organizations manage to obtain this status because of the cumbersome approval process and CSOs’ lack of awareness that the possibility exists.

Law 8/91 allows CSOs to earn income from the provision of goods and services. However, very few organizations do so, both because they are unaware of this right and because they assume that CSOs should not be profitable entities. CSOs may bid on government contracts and procurements, but again, few organizations do so. Organizations that manage to submit bids are seldom successful because they lack the technical capacity to draw up and implement a solid proposal, there is high level of mistrust between CSOs and the government, and the procurement process is not open and transparent.

Larger, well-established CSOs have access to qualified lawyers and sufficient funding to hire them when needed. At the district and community levels there are fewer lawyers, and they are sometimes unwilling to take on difficult cases.

**ORGANIZATIONAL CAPACITY: 5.3**

CSOs’ capacity to build local constituencies was hampered in 2016 by the country’s escalating political and military conflict. Their work with constituencies was especially difficult in troubled districts in Sofala and Manica provinces, where the military conflict forced families to flee from their homes. The conflict created an environment of distrust between the government and civil society groups, and citizens were sometimes reluctant to participate in meetings and debates on governance-related issues for fear of being seen as troublemakers or members of the opposition.

Fewer CSOs had fully funded strategic plans in 2016. Many leading CSOs that had previously relied on a single source of income to realize their plans found donors less willing to fund them and more interested in providing project-based funding. Some CSOs, such as the Forum for Community Radios (FORCOM) and Associação ESTAMOS, sought to diversify their funding sources so that they could continue to implement elements of their plans.

CSO boards are largely inoperative, and the majority function with a limited number of members because members must hold multiple jobs and have very little free time to meet their board obligations. Financial councils that serve as internal auditors normally convene only at the time of the general assembly and are offered little support to carry out their monitoring work.
The majority of CSOs continued to experience great difficulties in hiring qualified staff in 2016, mainly because the preponderance of short-term funding left them unable to offer long-term contracts. Information technology was one of the few areas in which CSOs, including smaller organizations, were able to recruit competent support, since a growing number of young people entering the labor force are sufficiently competent in this area.

The offices of Mozambican CSOs are generally well equipped. Donors usually allow CSOs to purchase new rather than second-hand equipment, including computers and software. Although the quality and quantity of such equipment decreases at the district and community levels, the number of employees with cellphones, including smart phones, continued to grow rapidly in 2016. It is sometimes difficult to access the Internet in more remote areas.

**FINANCIAL VIABILITY: 5.1**

Continuing a recent trend, funding for CSOs declined in 2016, largely because many donors no longer consider Mozambique a priority country since large mineral resources were discovered. Funding was particularly tight at the provincial and district levels, especially in the Center and North. Donors have reduced their own staffs, thereby limiting their ability to fund and monitor the work of CSOs. The majority of donors now offer short-term funding for periods of twelve to twenty months. This trend has forced many smaller CSOs to suspend their operations, and even organizations that continue to operate now have fewer fulltime staff.

Nevertheless, Mozambican CSOs continued to rely largely on multilateral and bilateral donors in 2016. Major donors included USAID, United Kingdom’s Department for International Development (DFID), Irish Aid, Norwegian Agency for Development Cooperation (NORAD), Swiss Agency for Development and Cooperation (SDC), Swedish International Development Cooperation Agency (SIDA), Dutch Embassy, European Union (EU), and Global Fund to Fight AIDS, Tuberculosis, and Malaria.

As the economy worsened in 2016, local people were largely unable to contribute to CSOs’ work by donating financial or in-kind support. They were also reluctant to contribute to CSOs because, in the tense political environment, they feared that if they did so they would be seen as belonging to the opposition. Government and private-sector contracts and funding for CSOs continued to be very limited. CSOs at the district level may apply for support from the government’s local district fund, but obtaining this funding is seen as a highly politicized process, and most CSOs that manage to do so have strong links to local leaders and the ruling party.

Few CSOs outside of well-established organizations in Maputo and the provincial capitals have multiple funding sources. Given that the majority of donors do not provide long-term support or finance income-generating activities, CSOs have little financial viability over the medium to long term. When their funding ends, they usually need to hold off on activities until they manage to obtain a new grant.

CSOs are not fully aware of their right to carry out income-generating activities. Those that are aware of this right usually lack the capital to begin such activities, as this is not an area that donors support. The small income-generating activities that do exist are normally linked to micro-group saving schemes, such as those run by AJOCMA in Magude district. Members’ dues provide little income because the fees are low and many members are unable to pay them. In addition, the interactions between CSOs and their members can be weak, prompting members to question the benefit of paying membership fees.
In 2016, donors began to demand higher levels of transparency after problems with the mismanagement of funds emerged in leading organizations in Maputo, such as the Electoral Observatory. Because of donors’ more stringent requirements, larger, well-established organizations that had good financial track records, such as IESE and Women and Law in Southern Africa Research and Education Trust (WLSA), sought to further strengthen their financial systems with the support of outside consultants and funding from a few donors willing to offer institutional support. The majority of CSOs in provincial capitals have functioning financial management systems and procedures, but at the district and community levels financial management is much weaker, particularly because of the lack of qualified staff. Internationally recognized audit companies are expensive, especially if they are required to travel outside of Maputo to offer services. Therefore CSOs can conduct independent audits only if donors pay for them, which is rarely the case.

**ADVOCACY: 4.3**

CSO advocacy deteriorated in 2016, as the transition from monitoring to advocacy proved to be one step too far for many Mozambican CSOs. Although projects involving the monitoring of the government’s activities have steadily increased in number in recent years, CSOs’ performance in 2016 demonstrated that the majority of organizations have neither the technical capacity nor the inclination to engage in active advocacy, especially on the most politically sensitive issues, such as decentralization, debt, and corruption. In addition to fearing confrontation with the government, CSOs lack understanding about how government and state assemblies function at different levels, how and when to advocate, and how to lobby outside of formal mechanisms to achieve their goals.

Even in districts with a lower level of conflict, a closing of space for dialogue was evident in 2016 as organizations working on important issues of debt, corruption, and decentralization were harassed and threatened. In areas directly affected by conflict, such as Manica and Sofala provinces, high levels of fear and distrust were generated by both the ruling party and the opposition, and advocacy work was nearly impossible.

In 2016, CSOs worked more closely with political parties than in previous years, particularly by proposing paths around the key obstacles in the peace process. For example, an informal consortium of CSOs composed of CIP, IESE, and OMR made a proposal for decentralization and element of it were incorporated into the peace negotiations. Much of CSOs’ work in this area was low key and out of the public eye.

CSOs and the government also collaborated on several policy initiatives in 2016. The Forum for Budget Monitoring, which is made up of N’weti, CIP, Civil Society Forum for Child Rights (ROSC), Mozambican Debt Group (GMD), Center for Civil Society Learning and Capacity Building (CESC), and Foundation for Community Development (FDC), worked with the Planning and Budget Parliamentary Commission to analyze the state budget, public finance management, and the debt crisis.

A new program in governance, Civic Partnership for Good Governance (PCBG), was launched in 2016 by Counterpart International with funding from USAID. PCBG partners with local CSOs to improve democratic governance by strengthening the impact of civic activism. The program supports policy dialogues between citizens and the government on topics such as basic education, health, biodiversity conservation, climate change, and the extractive industry. In the dialogues CSOs serve as facilitators, mediators, protectors, and advocates for citizens’ interests. The main implementation of projects under this program will take place in 2017. In a separate activity, CSOs sometimes played the role of social mediators, using cultural and sporting activities to encourage trust between the public and the government prior to introducing debates on governance-related issues.
At the local level, CSOs working under the Citizens Engagement Program (CEP) in Nampula, Zambézia, Mancia, and Gaza provinces helped improve relationships between schools and citizens, reduce teacher absenteeism, and improve protective enclosures around schools. CEP also sought to improve relationships between health units and the public and increased the availability of medications. Participating organizations included the National Association for Self-Sustainable Development (ANDA), Mocuba District Development Support Organization (NANA), Institute for Citizenship and Sustainable Development (FACILIDADE), Association for Support and Solidarity to Vulnerable Children (WATANA), and Association for Elderly Support (VUKOXA).

CSOs produced several policy position papers in 2016. For example, a consortium consisting of N’weti, Forum for Budget Monitoring, and Platform of CSOs for Health and Human Rights (PLASOC) produced a policy brief entitled “For an Efficient, Decentralized, Transparent, and Inclusive Health System.” The Center for Research on Health and Population (CEPSA) produced the policy brief entitled “Where You Live and Who You Are Affects Your Health.”

CSOs are aware that a more favorable legal environment could help their work, but their efforts in this area have been limited. There has been little or no follow-up to a proposal submitted to parliament years ago to revise the CSO law, despite efforts by the CSO network Joint to revive the issue.

**SERVICE PROVISION: 4.0**

Service provision by CSOs did not change significantly in 2016. Depending on available funding, CSOs offer a range of services in education, health, water and sanitation, land and agriculture, and the environment. In 2016, service provision in education and health in conflict areas, such as Honde in the administrative post of Catandica in Báruè district, was curtailed or suspended as teachers and nurses fled from their local health centers and schools.

CSOs use community scorecards and social audits to ensure that they address the needs and priorities of the communities in which they work. In 2016, CSO platforms in Ancuabe district in Cado Delgado and Ngauma district in Niassa achieved significant results with these tools, including the construction of a house for expectant mothers living in rural areas and improvements in the quality of health services and access to medicine. Provincial and district political and economic analysis carried out by a consortium of the Cultural Association for Sustainable Development (ACUDES) and CSO district platforms in Jangamo, Morrumbene, and Homoine districts helped ensure that CSOs’ interventions addressed community needs. However, since CSOs usually respond to calls for proposals with a “catch-all” approach, they often engage in projects that reflect the priorities of donors but not necessarily those of local communities.

CSOs rarely cover the costs of their goods and services through fees, mainly because they lack knowledge about the legal parameters, business management, and potential markets for their products.

The government recognizes that the support provided by CSOs in areas such as health, education, water, and sanitation is often a “win-win” situation for both sides. FORCOM, for example, promoted community debates on the elimination of premature marriage with the support of local governments and municipalities, including in Mocimboa Da Praia district in Cabo Delgado. Associacao Progresso continued its work in Niassa in 2016 by training teachers in bilingual education and developing textbooks and teaching manuals in five local languages, thus allowing students to study in their mother tonges as part of Mozambique’s national primary bilingual educational program.
INFRASTRUCTURE: 5.0

The infrastructure supporting CSOs in Mozambique did not change in 2016. There continued to be no dedicated resource centers serving CSOs. Up to sixty forums organized by theme and location offer limited support to CSOs in information technology, training, and other forms of technical assistance, with varying degrees of impact.

Several local foundations manage donor funds that are directed at local CSOs. The Foundation for Community Development (FDC), for example, handles a $22 million global fund for work on HIV/AIDS and tuberculosis, which will run from April 2015 to December 2017. MASC Foundation offers grants to CSOs focused on governance that total about $1 million each year, with funding from DFID, SDC, Irish Aid, and Danish International Development Agency (DANIDA).

The CSO network Joint continued to promote information exchange among its members in 2016 but relied on provincial forums to fulfill its nationwide mandate. The provincial forums operated with varying degrees of success. One of the key challenges is that they are rarely able to reach down to the local level to represent the majority of CBOs. Even in Maputo the network does not enjoy the participation of many well-established organizations.

Youth United in Work for Opportunities and Success (JUNTOS), a 2014 initiative of the Aga Khan Foundation and La Caixa Foundation, became fully operational in 2016. JUNTOS gives CSOs access to training so they can create and deliver their own courses, thereby cascading their skills and knowledge to other organizations. JUNTOS is building the capacity of twenty CSOs, universities, and foundations working on health, education, women’s and children’s rights, and advocacy. The network is expected to reach hundreds of CSOs in the coming years. In addition, training on the use of community scorecards, citizens’ report cards, social audits, and the monitoring of natural and mineral resources is available to CSOs through CESC, Justiça Ambiental (JA), Campanha Terra Viva (CVT), Associação Estamos, N’weti, and other organizations. In 2016, CSOs throughout the country pointed to the absence of training and capacity building in project design in a call for proposals from the EU.

CSOs and the government cooperated on several initiatives in 2016. The Network of CSOs in Mozambique Working on Health and HIV/AIDS (NAIMA) and the government organized discussions with volunteer community health workers of the National Strategy 2016-2020. The Ministry of Health and the Mozambique Coordination Mechanism for the Global Fund (MCP) worked together with other CSOs to discuss priority areas in the fight against HIV/AIDS, malaria, and tuberculosis. The government is less willing to enter into partnerships with organizations working on issues such as corruption, because it often views CSOs as agitating the population. The private sector is reaching out to civil society as a valid partner in, for example, legislative work and the search for common funding opportunities.

PUBLIC IMAGE: 4.6

Media coverage of CSOs in 2016 was generally positive. CSOs were provided with a wide assortment of opportunities in newspapers and on television and radio to present the results of their research and participate in debates on corruption, gender, decentralization, good governance, the debt issue, and other topics. The relative sensitivity of the topic often determines the coverage CSOs receive. For example, the debt crisis and corruption are front-page news in all independent newspapers and television networks, but in the government-
owned paper Noticias and the national television channel TDM these topics are much less visibly addressed or are ignored altogether.

The public continues to have a largely negative opinion of CSOs’ work. Many people do not make the connection between the advocacy work they hear about in the media and the work of CSOs. They have little to no understanding of what CSOs do or how they function and see them as small, privately led initiatives that benefit organizations’ leaders rather than the public at large. Citizens outside of the capital cities also have limited access to the independent newspapers and television stations that cover CSOs’ work. Thanks to its work during emergencies, the only CSO with widespread visibility is the Mozambican Red Cross. At the district and grassroots level, the work of smaller organizations is sometimes known because of their ability to mobilize citizens through public-awareness activities. However, public support for CSOs is generally weak, as was seen in the low turnouts for public marches focused on the debt issue in 2016.

The private sector is slowly recognizing civil society as a valid partner in, for example, lobbying and the search for common funding opportunities. The government sees CSOs as valid actors if they are working on a common cause, such as mobilizing communities to participate in health and sanitation efforts. The government’s views of organizations working on issues such as corruption are less positive, since they often see CSOs as agitating the population. Despite the negative views of the government and the public, CSOs do little to alter perceptions through awareness building or fundraising activities. Even larger, well-established CSOs rarely have plans to boost their communications and visibility.

A code of conduct for CSOs was drafted in 2016 by a group of CSOs, including CESC and Joint, and is being disseminated through CSO platforms nationwide. The bar of accountants and auditors is developing a transparency index focused on CSOs, which is expected to be launched in 2017. The aim of the index is to give potential donors a measure of levels of democracy, transparency, and capacity within organizations. Participating CSOs will receive a bronze, silver, or gold certificate, depending on the results of institutional assessments.
2016 CSO Sustainability Scores for Mozambique

Mozambique
4.8

CSO Sustainability

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<th>Sustainability</th>
<th>Enhanced</th>
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Sectors:
- Legal Environment
- Public Image
- Infrastructure
- Service Provision
- Advocacy
- Organizational Capacity
- Financial Viability
Namibia is a multi-party democracy with a population of about 2.4 million people. Although the country has made progress in reducing poverty in the last five years, it retains one of the most unequal distributions of income in the world. High levels of poverty are particularly prevalent in rural areas, where about one million people live mainly from subsistence agriculture and the raising of livestock. In 2016 Namibia was in a recession and had a growth rate of 1.5 percent, compared to 7.1 percent in 2015. The economic difficulties exerted a disproportionate pressure on the poor.

Although the constitution and the rule of law are widely respected, Namibia’s political culture has grown increasingly authoritarian in recent years. The overwhelming strength of the governing party, the South West Africa People's Organization (SWAPO), has weakened parliamentary control and rendered the opposition splintered and ineffective. Trade unions, churches, CSOs, and other actors are unable to block actions by the SWAPO majority, which obtained 80 percent of votes in the 2014 national elections. Moreover, although the president and governing party express support for democratic institutions, this stance is belied by the actions of some members of the political elite. For example, SWAPO representatives rarely bother to participate in the many public debates that take place on various issues. Nevertheless, public support for multi-party democracy
continues to grow, and according to the Afrobarometer survey of 2014, about half of the population respects the constitution and endorses core democratic values such as participation, competition, and basic rights.

The strength of the governing party and weakness of opposition parties makes the work of Namibian CSOs critical to building social trust. However, in 2016 CSOs continued to face a number of challenges. Their infrastructure weakened as one of the main umbrella groups and the only resource center supporting CSOs wound down operations because of a cessation of funding. Other hurdles included an ongoing dearth of basic management skills and a lack of ties with indigenous constituencies. On the positive side, a major new donor-funded program was launched to strengthen civil society, and several new corporate social investment programs funded projects in sports, the arts, and the environment.

The most recent survey by the Namibia Institute for Democracy (NID) in 2015 reported that 568 CSOs exist in Namibia. Of these, only about 10 percent are strong, established organizations, while the rest are informally constituted CSOs lacking defined organizational structures. Of the total number of CSOs surveyed, nearly half work in health and HIV/AIDS and others engage mainly in natural resource management, training and education, rural and urban development, and gender issues. About 10 percent of CSOs focus on economic and social justice or democracy, governance, and human rights. In 2016 a total of 106 CSOs were registered as welfare organizations.

**LEGAL ENVIRONMENT: 3.4**

The 2016 legal environment was marked by a continuing lack of progress in formulating a national CSO policy. Although the Namibian constitution guarantees space for civil society, there is no law specifically regulating CSOs. They may be legally constituted as voluntary associations, trusts, or incorporated associations not for gain. The vast majority of CSOs are voluntary associations, which are membership based and exist under common law with very few regulatory requirements. Since no single body is responsible for registering voluntary associations, they may seek registration with an agency related to their area of activity.

Trusts are voluntary establishments founded under the Trust Moneys Protection Act of 1934 to protect assets and advance specific goals under the guidance of a board of trustees. Incorporated associations not for gain register under the Companies Act of 1973 and are regarded as public companies. Under the National Welfare Act of 1965, voluntary organizations, trusts, and incorporated associations not for gain that engage in “public welfare” activities, such as running an orphanage or providing services to the poor, who intend to request donations from national, regional, or local governments or the public may also register as welfare organizations with the Ministry of Health and Social Services. Larger, more established CSOs typically register as trusts or incorporated associations not for gain, while the vast majority of CSOs register as voluntary associations since they cannot afford the costs associated with registering under other legislation. CSOs may also constitute themselves informally, although this can make fundraising difficult due to the absence of legally prescribed financial controls and reporting requirements.

In 2016 no further efforts were made to finalize the Civic Organizations Partnership Policy promulgated by the government in 2005. The policy recognizes the need for collective responses to development challenges and aims to create a clear policy framework for the establishment of CSOs and government-CSO cooperation. Although agreeing in principle with the policy’s objectives, Namibian CSOs have refused to support the policy,
mainly because they were not consulted when it was drafted. They have also rejected a proposed but as yet undrafted Registration Bill, which would provide for the formal registration of CSOs with the National Planning Commission. No consultations on the policy or the bill were conducted in 2016, and both sides seem to have dropped the issue.

The government respects constitutional provisions protecting CSOs, and no incident of harassment was reported in 2016. The government has yet to implement provisions of the Research, Science, and Technology Act of 2004 requiring organizations or individuals to apply to a government-appointed commission for permission to proceed with any planned research. CSOs such as the umbrella body Namibian NGO Forum Trust (NANGOF), Institute for Public Policy Research (IPPR), and the Legal Assistance Center (LAC) have expressed concern that the act’s provisions contradict the constitution by stifling freedom of expression and independent research. In 2016 LAC was preparing to challenge the act in court.

CSOs do not receive tax exemptions of any kind. Individual and corporate donors receive tax deductions only on donations made to CSOs registered as welfare organizations.

There are no legal limitations on the ability of CSOs to obtain funding from foreign sources. CSOs are legally able to earn income by providing goods and services and through government contracts. However, aside from the funding available to welfare organizations, government funding for CSOs is difficult to obtain, and most government contracts go to private companies.

Legal advice from private practitioners is available to CSOs in the capital and rural areas, but it can be costly. Only LAC provides legal assistance to CSOs on a pro bono basis. However, in 2016 the center was unable to serve CSOs outside of the capital, Windhoek, because of limited funding.

**ORGANIZATIONAL CAPACITY: 4.0**

The organizational capacity of CSOs remained unchanged in 2016. Although the European Union (EU) launched a new initiative to provide training in organizational management to voluntary associations, it was too early to measure any concrete results from the project.

As in previous years, urban-based CSOs often failed to engage deeply with indigenous constituencies in 2016, and in general they lack grassroots support. The most vibrant interactions with constituencies tend to take place on an informal level, such as through neighborhood self-help groups and spontaneous, ad hoc political protests by young people. Frequently there is little involvement of constituencies in CSOs’ advocacy activities. For example, in 2016 the NID conducted public hearings throughout the country on the draft National Anti-Corruption Strategy (NACS), but the hearings were poorly attended since many community members were skeptical about their relevance and potential impact. On the other hand, the involvement with beneficiaries of service-providing CSOs can be substantial. For example, Namibia has one of the lowest population densities in the world, and PharmAccess Foundation Namibia operates mobile clinics that deliver comprehensive primary health services to isolated rural communities.

The absence of organizational management structures, policies, and procedures continued to compromise CSO capacity in 2016. CSO staff members typically see themselves as development workers rather than as organizational managers and hence misunderstand the role of management in their CSOs. Although CSOs are generally adept at implementing their mandates through their projects, they struggle with donors’ increasingly stringent expectations for CSOs to employ basic planning, management, and accounting functions. For example, to raise funds CSOs are typically required to submit extensive project proposals, including risk analyses, results log frames, monitoring and evaluation plans, various certifications and statements, and detailed
budgets. Typically, only larger and more established CSOs, which must meet explicit fiduciary responsibilities as trusts or incorporated associations not for gain, are able to comply with these donor requirements.

The role of CSO governing boards is often misunderstood, and CSO board members may have insufficient knowledge of their fiduciary duties. Board members at times interfere in the day-to-day management of CSOs or are absent and serve in name only. Although the NID conducted training programs for CSO boards throughout the country in 2016, some CSOs acknowledge persistent tension between their boards and staff management teams. These tensions can be made worse by open elections for members, which are common in voluntary associations and often fail to produce boards with needed skills or understanding of organizational mandates.

Namibian CSOs are often unable to attract or retain qualified staff. Experts with superior qualifications are relatively rare in the country and are frequently recruited by the public and private sectors, which can offer higher salaries than CSOs. The sustainability of some CSOs is undermined by the concentration of leadership responsibilities in a single individual, whose departure can undermine the continued existence of the organization. In addition, funding shortages sometimes result in the suspension of CSO activities. Young people are not keen to join CSOs because of the need for a high level of commitment coupled with low remuneration. Local volunteerism is not widespread overall, as most people expect to be paid. Most CSOs that employ volunteers seek to recruit them from abroad but often have difficulty organizing the necessary permits from the Ministry of Home Affairs. Training for personnel is rare because of the lack of trainers and the inability of thinly staffed organizations to allow employees to be absent for any length of time. Moreover, training with no follow-up (as is often the case in Namibia) and only offering training to a single staff member from an organization, who is not the key leader, has limited impact and many times cannot bring about change in an organization.

CSOs typically do not have well-equipped offices, since they find it difficult to raise the needed funds. Many CSO staff use private cellphones and other personal equipment for their work. Namibia’s Internet infrastructure is well developed and generally accessible to CSOs.

**FINANCIAL VIABILITY: 5.4**

Overall, the financial viability of CSOs in Namibia was unchanged in 2016. CSOs continued to rely on external donors, but the World Bank’s re-classification of Namibia as an upper-middle income country in 2009 has led to a decrease in donor support. Some long-term donors to CSOs have withdrawn or significantly reduced their support or have shifted from core support to short-term project funding. This development has forced many CSOs to pursue multiple short-term projects, resulting in fluctuations in income, uncertainty about medium- to long-term resource levels, fragmentation of programs, and institutional management and accountability problems.

The largest proportion of donor support in 2016 was directed toward the health sector. For example, the United States President’s Emergency Plan for AIDS Relief (PEPFAR) contributed $21 million for HIV/AIDS-related projects. During the year, Finland, Spain, Germany, the United Kingdom, and France supported a wide range of activities in fields ranging from livelihoods and education to gender, human rights, and climate change. The EU continued to provide support to NANGOF for strengthening the capacity of the CSO sector, but this funding came to an end at the close of the year.

Funding from domestic sources is limited. Contributions from members are almost non-existent, since members usually lack the means to pay. Local support in the form of philanthropy and in-kind support from
communities and constituencies was virtually non-existent in 2016. CSOs registered as welfare organizations may receive small government grants for service delivery. In 2016, 44 percent of welfare organizations, slightly more than in 2015, received government grants valued up to about NAD $100,000 (approximately $7,500 USD). Government contracts for CSOs outside of the health and social services sector are rare.

Corporate social responsibility (CSR) programs grew in 2016, mostly for projects in sports, the arts, and, increasingly, environmental issues. For example, the local camping retailer Cymot provided funds to the Namib Desert Environmental Education Trust (NADEET) for its environmental educational campaigns; the investment company Trustco Holdings provided educational materials to primary schools; and the foundation of the trading group Pupkewitz Holdings supported environmental and educational initiatives valued at about NAD $1.5 million (approximately $115,000). During the launch of the newly established Namibian Chamber of Environment, the mining company B2Gold Namibia donated NAD $1 million (about $75,000) to the chamber, noting that the mining company would not have any influence in the disbursement of funds. Other corporate entities provided study bursaries in 2016. While corporate entities are at times pressured by the government to provide funding for programs that the government deems important, CSR funds are mostly administrated in-house by private-sector firms to ensure that they are used efficiently.

CSOs registered as trusts or incorporated associations not for gain usually have solid financial management practices, since the law requires audits and other established financial procedures. CSOs constituted as voluntary associations often do not have well-developed financial management systems and rarely conduct audits because of their high cost.

**ADVOCACY: 4.1**

CSO advocacy continued to be largely ineffectual in 2016. Namibia’s political culture is not strongly oriented toward participation, and in 2016 CSOs’ advocacy efforts continued to be constrained by their inability to build strong coalitions. In addition, some CSO leaders were unwilling to be seen as openly critical of government, especially if, as is sometimes the case, they view CSO work as a steppingstone to employment in the public sector. Finally, CSOs often lack access to information and do not effectively use research data when it is available.

Communication between CSOs and policy makers remained unchanged in 2016. Most collaboration on policy between ministries and CSOs tends to be informal and ad hoc. Although CSOs work hard to maintain cordial relationships with government ministries, they are sometimes consulted too early or too late in the policy process to have an effect. CSOs also often find it difficult to present a coherent position because they are unable to collaborate effectively. An important joint effort between parliament and CSOs in 2016 continued to be the Taking Parliament to the People and Imparting Parliamentary Knowledge outreach program, which began in 2014 and continued throughout the year.

In 2016, the most notable CSO advocacy efforts were social movement activities. For example, the Affirmative Repositioning (AR) movement, which grew out of the SWAPO Youth League, mobilized ad hoc protests demanding urban lots at prices affordable to low-income residents. The group occupied plots in a well-to-do Windhoek neighborhood and then used social media to encourage youth to apply to municipalities for erven, or small residential land titles. When thousands of youths submitted their applications on the same day, their activity took on the character of a countrywide movement. President Hage Geingob avoided an open confrontation by meeting with the movement’s leaders, who were subsequently expelled from SWAPO but won a court order reinstating them late in 2016. In July the AR movement organized a march protesting an
A group of CSOs continued to collaborate under the umbrella ACTION to advocate for access to information legislation. Although Namibia’s constitution guarantees freedom of expression, it does not expressly provide for the right to information and there is no access to information law. Moreover, Namibia’s legal environment tends to promote secrecy, especially since apartheid-era legislation such as the Protection of Information Act 1982 is still in effect. Since 2012 ACTION has consistently engaged the government and its development partners on the issue of access to information. In June 2016 the Ministry of Information and Communication Technology circulated for comment a draft document on access to information and a draft revised National Information Policy. In a media statement ACTION commended the ministry for “…earnestly initiating the process of drafting both an access to information law and updating the information policy for Namibia” and stated that it looked forward to further consultations. ACTION also publicly welcomed the Whistleblower Protection Bill passed by the National Assembly in 2016 and voiced hope that effective whistleblower protection measures would be included in the bill, which is due to be tabled by parliament in 2017.

One of the most active advocacy CSOs is LAC, which for many years has been an important voice for the underprivileged. However, in 2016, because of its worsening financial situation, LAC grew more dependent on projects conducted in cooperation with the government, such as drafting summaries and simplified versions of bills and policies in preparation for outreach programs and public hearings. Such projects point to LAC’s new dual role as a service provider “doing the work of the state” while pursuing its traditional advocacy and watchdog function, such as representing the Hai//om community in its fight for traditional rights in the Etosha National Park. LAC’s example underscores the balancing act that CSOs in Namibia must now perform to maintain the independence of their work while ensuring their financial survival by taking in nearly any project that brings in funds.

Since the NANGOF secretariat was largely dormant in 2016, the CSO sector made no effort to address the Civic Organizations Partnership Policy and proposed Registration Bill.

**SERVICE PROVISION: 4.0**

Most service-providing CSOs in Namibia, or nearly half of all CSOs, are active in health care. Thanks to the PEPFAR program, a large number of CSOs provide services related to HIV/AIDS, with encouraging results. Service provision by CSOs is also strong in community-based natural resource management. For example, in 2016 the Namibia Nature Foundation focused on desertification, pollution, waste management, and the democratization of environmental management. The Desert Research Foundation of Namibia continued its work on protecting arid ecosystems, while the innovative twenty-old-year community-based program of the Integrated Rural Development and Nature Conservation in the Kunene Region gained prominence as an internationally respected approach to wise resource management. Service delivery to lesbian, gay, bisexual, transgender, and intersex (LGBTI) groups was difficult in 2016, since they experienced widespread social exclusion. Although for many years there was a strong LGBTI movement in Namibia, the organizations leading the movement have folded or shifted their focus and a gap has developed in advocacy for services to this community.

There is a widespread belief among service-providing CSOs in Namibia that CSO-government partnerships are the most effective method of service delivery. CSOs often feel that ministries are too removed from grassroots communities and that CSOs are able to work with less bureaucracy and more cost efficiency. However, international development funds passing through government ministries and CSOs are increasingly tied to
highly sophisticated project frameworks, which define outcomes in advance of project agreements. This approach often precludes direct consultation with target beneficiaries about programming goals and impact.

Several CSOs provide analysis and services to the larger public. IPPR conducts research on key political problems, such as economic and financial policy; contributes to the Afrobarometer, a vital tool of public opinion research in Namibia; and distributes a lively roster of publications, some of which are sold to the public to recover costs. IPPR takes advantage of its presence in the national media to comment regularly on political issues. The Labor Resource and Research Institute (LaRRI) combines a clear commitment to its labor constituency with publicly available research on industrial relations and social policy. LaRRI has close connections with trade unions and participates in the Alliance for a Basic Income Grant (BIG Alliance), which seeks to ensure a basic income for all Namibians. The institute also offers education to wage workers.

As beneficiaries are usually unable to pay for services, donors cover the costs of most services. Cost recovery is particularly difficult for rural CSOs, as the notion that CSOs would charge fees for their services is not widely accepted and the selling of products or printed materials typically does not generate substantial funding.

The Namibian government has traditionally recognized service provision by CSOs, mainly in the health and social services sector. Cooperation between the government and CSOs takes various forms. In 2016, for example, as part of a project to strengthen the leadership and systems of the Ministry of Health and Social Services, Synergos equipped antenatal care clinics in re-purposed shipping containers in state- and CSO-managed facilities and helped decentralize antenatal services from two hospitals to a number of smaller clinics. The environmental sector is also marked by strong collaboration between the government and CSOs. CSOs also work with many private-sector and community organizations. The Namibian Chamber of Environment was formed in 2016 to coordinate environmental-sector partnerships between CSOs, the government, and other stakeholders. However, elected leaders are reluctant at times to incorporate or even acknowledge the role of CSOs in service delivery, because they want to be perceived as bringing benefits to their communities and constituencies themselves.

**INFRASTRUCTURE: 4.6**

The infrastructure supporting CSO in Namibia weakened in 2016. The only resource center for CSOs was a relatively new entity, the Civil Society Foundation of Namibia, which was established in 2013 with funding from EU to support grassroots organizations working on poverty reduction, health, and education. The center offered training, technical assistance, and small grants, but its operations wound down at the end of 2016 with the exhaustion of its initial tranche of funding from the EU.

The NID offered a series of trainings on CSO management over the course of the year. A major new three-year program, the Action for Credible CSOs in Namibian Communities, funded with $750,000 from the EU, commenced in mid-2016 to reinforce CSOs’ role as influential actors in Namibian communities. The program’s planned interventions include CSO capacity building in five regions, public awareness activities, training programs and materials, and an impact assessment. The program does not intend to engage in grant making.

Umbrella organizations remained largely the same in 2016. Major umbrella groups included the Southern Africa Development Center Council of Non-Governmental Organizations (SADC-NGOs), African Palliative Care Association, Conservancies Association of Namibia, and Council of Churches in Namibia. The overall umbrella organization for CSOs in Namibia, the NANGOF Trust, ceased operations when its funding from the European Development Fund (EDF) ended early in 2016 and it was unable to collect fees from members.
Intersectoral partnerships among CSOs are few, with the exception of ACTION, which brings together civil society actors and media organizations to push for freedom of expression and the right to information. CSOs also periodically provide training to journalists, and the media serves as a partner to some CSOs by reporting on their activities. For example, at least one national newspaper, The Namibian, routinely reports on the findings of surveys conducted by IPPR. The government cooperates with CSOs on service delivery and, occasionally, on advocacy activities. It has transferred several programs to CSOs with a request that they find financing for them. For example, in 2015, at the government’s request, the NID, in partnership with the Anti-Corruption Commission, implemented a donor-funded consultative program that resulted in the drafting and passage of the country’s National Anti-Corruption Strategy in 2016.

**PUBLIC IMAGE: 3.8**

CSOs’ public image in 2016 remained relatively unchanged. CSO activities were regularly covered in the media, mostly in the largest daily, The Namibian. The coverage consisted largely of articles on specific activities, such as a public demonstration for land organized by the AR movement. The media also published CSOs’ media releases, reports, and opinion pieces, as well as analyses issued by the local think tank IPPR. Advertising space or public service announcements by CSOs are not provided free of charge.

Because of the weak opposition parties in Namibia, the public increasingly turns to CSOs for alternatives to government policies. However, some negative perceptions of CSOs’ capabilities persist. The NID’s 2015 survey of CSOs revealed that the public at times sees CSOs as elite organizations that try to define and represent the interests of the marginalized without roots in the disadvantaged constituencies for whom they claim to speak. In addition, the public often perceives CSOs’ goals as too abstract and removed from everyday socio-economic realities.

Although the government maintains a favorable climate for CSOs and appreciates their service-providing role, political leaders have been slow to recognize the advocacy function of CSOs. Some government officials feel that citizens should weigh in on policy developments through elections only. However, in February 2016 the leader of the opposition called on the government to support CSOs by covering 20 percent of their total budgets. The only response from CSOs to this statement came from LAC, which thanked the opposition leader for his support. The private sector has expressed low confidence in CSOs’ ability to deliver services effectively and professionally and has begun to implement their CSR programs themselves.

CSOs increasingly use social media to promote their activities and conduct campaigns. For example, in 2016 the youth-led AR movement successfully used social media to mobilize young people to apply for land from their local authorities. CSOs commonly use Facebook and Twitter in place of costly websites.

Some years back NANGOF developed a code of conduct and a code of ethics, which each of its members was required to sign. With the demise of NANGOF in 2016 it is no longer clear whether CSOs still implement the codes. Although training in organizational ethics and integrity and the development of a code of ethics continued in 2016 under the NID’s Fundamentals of Organizational Management for NGOs program, only a few CSOs have adopted their own codes. Established CSOs that have audited financial statements routinely publish them in their annual reports.
2016 CSO Sustainability Scores for Namibia

Namibia

5

7

Sustainability Enhanced

Sustainability Evolving

Sustainability Impeded
In 2016, the major political events were the presidential and legislative elections. The presidential election resulted in a second five-year term for Mahamadou Issoufou. Many civil society organizations (CSOs) were engaged in these elections, demanding that they be free and transparent, with some serving as official election observers. Following the announcement of the provisional results by the Independent National Electoral Commission (CENI), some CSOs denounced irregularities in the process and some even questioned the validity of the results. The opposition coalition boycotted the second round of voting, alleging ballot fraud and political arrests by the ruling party. The organization, Coalition for Change, for example, was concerned about irregularities, noting the use of a single ballot for the presidential but not the legislative election and the “vote by witness” order issued by the CENI, allowing Nigeriens without identification to vote if at least two witnesses could identify them.

CSOs actively demonstrated in the streets in 2016. They took up a wide range of issues, including: improvement in the quality of life and education for students at national universities; and condemned the misappropriation of public funds, the eviction of merchants operating illegally on the main streets of Niamey and Zinder, and poor governance, among other things.
Niger has three principal strategic frameworks, notably Vision Niger 2035, which relates to the Strategy for Sustainable Development and Inclusive Growth, the Economic and Social Development Plan 2017-2021, which was in development at the end of 2016, and the 3N Initiative, which develops a food security strategy based on agricultural, forestry and pastoral development.

The presence of Boko Haram and ISIS/West Africa in the southeast, and increased incursion by terrorist organizations in the west and north impacted the socio-political situation. The High Authority for the Consolidation of Peace, a government entity charged with peace implementation after tribal rebellions in the north in the 1990s, is expanding its focus to include community cohesion and viable projects for young people in these insecure zones.

The search for a better quality of life is another phenomenon pushing youth from Niger and neighboring countries toward the Maghreb and the West. In 2015, a law was passed to end trafficking and prohibit youth migration. Enforcement began in late 2016, with a severe crackdown on traffickers in response to pressure from the EU and their agreement to provide assistance to those negatively impacted by the law such as transporters and those who sell goods along traditional migration routes. For example, anyone without papers or a passenger vehicle caught with migrants beyond the city of Agadez, is systematically arrested and returned to Agadez. In addition, small-scale gold panning sites in the Agadez region were closed by the government. According to the state, the closure of these sites will permit restructuring, and allow the state to combat crime, fraud and trafficking, including trafficking of arms, explosives and drugs. This closure will also allow the state to put in place formal mechanisms for the recovery of duty and taxes, all difficult to do without the closure. As a result, young people are hard pressed to reintegrate into productive activities such as gold panning, jewelry making, and food processing.

CSOs have been increasingly implementing development activities over the last few years. Today, because of a lack of employment opportunities, young graduates are coming together to create their own NGOs and associations based on issues, such as environmental protection, health, education, or mining. Moreover, CSOs have positioned themselves as essential actors, working alongside the state and its development partners in the political process and in social and economic development. There are around 3,000 NGOs and development associations recognized by Law No. 84-49 / PCMS / of March 1, 1984 regarding the governance of associations. Of these, the Minister of Community Development reports that approximately 300 CSOs submitted their annual activity and financial reports for 2015.

**LEGAL ENVIRONMENT: 5.1**

The principal regulatory and legislative texts which govern CSOs in Niger are the constitution of November 25, 2010 and order 84-06 of March 1, 1984 on the governance of associations. The latter was subsequently modified twice: by order 84-50 in 1984 and by law 91-006 of 1991. According to order 84-06, associations can take different forms, such as youth associations, community groups, or more formal NGOs. In addition, various international agreements to which Niger subscribes also impose rules on CSOs. These include the African Charter on Human and Peoples’ Rights, the African Charter on the Rights and Welfare of the Child, and the Convention on the Elimination of all Forms of Discrimination Against Women.
The law in Niger is generally favorable to allowing CSOs to register and obtain legal status. The process is relatively straightforward; it takes approximately two weeks for a CSO to receive a provisional receipt of its application. The process begins with a CSO submitting its paperwork to the local prefecture or mayor’s office. If required, the paperwork is sent to the Ministry of Interior. Upon submittal, a CSO receives a provisional receipt of its application which is an official recognition of its right to operate. However, obtaining the official registration document often takes much longer due to administrative delays and inefficient processes.

There are also local, informal associations. Prominent examples of these are the **fadas** (groups of young people) and radio listening clubs, which do not register and are not taken into account by the law. These groups must, however, have local recognition and an authorization from the municipal government.

CSOs are required to submit their annual technical and financial activity reports to the authorities on a regular basis, and may be suspended if they do not submit their report after two years. In practice, only a small number of CSOs submit their report to the authorities, and few, if any, are concerned about any consequences for non-compliance with this requirement. Most NGOs and associations that receive funding from partners, however, do submit technical and financial reports to their donor partner.

According to the law, CSOs can only be dissolved by a court decision. They are free to carry out activities and participate in public debates on governmental policies. However, there are instances when authorities suspend CSO activities on the basis of security or defense. Sometimes CSOs are persecuted for the positions they take, especially if they directly criticize government leadership. In these instances, CSO leadership may be exposed to risk of detention or the dissolution of their organization by the State. In 2016, no CSOs were dissolved by the state, but it did occur in previous years and in 2017.

CSOs have the ability to call up on lawyers or other legal counsel to assist them, but it is rare for a CSO to have legal experts on staff. Local lawyers do not receive training specific to CSOs, but their general training allows them to understand laws and regulations pertaining to CSOs. In Niamey, CSOs have access to legal services that they can purchase, but access for CSOs in secondary cities is more difficult.

A Standard Protocol Agreement (SPA) exists, but it is difficult for CSOs to acquire it because of its restrictive criteria. To acquire an SPA, CSOs must submit documentation required to qualify for tax relief on equipment and materials and in-kind donations imported into Niger for projects to benefit the population. Even when CSOs follow the rules and have this agreement in place, the state does not always respect this commitment.

Tax exemptions for national CSOs are difficult to acquire because of administrative delays. As a result, many CSOs operate without the tax exemption. The state, for its part, does not follow up on the commitments provided by the SPA. The majority of CSO staff pay tax on their salaries, but small CSOs who have limited ability to manage their finances do not always comply with the rules.

There are laws that allow CSOs to obtain income for providing goods and services, and they have the legal right to bid on local and central government tenders. Financial laws created in 2016 have allowed certain organizations to benefit from state support funds to assist them with publicizing how they are using aid money. These funds are reserved for national CSOs, such as the Network of Education Sector Organizations of Niger (ROSEN).

**ORGANIZATIONAL CAPACITY: 5.1**

The organizational capacity of CSOs has remained steady. CSOs have succeeded in creating networks, platforms and coalitions to coordinate activities. The Network of Nigerien Journalists for Water, Hygiene and Sanitation (REJEA) is active across the country. REJEA organizes annual international symposiums on water and sanitation and advocates for better financing in this sector. The Nigerien Confederation of NGOs and Feminine Associations (CONGAFEN), works to improve gender norms. Additional CSO networks include
the National Farmers’ Platform, the Protecs Network for social protection, and the National Network of Agricultural Chambers, among others.

Most CSOs use a strategic operational plan with an action plan. This is the case for organizations like CONGAFEN, the Association for the Revitalization of Livestock in Niger (AREN), Karkara, the Network of Organizations and Associations for the Health Sector in Niger (ROASSN), the Local Initiatives Support Network (RAIL), and REJEA. Only a few regularly update their strategic plan or periodically evaluate it.

Larger CSOs (CONGAFEN, RAIL, KARKARA, REJEA, ROASSN, the Popular Movement for Responsible Citizenship [MPCR], the Youth Movement for The Emergence of Niger [MOJEN], ROSEN, AREN, the Nigerian Association for Human Rights Defense [ANDDH], etc.) have staff specializing in accounting and administration and often use specialized services for legal advice.

Though CSO Boards of Directors should oversee their internal governance, in many cases they do not fulfill their role, especially in smaller organizations where the board meets infrequently. Large NGOs and associations have boards that meet regularly and their financial partners ensure that boards are actively involved and meeting as required by law. Large CSOs like RAIL, KARKARA, AREN, ANDDH, CONGAFEN, RAOSSN, ROSEN, and Alternative Citizen Space, have salaried personnel distinct from their membership, and a permanent secretariat or executive secretariat at the operational level. There are CSOs with opaque management systems, wherein Boards of Directors do not meet often, audits do not occur, and personnel are recruited based on personal relationships.

The general staffing situation did not change in 2016. Most staff are volunteers or service providers, who receive benefits based on the tasks performed. Only a few national NGOs have long-term staff, with most recruited for a specific donor-funded project. The salaries at CSOs are often not appealing due to the difficulty of persuading donors to pay above pre-defined salary scales for employees. In addition, there are only so many skilled people to work in the CSO sector. This situation leads to the most qualified employees leaving for international institutions and foreign CSOs, which carry out programs and projects funded by foreign donors. CSOs do recruit volunteers, but given the nature of volunteering, they do not have the time to be as engaged as paid employees in the development of the CSO. Accounting and IT tasks are typically executed only by professionals in these domains.

The large CSOs, such as those mentioned above, have sufficient resources for office equipment and 4x4 vehicles, but the overwhelming majority do not have the resources to maintain modern equipment and vehicles. Nonetheless, most CSOs have internet access, despite the high cost of a monthly subscription. This gives them access to social media sites which are important means of communication for CSOs. Information and meeting invitations are frequently sent through social networks like Facebook and WhatsApp.

**FINANCIAL VIABILITY: 5.1**

The financial viability of CSOs did not improve from 2015 to 2016, in spite of the fact that official development assistance increased. CSOs, in general, do not receive local financial support, except in the context of support for the disadvantaged, for environmental refugees, or for the construction of mosques. The sources of funding are not diversified, and most CSOs do not have multiple streams of revenue. The most visible donors in Niger include the bilateral cooperation partners of France, the U.S., Germany, Switzerland, and Japan and the multilateral donors such as the European Union, The World Bank, the U.N. organizations, and the African Development Bank.
CSOs have the ability to bid on government and foreign donor tenders. They also subcontract with international NGOs to implement projects. To cite just a few examples, RAIL, as part of a consortium, submitted an application for work with the Ministry of Agriculture in Tahoua and Agadez that was funded by the French Development Agency. Raedd Tarbiya Taltalli submitted a proposal to the Ministry of Education to for the education of young girls. Small CSOs have difficulty finding funding to ensure their own organizational viability. Discounts, project management fees and membership fees make up the very limited funding sources available to CSOs.

The majority of CSOs do not have solid accounting systems, but the largest CSOs generally have accounting systems to manage funds for partners who require transparency and external audits. As a result, the large CSOs tend to have solid financial management systems and transparency, with financial audits and annual reports.

In national policy, the role of NGOs is more pronounced in implementing activities with populations located close to their field of intervention. The state does occasionally directly contract CSOs for services, but private enterprises never do.

CSOs do earn revenue from goods and services. There are a few CSOs who rent conference spaces to other organizations, and some CSOs provide fee-based services. Another method used to cover operating expenses is the creation of cyber cafes and business centers where individuals can have access to information and communication technologies.

**ADVOCACY: 4.3**

The advocacy situation in Niger did not change in 2016. CSOs collaborated with the government in the implementation of certain development policies through various consultation frameworks. Some examples in 2016 are CONGAFEN’s advocacy for respect of gender quota laws following the nomination of the last government, CSO advocacy related to mining laws and AREN’s work on agricultural laws. CSO advocacy on mining led the state to renegotiate its mining agreement with the French company Areva.

Even though the partnership between CSOs and the state is often difficult and divisive, authorities are conscious of the necessity of engaging CSOs to develop synergy in implementing public policies. The government seems to increasingly understand the value of partnering with CSOs in policy making and implementation, but their commitment to such partnership remains inconsistent. For example, a recent electoral law was developed with civil society and supported by donors, but before sending it to parliament for a vote, the government unilaterally tried to make last-minute changes. Fortunately, pressure from opposition parties, CSOs, and donors convinced the government to pull back many of their last minute changes.

Advocacy actions, undertaken at all levels from communities to the national government, with a view to raising the public consciousness, have covered certain national themes: grazing on pastoral lands across the whole country, education financing, girls’ education, and inclusive budgeting to ensure the sustainability of municipal projects in Annual Investment Plans.

CSOs have created support groups in their intervention areas: teacher evaluations in the educational sector, local advocacy for legal reform, legal reform in the courts, and agricultural reform. AREN was active in
agricultural issues, and has helped facilitate opportunities for the concerns of herders to be included in the drafting of an agricultural law. There is no formal mechanism for CSOs to participate in decision-making at the different levels of government, but for the country’s main policies, which affect the direction of the country, the government often involves CSOs in the policy making process (such as for the Economic and Social Development Plan [PDES], which was published in June 2017).

Despite these efforts, CSOs are rarely involved in and lack proven expertise in advocacy. In addition, CSOs all want to be the head of a campaign or coalition. If they are not, they choose to remain on the margins rather than contribute as part of the campaign or coalition, undermining its effectiveness.

There are many groups which exist to support CSOs that defend common interests. In 2016, women’s organizations, for example, demanded respect for the quota on women following the formation of the first government of the second legislature of the Seventh Republic. However, the government does not always respect the quota. The number of female ministers in the current Government does not reach the 30 percent threshold established by the quota rule. One small victory for the CSOs advocating for greater inclusion was the constitutional court systematically throwing out political party electoral lists that do not respect the quota of nominating 10-15 percent women.

Multiple CSOs organized a march against bad governance and corruption on December 21, 2016. This march brought together CSOs across all sectors, labor unions, and thousands of citizens in Niamey. People were there for all different reasons, including protesting bad governance, the displacement of merchants around markets and public buildings, corrupt officials, problems with schools, the cancellation of entrance exams for the public service, and the misappropriation of public funds. CSOs used radio, social media, and online media to publicize this event. A counter-protest occurred in early January 2017 to show support for the president and his partisans.

CSOs today are aware that only a favorable legal and regulatory framework can improve their sustainability and effectiveness. Unfortunately, in 2016, there was no local advocacy effort to build this framework.

**SERVICE PROVISION: 4.5**

CSOs offer a range of services to different populations, including basic social services, such as health, education, potable water, sanitation, environment and local government services as well as other services to the mining and energy sectors. In the latter sectors, CSOs attempt to provide some oversight by publicly denouncing unfair practices, such as contracts that exploit state resources to the overwhelming advantage of a firm.

In most cases, CSO activities take into account the priorities of the population they serve and reflect their real needs. These needs are enormous and a priority. These priorities differ from one region to another. In Niamey, priorities are mostly governance and the rule of law. SOS Civisme, Africa Obota, CONGAFEN, and RAIL facilitate participatory government processes and raise awareness about good governance. Priorities in Agadez have been migration, border security with Libya and Algeria, small-scale gold mining and economic livelihoods. In addition, Alternative Citizen Space, RAIL, and CONGAFEN also work on participatory governance. In Diffa, issues have included security, youth employment, and access to Lake Komadougou (a waterway on which locals grow corn and from which they extract a great deal of wealth. Today, because of Boko Haram, the state has not allowed work along the lake). RAIL and Alternative Citizen Space work on participatory governance in Diffa, and a consortium of RAIL and the Organization for Nature (ONAT) manage refugee sites. Priorities differ between urban and rural areas. For instance, in rural areas, food security is a preoccupation for much of the population.
Space for dialogue on certain issues exists, but the culture of information sharing among CSOs is not widespread. Evaluations and activity reports are not typically shared. Goods and services are offered to communities and not directly to CSO members. However, sale of some goods and services is used to support the various expenses of CSOs. For example, RAIL carried out a sanitation program in Maradi and Tessaoua until December 2016 and implemented a support program for agriculturalists in Dogondoutchi with financing from the state and the French Development Agency.

Some CSOs have legal assistance centers. This is the case for associations that defend human rights, like the Association of Women Lawyers of Niger (AFJN), regional/local offices of the Nigerien Association for the Defense of Human Rights (ANDDH) and the United Nations Volunteers.

In Niger, because CSOs do not seek profit, they only recover costs for goods, services, and management. The sale of some goods and services is used to support the various expenses of CSOs. CSOs understand market demands and know the capacity of their populations to pay for products. One example is prenatal consultation clinics from the Nigerien Association for Family Wellbeing. This association offers prenatal consultation services. It successfully recovers costs and knows people’s capacity to pay for its products and services.

The government recognizes and appreciates CSO activities that are not critical of the government. A CSO support fund, managed by the Ministry of Community Development, exists but lacks resources. Some officials responsible for decentralized government services consider CSOs a threat and refuse to participate in their exercises. Many government officials will also not participate in CSO activities unless they receive per diem. As an example of a successful government and NGO partnership, the Government of Niger funded RAIL for projects in health and agriculture in 2016.

In terms of quality assurance research, CSOs increasingly monitor that their services are meeting the needs of their beneficiaries. This control necessarily depends on the close involvement of the leaders and communities at the grassroots level. However, this engagement with public ministries is often due to pressure from donors who make contracting with CSOs an obligation. State services often find it difficult to use CSO services and consider them to be inconvenient actors because they monitor public affairs.

**INFRASTRUCTURE: 5.4**

CSO resource centers, such as the Laboratory of Study and Research on Social Dynamics and Local Development, ANDDH, the Private Support Group (GAP) and the Network of Organizations for Human Rights and Development Associations (RODDADH), have improved the quality of their services. These centers offer services related to documentation, technical assistance and research; for example, GAP provides desks, computer rooms, and training rooms. However, the support infrastructure for associations in Niger is not well developed. PASOC strengthens CSOs’ capacity and provides equipment for them to operate. These activities are limited and concentrated in Niamey.

There are private consultants specializing in strengthening community organizations, especially in the areas of strategic planning, financial management and technological and methodological capacity building. However, these training programs are generally offered in large cities, making access difficult for CSOs located in the provinces.

There is also specialized training in the areas of strategic management, accounting, financial management, fundraising, volunteer management and in community life, as well as language training, available by request. These training courses are developed by CSO networks and coalitions – RAIL, REJEA, ROSEN, and ROASSN...
– based on the results of a training plan developed in partnership with individual CSOs. GAP bases its support on the needs of CSOs. As needed, materials are translated into local languages to meet the needs of their targets.

There are issue-based coalitions for consultation and information sharing. Examples include the Association for Education for All, the central unions and ROSEN, the CSO network and the Framework for NGO and Development Association Consultation. These coalitions, however, are in need of revitalization.

Since the nineties, CSOs and the government of Niger have partnered to carry out activities based on common objectives. Examples include the partnership between RAIL and the state in Dogondoutchi on the framework for the project “Food Security in Dogondoutchi,” co-financed by the French Development Agency (AFD), Agroveterinarians Without Borders (AVSF), the state, RAIL, and the Municipality of Dogondoutchi. The project and the partnership will last three years (2016-2018). The Ministry of Health partners with ROASSN on health activities. The Ministry of National Education works with ROSEN, and the Ministry of Water and Sanitation works with REJEA. ROASSN, REJEA, and ROSEN are equal partners with ministries in their respective areas of expertise, health, water, and education.

Foundations were not as active in 2016 as 2015. The foundations founded by the first ladies of Niger, such as Tatali iyali and Gai vie meilleure, provided food and non-food goods to vulnerable populations. The Orange Foundation fights poverty through a digital schools program. The Orange Foundation and the Mercy-Corps Foundation partnered to improve maternal health in Maradi. The Salou Djibo Foundation which was active in 2015 was not active in 2016.

**PUBLIC IMAGE: 4.5**

Similar to 2015, CSOs benefit from a great deal of media coverage of their activities both at the local and national level. The media freely covers community activities as well as making public service announcements. The public’s level of understanding of the notion of civil society also seems to be evolving. However, the right to freedom of expression, enshrined in the Declaration of Table Mountain protecting independent press, has faced difficulties, including the detention of journalists and the confiscation of materials. The harassment and detention of journalists and activists continued in 2016. In June, Ali Soumana and Moussa Dodo, two journalists for *Le Courrier*, were arrested for publishing documents allegedly showing fraud in government hiring.

In Niger, CSO activities are often appreciated by beneficiary populations, though they are also sometimes seen as aligned with either government or the opposition. The government frequently accuses CSOs of siding with the opposition if they criticize the government. They are often accused of being manipulated by opponents.

Government and businesses recognize the expertise of CSOs. Testimonies of satisfaction are sometimes given by the authorities. The government has sometimes provided direct financial support for CSO activities. This was the case when ROASSN was hired by the Ministry of Health to strengthen CSOs in the health sector. It was also the case for RAIL’s food security project in Dogondoutchi, where the state obligated its half of the project funds. ROSEN also received state support in 2016.

The public counts on CSOs as sources of information and expertise. Relationships exist between the media and CSOs, and their activities are most often covered positively, but their activities are placed in line with the current national policies. There are CSOs with local radio stations, as in the case of Alternative Citizen Space. Others have websites. REJEA also works with press groups (radio, TV, and newspapers). Some CSOs report their activities to the relevant ministry.
Journalists consult CSOs for information and expert analysis on questions of national importance. It is important to note that representatives from civil society continue to be invited to debate questions and issues of national interest in the media, particularly in private media, despite the difficult working conditions. CONGAFEN appears regularly in media to discuss issues of women’s and children’s rights. The Ministry of Water and Sanitation regularly holds meetings with CSOs that operate in its sector.

CSOs have not adopted a code of ethics but most try to be transparent in their operations by presenting technical and financial reports to their members through general assemblies or to their donors. Some CSOs send their reports to the Ministry of Community Development, and some even publish them online.
In 2016 Nigeria experienced both positive and negative developments. On the positive side, the administration of President Muhammadu Buhari took a large step forward in its fight against corruption when it recovered NGN 550 billion (approximately $1.73 billion) in stolen assets and arrested several high-level judges, who were alleged to have accepted huge sums from politicians in return for favorable settlements. At the same time, the price of crude oil—the foundation of the Nigerian economy—declined and the naira fell against the dollar, which forced the government to introduce tough belt-tightening measures, including removing petrol subsidies and reducing spending on capital improvements. These steps imposed especially severe challenges on state governors, who were unable to meet salary commitments, provide needed social services, or fund infrastructural improvements. The country’s economic difficulties tended to improve the public’s reception of work by CSOs, which were viewed as critical partners in the country’s development.

During the year the Nigerian military scored significant successes in its ongoing fight against the Boko Haram insurgency in the North East. In October, as a result of negotiations between the Nigerian Department of State
Security and the insurgents, twenty-one of the more than two hundred girls who had been abducted from Chibok in 2014 were reunited with their parents. CSOs worked with the government to reintegrate the girls back into their communities. The military also took back twenty-seven North East communities previously captured by the terrorists. However, social unrest was pervasive in other areas of the country. In the North Central region, for example, clashes continued between the nomadic Fulani herdsmen and indigenous people. After the Nigerian military killed several hundred Shia in December 2015, CSOs requested an investigation into the killings. A government commission recommended that the soldiers be prosecuted, but no trials took place in 2016. In the South East region, protesters called for the secession of Biafra Republic and the release from custody of Biafra leader Nnamdi Kanu. In the South South region, the government’s perceived unwillingness to address the region’s lack of development and offer amnesty to militant youth led to several attacks on oil pipelines and low levels of oil production throughout the country.

Overall, the sustainability of the Nigerian CSO sector improved in 2016. A new online platform allowed for easier registration, and a better security situation in the North East enabled CSOs to provide essential services to internally displaced persons (IDPs). CSOs’ advocacy efforts grew stronger as the government showed a new willingness to cooperate at both the federal and state levels, and the infrastructure supporting CSOs was enriched by the development of new coalitions and CSO-business partnerships. Finally, CSOs’ public image was helped by increasing cooperation between CSOs and media organizations.

The Corporate Affairs Commission (CAC), which registers CSOs nationally, is unable to provide precise data on the total number of CSOs operating in Nigeria. In 2016 CAC estimated that there were at least ninety thousand national-level organizations, noting that this figure does not capture CSOs operating at state and local levels, most of which do not register with CAC.

**LEGAL ENVIRONMENT: 4.8**

The legal environment for CSOs improved in 2016 with CAC’s introduction of an online registration platform. Applicants no longer have to apply in person at the CAC office, and necessary forms and fee schedules are now publicly available on the CAC website. Name searches can also be more easily performed. National CSOs continue to register with CAC under the Companies and Allied Matters Act (CAMA) of 1990, which regulates both for-profit and nonprofit entities. They must also register with the National Planning Commission (NPC) and the government ministries, departments, and agencies relevant to their areas of focus. International CSOs register with CAC and the NPC, and state and local CSOs register with various ministries, including the Ministry of Youth and Social Development and the Ministry for Rural and Community Development.

CAM provides for the dissolution of CSOs and protects them from arbitrary state control. In October the Financial Reporting Council of Nigeria released a new National Code of Corporate Governance, which is intended to be mandatory for public- and private-sector entities and may be adopted voluntarily by CSOs. The new code addresses CSOs’ complaints about a 2015 draft that some of its provisions were inappropriate for the CSO sector.
In 2016 CSOs continued to enjoy a favorable operating environment. They were able to express criticism of government openly, except in a few states, such as Bayelsa, where the government accused CSOs that criticized its actions of supporting the opposition and tried to clamp down on them. On the national level, the Coalition of Civil Society Organizations (CCSO) was harassed by the National Agency for Science and Engineering Infrastructure (NASENI) and the national police force for demanding an account of government funding allocations to the agency. NASENI accosted several CCSO staff members and dragged them from one police station to another in an effort to have them arrested. CCSO filed a court case, which was still pending at the end of the year, demanding NGN 3 billion (approximately $9.8 million) in recompense for false allegations, harassment, and administrative intimidation.

The Companies Income Tax Act (CITA) 2004 states that the profits of any statutory, charitable, ecclesiastical, educational, or similar association are exempted from corporate income tax, provided such profits are not derived from a trade or business carried out by the organization. CSOs thus pay taxes on income-generating activities but not on grants. Donations to CSOs are tax-exempt provided that they are not used for income-generating activities.

CSOs are legally permitted to earn income from the provision of goods and services and to bid on government contracts.

The number of lawyers specializing in CSOs increased in 2016, but their number is still considered insufficient. Several organizations, including the Center for Social Justice, Center for Information Technology and Development (CITAD), African Center for Leadership, Strategy, and Development (Center LSD), Nigeria Network of NGOs (NNNGO), and Policy and Legal Advocacy Center (PLAC), access both pro bono and paid legal services.

**ORGANIZATIONAL CAPACITY: 4.9**

The organizational capacity of the CSO sector in Nigeria did not change significantly in 2016. Local constituency building continued to thrive. For example, inspired by the international Not Too Young To Run campaign, which was started by the Nigerian organization Youth Initiative for Advocacy Growth and Advancement (YIAGA), many youth-led CSOs focused on engaging young people in elections. CSOs working in development and women’s issues also strengthened their local base and galvanized support for eradicating violence, discrimination, and harmful religious and cultural practices. Women Peace and Security Network (WPSN) Kano took its campaign promoting women’s leadership to local communities in northern Nigeria.

Most CSOs, especially at the local level, do not have mission statements or strategic plans, or have strategic plans that exist on paper only and do not guide decision making. In 2016 NNNGO identified the lack of functioning strategic plans as a major concern and facilitated capacity building in this area. As a national CSO platform, NNNGO itself designed and published a five-year strategic plan that has been guiding its activities since 2013.

The internal management of many CSOs remains weak. Although most CSOs have both boards of trustees and advisory boards, the boards are usually not functional, and their members often interfere with management or refuse to attend meetings unless they are paid. Thus the cost of governing CSOs can be prohibitive, and many CSOs do not invest in such an expense. In addition, the duties of boards are poorly understood. Many CSO leaders put their family members on their boards or seek to recruit famous names without considering whether such persons are actually available to contribute.
Staffing was a major challenge for most CSOs in 2016. With the exception of larger CSOs in major cities, most CSOs could not employ permanent staff members or pay competitive salaries. CSOs typically engage employees for the duration of a project and then terminate their contracts when the project ends. In 2016 CSOs continued to benefit from a large number of volunteers, especially youth, who, because of the high unemployment rate, were willing to volunteer to gain work experience prior to seeking permanent jobs. In particular, CSOs in the North East reported that a large number of volunteers worked with them to provide humanitarian assistance and help reintegrate the Chibok girls. However, volunteer management is weak at best and volunteers are often not valued for their time and efforts. Some CSOs, such as ACE Charity Africa, address this gap by offering training to their volunteers.

CSOs’ technical capacity remained the same as in 2016. While many local CSOs cannot afford modern equipment, national CSOs are well equipped and regularly use information technology and social media.

**FINANCIAL VIABILITY: 5.7**

In 2016 the financial viability of the CSO sector in Nigeria did not change. Donor funding continued to dwindle, and the country’s declining economic situation discouraged the development of local sources of funding. An exception to this trend was in the North East, where there was some growth in local sources of funding and an increase in new project opportunities. The major international donors included USAID, the United Kingdom’s Department for International Development (DFID), Mercy Corps, European Union (EU), National Democratic Institute (NDI), International Republican Institute, OXFAM, and Swedish International Development Cooperation Agency (SIDA).

Most CSOs in Nigeria do not have a consistent focus and pursue projects based on the availability of international funding. Several years ago donors focused on HIV/AIDS, and a large number of CSOs engaged in that area. In recent years donors have become more interested in peace building and countering violent extremism, and many CSOs have turned to work on these topics. In 2016 Search for Common Ground promoted efforts to strengthen peace in the north-central states, and ActionAid Nigeria and the MacArthur Foundation supported CITAD’s projects to counter violent extremism and de-radicalize youth in northeastern Nigeria. The Women Environmental Program (WEP) is exceptional in that it has been able to stick to a consistent mission throughout its twenty years of existence. Although national CSOs usually have more than one source of funding, the majority of CSOs at the state and local levels continue to battle with dwindling funding support, and most CSOs wind down after their funding from donors ends.

Although foreign donors remained the major source of funding for most CSOs, in the North East region of Nigeria local private and public foundations have emerged to help CSOs offer humanitarian assistance to IDPs. While exact level of funding is unknown, its scale was considered significant as CSOs in the North East were seen as more organized and coordinated in offering humanitarian assistance. For example, the North East Regional Initiative (NERI), Dangote Foundation, Victims Support Fund, and Presidential Committee on the North East Initiative (PCNI) supported regional and national CSOs active in the region, including CITAD, Civil Society Legislative and Advocacy Center (CISLAC), Borno Civil Society Organizations for Peace (BOCSOP), and North East Coalition Against Terrorism (NECAT). CSOs working in the North East have also been able to raise funds locally from families, friends, and social networks. Although in general local sources of funding remained stunted by the country’s economic situation, CSOs hope that the current administration’s economic reforms will help stimulate local funding. In-kind support such as volunteer labor is widely available.

Usually only national CSOs are able to diversify their incomes sources. Some organizations, such as Center LSD, Center for Democracy and Development (CDD), and ActionAid Nigeria, set up virtual office space for
a fee, rent meeting and conference rooms, sell books, or offer professional training to the private and public sectors to generate income. Local CSOs find it especially difficult to access alternative sources of funding. However, in the North East some local CSOs such as BOCSOP are beginning to develop crowdfunding strategies to support humanitarian services.

Financial transparency has yet to become a high priority among Nigerian CSOs. With the exception of larger CSOs, most organizations do not have financial management systems or publish financial statements. Many small CSOs do not comply with the CAC requirement that they submit annual financial statements.

**ADVOCACY: 3.5**

CSO advocacy improved in 2016. The government increasingly understands the role that CSOs play in promoting good governance and in 2016 continued to show a willingness to collaborate with them at both the federal and state levels. For example, WEP partnered with the Ministry of Environment and Ministry of Water Resources on environmental issues and the water, sanitation, and health component of Nigeria’s Sustainable Development Goals (SDGs). CSO-government partnerships were particularly robust at the state level, in part because some state governments saw the partnerships as a potential source of funding. For example, with funding from the German Agency for International Cooperation (GIZ), the Plateau State government worked with Search for Common Ground and Center for Peace Advancement in Nigeria (CEPAN) on enacting the Gender and Equal Opportunity Bill and the Child Rights Act. In Enugu State, the State Accountability and Voice Initiative (SAVI) created a new CSO coalition, the Budget Planning and Advocacy Partnership (BPAP), to advise the state government on the annual public budget. The state House of Assembly and the Network of Civil Society Organizations (NECSO) in Borno worked together on an action plan to implement United Nations Security Council Resolution 1325 on violence against women.

When the Independent National Electoral Commission (INEC) re-registered ten political parties and re-conducted several elections in 2016, CSOs participated freely in the electoral process by offering voter education, voter registration, and election monitoring. They were especially active in Ondo, Imo, Lagos, Rivers, and Edo states. Prior to the elections, YIAGA, Election Monitor, CLEEN Foundation and other organizations consistently engaged with state election bodies and security agencies to ensure that the elections were free and fair. CSOs also conducted large awareness-raising and voter education campaigns and in particular urged voters to shun election-related violence. For example, the Transition Monitoring Group (TMG), a coalition of CSOs working on elections and good governance, participated actively during the election of governors in Edo and Ondo states.

At the state level, CSOs in Kano successfully pressed the government to release a young girl charged with murder in a situation of self-defense.

Although many CSOs still lag in their efforts to influence the legislative process, lobbying by CSOs increased in 2016, and many legislators at both the national and state levels conferred with CSOs about pending legislation. For example, Girls Voices worked with the Ministry of Women Affairs to challenge provisions of the Gender and Equal Opportunity Bill, and CISCLAC worked with the federal government on the Petroleum Industrial Bill. Both CSOs participated actively in the review of the bills prior to their submission to the senate and subsequent passage into law. At the state level, the Federation of Women Lawyers in Nigeria (FIDA) was able to help shape a law in Kano mandating fourteen years’ imprisonment for rape.

In September 2016, in a meeting organized by NNNGO, CAC met with more than 250 organizations from twenty-three states to discuss regulatory challenges and explore possible changes to Part C of CAMA, which
governs CSO registration. CAC is leading a review of CAMA and by the end of the year had drafted revisions involving a number of issues, including the establishment of business names; the documents needed for incorporation, registration procedures, fines and penalties; and the removal of names from the registry.

**SERVICE PROVISION: 4.0**

There was a modest improvement in service provision by Nigerian CSOs in 2016. CSOs generally provide services in a wide range of fields, including health, education, gender, governance, and environmental sustainability. In the North East in 2016, international organizations such as the International Committee of the Red Cross, Christian Aid, Search for Common Ground, and some faith-based organizations increased their impact by rendering humanitarian relief to communities affected by the insurgency. Nigerian organizations such as BOCSOP and NECAT were also active in the North East and helped reintegrate the recovered Chibok girls back into their communities and provide humanitarian assistance at IDP camps.

Nigerian CSOs continued to serve the needs of local communities in 2016. This was especially apparent in the North East, where the Network of Civil Society Organizations in the North East identified various community needs and prioritized the engagement of participating organizations to address immediate problems. For example, with support from the Dangote Foundation, CSOs stocked 106 trucks with food supplies valued at NGN 750 million (approximately $24.5 million) and distributed the goods to IDP camps. The Network of Civil Society Organizations in the North East also recruited more than four hundred volunteers to offer assistance to IDPs in Maiduguri, the capital of Borno state. Elsewhere, Partnership Initiatives in the Niger Delta continued its work in the oil-rich communities of Niger Delta to achieve peaceful and equitable economic development.

Large CSOs like CLEEN Foundation continued to recover some of their costs through the sale of publications in 2016. However, cost recovery continues to be difficult for smaller CSOs constrained by a lack of funds and capacity.

The government increasingly calls on CSOs to bid on grants as it comes to recognize the value of CSOs’ involvement in development programs. However, many local CSOs do not know that they are eligible to compete for government contracts and therefore fail to do so. Another challenge is that government employees often register their own CSOs to compete with existing CSOs for funding. There is also a tendency among CSOs that receive government contracts to lose their voice as critics of government actions.

Many CSOs increasingly engage with the government on service provision. In Borno CSOs are viewed as the fourth tier of government and are consulted on human rights abuses, IDPs, and similar issues. They also offer services to government agencies. For example, in 2016 the Women Peace and Security Network (WPSN) in Kano helped the Ministry of Women Affairs with strategic planning and offered training to its employees on recognizing sexual abuse and human rights violations among women.

**INFRASTRUCTURE: 4.9**

In 2016 the infrastructure for CSOs in Nigeria grew stronger. Intermediary support organizations (ISOs) and academic institutions such as Kaduna Business School and Lagos Business School continued to provide training, capacity building, and information services to CSOs. For example, Just Peace, a training institute in Jos, offered training at subsidized rates for CSOs on a variety of topics, including gender, peace building and conflict analysis. CSOs were also provided training on social media. CITAD, for instance, trained several
organizations in Bauchi and Gombe states on the use of social media, including Facebook and Twitter, to monitor the North East Education Development project implemented by the Nigerian government through the Presidential Committee on North East Initiative (PCNI). However, the majority of CSOs are unable to access training services, either because they are not located in the major cities where the training is offered or cannot afford the cost.

During the year CSOs continued to form coalitions around issues of common interest. State-level coalitions of CSOs and advocacy groups were particularly active. For instance, members of the Network of Civil Society Organizations in the North East worked together on issues related to IDPs and appointed IDP ambassadors in all of the camps, which led to more effective representation and administration. However, some CSO coalitions continued to be undermined by poor organization and individual agendas, especially at the leadership level.

CSO-business partnerships improved in 2016. For example, the IREDE Foundation implemented a project funded by Standbic IBTC Bank to provide prosthetics for children; the Ogoni Entertainment Foundation (OEF) worked with Western Union and Ecobank on a literacy project; and Cadbury Nigeria Limited donated 960 cartons of beverages and Union Bank donated 120 blankets for distribution in IDP camps in the North East. In November Partners West Africa Nigeria brought together the Center for Research and Documentation (CRD), CISLAC, Girls Hub Nigeria, and other CSOs for a face-to-face meeting with representatives of large corporations. The purpose of the meeting was to seek funding for CSOs from large companies such as Zenith Bank, Globacom, Sahara Group, and Etisalat Group, which have corporate social responsibility (CSR) programs but usually contract with private companies to implement them.

CSO-media partnerships also flourished. For example, NNNGO cooperated with Splash FM to provide monthly updates on Nigeria’s progress in reaching its SDGs; the Sickle Cell Foundation Nigeria worked with the television broadcast company MultiChoice Nigeria to raise awareness of the disease; and the AfriGrowth Foundation worked with the telecommunications firm Airtel Nigeria to improve the lives of young Nigerians through entrepreneurship and leadership training.

**PUBLIC IMAGE: 3.9**

CSOs’ public image improved in 2016, thanks to increasing cooperation between CSOs and media organizations. The relationship is mutually beneficial, as CSOs provide the media with news while the media offers publicity to CSOs. In 2016, through the Nigeria Reconciliation and Stability Program (NSRP), the Network of Civil Society Organizations in the North East launched radio programs such as “Peace Flight” in Borno and “Frank Talk” in Maiduguri, which invited eminent personalities to discuss important matters affecting the state. In Kano a coalition called the Voice and Accountability Platform (VAP) hosted a radio program that invited the public to ask questions on various topics. VAP also performed advocacy work through media organizations. For instance, in December it hosted a peace talk with military forces fighting in Sambisa Forest. The event was attended by more than four thousand people and attracted both local and international media coverage.

Thus the media are responsive to working with CSOs, although some observers believe that media actors are interested not so much in CSOs’ achievements as in the money CSOs pay them for coverage. In some areas...
such as Bayelsa state, where the government or individual government officials own the main media outlets, collaboration can be difficult if CSO activities do not align with government policies. There is also a trend among states with small populations, such as Bayelsa, Ekiti, Yobe, and Jigawa, for one group of CSOs to dominate media outreach. Overall there is a lack of independent media analysis of CSO activities.

The government’s perceptions of CSOs generally improved in 2016, mainly because of its reliance on them for expertise and information. However, some government officials still view CSOs as noisy troublemakers or purvey negative stereotypes of them as non-transparent organizations. Although businesses cooperate increasingly with CSOs, they often see them as unprofessional and unorganized. In 2016 public views of CSOs continued to be mixed. However, CSOs’ public visibility increased, thanks largely to their extensive work on humanitarian assistance. Most national CSOs working in this area used social media such as WhatsApp, Facebook, and Twitter to promote and expand the reach of their activities.

Self-regulation is weak among CSOs. NNNGO has the most widely circulated code of conduct in Nigeria, and more than two thousand CSOs had voluntarily subscribed to the code by the end of 2016. The newly released code of corporate governance, which will operate on a “comply or explain” basis for CSOs, is expected to provide a strong foundation for a sector-wide code of ethics. Very few CSOs publish their annual reports.
In December 2015, the Rwandan public overwhelmingly approved a constitutional amendment that allowed President Paul Kagame to seek a third seven-year term in 2017 and opened the door for him to run for two additional five-year terms. Restrictions on freedom of expression in Rwanda make it difficult to know how many people genuinely supported the amendment, and many observers viewed it as an effort by the ruling party to retain its grip on power. In 2016 an attempt by the Green Party to challenge the amendment was stifled, and the public was encouraged to support the amendment and the government’s Vision 2020 development plan. During the year little public debate took place on the constitution or other issues of democratic governance. The 2017 electoral process was launched in September 2016 with a review of voter lists.

In March 2016, the government of Rwanda presented its fourth periodic report to the United Nations Human Rights Committee on its implementation of the International Covenant on Civil and Political Rights. In its report, the government stated that it had expanded protections for civil and political rights with new laws, judicial decisions, policies, and programs. Committee members, however, expressed concern about arbitrary arrests, illegal detentions, disappearances, and the welfare of political detainees and prisoners. In March the
United Nations Human Rights Council (UNHRC) adopted the report on Rwanda’s implementation of the Universal Periodic Review (UPR), held in November 2015. The reviewing states issued 229 recommendations (compared to just 73 in 2011). The government of Rwanda accepted 50 of the recommendations but did not accept 179, stating that 102 were in process. Among the recommendations that the government did not accept were many related to civil and political rights, including freedoms of speech and assembly.

Every dimension of the sustainability of Rwandan civil society organizations (CSOs) declined in 2016. As presidential elections approached, the government became increasingly intolerant of dissenting opinions, and CSO activists, journalists, lawyers, and analysts contended with harassment and threats to their lives. At the same time, limited access to funding severely restricted CSOs’ financial security, and many organizations grappled with reduced advocacy and service-provision capacity, diminished opportunities for organizational development, and a weaker infrastructure and public image. The government continued to expect local and international CSOs to carry out its Vision 2020 and Economic Development and Poverty Reduction Strategy, but did not seek to strengthen their capacities or create an enabling environment for their work.

The number of CSOs, especially newly registered domestic organizations, grew in 2016. According to the Rwanda Governance Board (RGB), the number of registered CSOs and CSOs awaiting registration was estimated at 3,651 in 2016, of which 478 were faith-based organizations and churches. Among international CSOs, 166 were registered or re-registered in 2016 and ten were partway through the registration process.

**LEGAL ENVIRONMENT: 4.7**

The legal environment for CSOs in Rwanda deteriorated in 2016. The main laws governing CSO registration are Law No. 04/2012 (NGO Law), which governs domestic CSOs; Law No. 05/2012, which governs international CSOs; and Law No. 06/2012, which governs faith-based organizations. In 2016 these laws continued to be applied unevenly by the RGB, which registers and monitors domestic CSOs and faith-based organizations, and the Directorate General for Immigration and Emigration (DGIE), which registered and monitored international CSOs throughout 2016. Under Law No. 56/2016 (RGB Act), which was passed in December 2016 and will become effective in 2017, the RGB will move out of the Ministry of Local Government to become an autonomous agency and will take over responsibility for registering international CSOs.

Domestic CSOs register only once, but they must receive authorization to operate from their line ministries. CSOs that are in the process of registering but have not yet been granted legal personality receive operating certificates. International CSOs may be registered for a period “not exceeding five years,” according to Article 11 of Law No. 05/2012. However, in practice the government often grants international CSOs only single-year registrations. International CSOs that start activities before completing registration or re-registration are viewed as operating illegally and their activities can be suspended immediately. This approach effectively restricts the operations of international CSOs, which report that the government uses the registration process to pressure them into supporting government programs and policies. Article 18 of Law No. 05/2012 also stipulates that international CSOs must apply 80 percent of their annual budgets to programmatic activities and may apply only 20 percent to administrative costs. Although DGIE has issued an instruction raising the latter threshold to 30 percent, this amount may not allow some international CSOs to function effectively. Six international CSOs closed down in 2016, in some cases because they did not comply with registration requirements.
In 2016, CSOs and faith-based organizations focused on development, health, agriculture, and education registered relatively easily, while CSOs working in governance, media, and human rights faced steeper hurdles. The government encourages both domestic and international CSOs to work on issues that align with its development plans, so that it can claim positive and visible achievements, rather than human rights and fundamental freedoms, where its record is not encouraging. Government officials at both the local and central levels monitor CSOs’ operations and restrict their activities if they have the potential to reveal the government’s weaknesses and failures. This has pushed many CSOs to refocus their programs to support the government’s social and economic vision. Locally constituted CSOs can change their mandates easily. Some CSOs that have not changed their mandates, including the Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR), Maison de Droit, Umbrella of Human Rights NGOs (CLADHO), and the Rwanda Civil Society Platform, have experienced interference in the implementation of their programs or management takeovers. Other organizations, such as the Youth Potters Organization for Development and Media for Universal Periodic Review, have been refused registration or encouraged to change their names or missions. International CSOs engaged in human rights may find it difficult to obtain work permits for foreign staff or experience delays in registration renewal. For example, a senior financial manager for ICCO International was denied a work permit for unknown reasons, and the organization relocated the manager to Senegal so that its operations would not be blocked.

In 2016, the space for public debate in Rwanda continued to shrink. Dissenting opinion was not tolerated and civic mobilization was discouraged. Individuals that the government perceived to be against its programs and policies were monitored by security services, jailed incommunicado, forced into exile, went missing, or were killed in unknown circumstances. These events spread fear and increased self-censorship throughout society. For example, although some CSOs monitor and document human rights developments, they do not share their findings publicly for fear of reprisal. This trend worsened after the government refused to re-register Human Rights Watch (HRW) following HRW’s 2015 report on human rights abuses in the Gikondo transit center. Some human rights workers were illegally detained, arrested, or subject to other harassment. For example, a well-known investigative journalist was reported missing in March after pursuing research on governance in Rwanda, and another journalist went missing in August. After the second disappearance the government opened an investigation but made no progress for months, despite inquiries from Amnesty International and other international human rights organizations. Media outlets were hesitant to host debates and inform the public about human, civil, and political rights and their importance. CSOs dealing with civic and voter education were similarly afraid to contradict officials on the constitutional amendment.

The NGO Law states that CSOs have the right to tax exemptions on goods related to their areas of operation. For example, CSOs involved in healthcare may be exempted from taxes on the import of medical supplies. However, to secure exemptions CSOs must have memoranda of understanding with their line ministries. In practice the government seems reluctant to grant exemptions, and typically only organizations involved in social and economic sectors such as health and education manage to obtain them.

Under the NGO Law, CSOs are legally permitted to conduct commercial activities and may earn profits as long as they are used to fulfill their missions. CSOs that conduct commercial activities are subject to commercial law and related tax regulations.

Since legal issues and conflicts have burgeoned in the CSO sector, lawyers’ interest in working with CSOs has grown. In addition, CSOs have served as advocates for lawyers who have been detained or arrested, which has opened up opportunities for cooperation. Some lawyers are now committed to helping human rights organizations by improving their working environment and engaging with them on management and other issues. The laws governing the Bar Association recognize the right of lawyers to work freely with CSOs when defending their clients.
ORGANIZATIONAL CAPACITY: 4.8

The organizational capacity of most Rwandan CSOs remained low in 2016, mainly because of the poor legal environment and a lack of professionalism. In general, umbrella organizations and those enjoying the support of government officials have the strongest operations. Rural organizations find it especially difficult to meet donors’ requirements for setting up credible programs and projects.

During 2016, the launch of the 2017 electoral process limited CSOs’ access to their constituencies. An increasing number of people were accused of undermining the country’s stability or were detained and kept incommunicado on security allegations. People began to fear the government, especially the security services, and avoided contact with domestic and international CSOs. Public support for CSO initiatives weakened, and CSOs found their relationships with grassroots communities and local leaders difficult to sustain. Limited funds also pushed CSOs to reduce their geographical reach and number of beneficiaries.

A defined internal structure, mission statement, and vision are among the legal requirements for establishing a CSO. However, in 2016 some CSOs changed their focus from their stated missions to avoid government harassment or to obtain funding, including from the government. The acceptance of government funding tends to put CSOs under the government’s control, and they may lose the ability to engage officials on critical issues of governance, fundamental freedoms, human rights, and other areas in which CSOs’ role is highly important.

CSO strategic planning is weak and project management is often questionable. The NGO Law obliges CSOs to submit activity and financial reports to the registering bodies, which may suspend CSOs’ activities if they are found to be inadequate. This accountability mechanism has pushed CSOs to improve their internal governance capacity. However, in 2016 debilitating internal conflicts arose in a number of CSOs, including Maison de Droit, whose activities and donor support were suspended.

Many CSOs were no longer able to recruit or hire competent staff in 2016. Staff turnover at CSOs was frequent, and many well-paid employees were let go so that less expensive junior staff could be hired. Funding shortfalls are sometimes blamed for reduced capacity at organizations focused on democracy, human rights, and governance. For example, Rwandan Association for the Promotion and Knowledge of Human Rights cut back on its activities and staff, ostensibly because of funding shortfalls, and it now relies on interns to implement its programs and maintain its visibility. Similarly, Kanyarwanda, LIPRODHOR, and Association for the Defense of Human Rights and Civil Liberties (ADL) now each have only one unpaid staff member, rendering these organizations weak and ineffective.

In 2016, many CSOs lacked funding to cover administrative costs such as office rent. In an ongoing trend, most CSOs, especially in rural areas, cannot afford to purchase modern equipment or maintain communications tools such as Internet access.

FINANCIAL VIABILITY: 5.8

In 2016, the political environment had a severe impact on CSOs’ financial viability. Although some Rwandan CSOs with good public images were able to compete for funding in cooperation with international CSOs, in 2016 several well-known domestic CSOs, such as FACT Rwanda, Kanyarwanda, ADL, and Solidarity for Community Development (SODECO), ceased to operate because of a lack of funding. Limited funding opportunities also pushed many organizations to avoid registration, since they are unable to comply with legal and administrative requirements.
Some umbrella organizations, such as Legal Aid Forum (LAF), an independent organization founded by organizations involved in access to justice and legal aid, were successful in obtaining funding in 2016. Most umbrella organizations implement programs directly, often in cooperation with their members, rather than re-grant funds to member organizations. This trend has left many of the member CSOs financially unstable and unable to achieve their goals. It has particularly affected organizations in rural areas and towns, which do not have access to donor networks or databases, are unaware of funding opportunities, or are ineligible for donor funds because of poor managerial capacity.

In late 2016, the Multi-Donor Civil Society Support Program (now known as Ikiraro), a basket fund formed in 2015 by donors from the United Kingdom, Sweden, Switzerland, and the United States, began to fund CSOs directly, focusing on organizations working in social protection. The fund’s goal is to strengthen CSO capacity and promote constructive engagement between the government and civil society.

Some foreign citizens and institutions support charitable projects in the education and health sectors, as well as local philanthropic organizations and faith-based organizations that serve specific groups (such as genocide survivors and orphans). Fees from organizational members are usually not sufficient to maintain CSO operations. Except for some banks that offer funds for microfinance and cooperative groups, the private sector does not support CSOs.

Although qualified financial management specialists are available in Rwanda, CSOs are often unable to afford their salaries. CSOs sometimes do not use accounting software or conduct annual audits. Weak financial management capacity makes some CSOs ineligible for funding from donors.

**ADVOCACY: 4.3**

In 2016, the advocacy capacity of Rwandan CSOs declined. CSOs that usually monitor the alignment of government programs and the public’s needs were often prevented from doing so because of government harassment. CSOs reported that the security services monitored their activities to detect and prohibit any effort to raise awareness about democratic processes. Self-censorship, which is pervasive throughout Rwandan society, also curtailed the ability of CSOs to influence government policies. For example, after the referendum on amending the constitution in December 2015, public discussion of the referendum process was constrained, and not a single CSO engaged in public debate about the amendments, despite the fact that many Rwandans were unhappy with the way the referendum had been conducted.

CSOs lost an opportunity to engage effectively with the government on advocacy issues under the UPR process. The government attempted to coordinate sixty-five CSOs into an ad hoc coalition that could monitor and report on the UPR under government supervision. However, neither the Ministry of Justice nor the CSOs themselves were able to organize their participation in the initiative. At the same time, a separate independent coalition of forty CSOs attempted unsuccessfully to monitor implementation of the UPR recommendations. These incidents highlight CSOs’ weakened ability to influence Rwandan policy makers and act as a force for positive change.
CSOs sought to conduct several other advocacy campaigns in 2016. One campaign attempted unsuccessfully to have court case filing fees reduced. Another initiative aimed to reduce overcrowding in prisons, based on UPR recommendations, but made no concrete headway. CSOs’ access to detention centers had been curtailed in 2015 following the Human Rights Watch report on Gikondo, which has impeded their efforts to reduce overcrowding.

Although one of the UPR recommendations calls on the government to improve the environment for CSOs, in practice CSOs find it difficult to effectively push for this objective.

**SERVICE PROVISION: 4.3**

Rwandan CSOs traditionally deliver services in such sectors as education, agriculture, health, and youth and women’s empowerment. In 2016 challenges with financial viability, weak management capacity, and a difficult working environment impinged on both the quality and quantity of CSO service delivery. Many CSOs were forced to cut back on their activities or limit the geographic scope of their operations.

Communities welcome CSOs’ work at the local level. In some cases, people help implement activities, such as rehabilitating roads or building water and sanitation projects aimed at improving living conditions. CSOs commonly train beneficiaries to maintain their achievements and disseminate know-how to others in rural areas. However, when CSOs no longer have funding for projects, local people, who are mostly impoverished, are unable to ensure the sustainability of their projects.

Most CSOs do not generate income from service delivery. Their services are usually funded by donors or the government and offered free of charge to beneficiaries who are either unable or unwilling to pay for them. For example, lawyers working for CSOs provide pro bono legal advice to indigent people and cover court fees, case filing fees, and transport and communication costs. However, several health-sector CSOs, such as Society for Family Health Rwanda, charge fees for their services.

In general, the government recognizes the role played by CSOs in development and poverty alleviation and encourages CSO service delivery as a way of supplementing its own programs. Many CSOs involved in service delivery support the government’s priorities and enjoy the presence of government officials at their activities. For example, in 2016 government officials attended events at which the Youth Association for Human Rights Promotion and Development (AJPRODHO) provided goats to youth from vulnerable families and LAF launched its survey on women’s access to land. However, the government often claims CSOs’ achievements as its own or minimizes CSOs’ contributions to downgrade their public image and dampen their courage to engage in policy analysis and advocacy. The government usually monitors the services delivered by CSOs, particularly international organizations, and requires CSOs to submit activity reports to line ministries and districts of operation so that their activities and finances can be easily mapped.

**INFRASTRUCTURE: 5.2**

The infrastructure for CSOs in Rwanda worsened in 2016. Intermediary support organizations (ISOs) and CSO resource centers generally do not exist. Most CSOs rely on informal networks that function as support organizations at the grassroots level and assist community-based initiatives and organizations. Local grant making is also very weak. For example, although LAF offered subsidies to some of its members for three to six months, other umbrella organizations that receive donor funding often implement projects directly in cooperation with member organizations without re-granting funds.
Poor management limits the effectiveness of some umbrella organizations. Many CSOs are used to working in isolation, and mistrust among CSOs often blocks them from developing stronger capacity through joint projects. In 2016, when the government tried to coordinate sixty-five local and international organizations to take part in the UPR process, the CSOs themselves were unable to designate representatives and set up a formal structure to lead the initiative. Eventually internal conflicts of interest undermined cooperation and the initiative stopped.

Several donors, such as Norwegian People’s Aid and the German Agency for International Cooperation (GIZ), organize training for their partner organizations on topics ranging from lobbying and networking to project development. The EU trained local CSOs on its project procedures and financial management requirements to strengthen their ability to compete for funds. USAID funded a capacity-building project that supported eleven CSOs and contributed to improved financial management, leadership, strategic planning, monitoring and evaluation, and human resource and governance standards. In addition, several umbrella organizations build their members’ capacity. For example, in 2016 LAF offered training to some of its members.

The relationship between CSOs and the public sector is based on both CSOs’ contributions to government programs and individual relationships between officials, local leaders, and CSO staff. Cooperation between CSOs and local authorities is encouraged and in many cases takes place because CSOs cannot implement activities without the authorities’ approval. For example, CSOs’ participation in local governance has increased, and the majority of joint action development forums are now headed by CSOs and play a greater role in district planning and budgeting. However, overall CSOs’ cooperation with local authorities has declined in recent years, as local leaders have felt political pressure to change their behavior toward CSOs—for example, by forbidding CSOs to host gatherings in public spaces without the permission of the security services.

The private sector supports CSOs by providing small loans or microcredit, although most organizations lack guaranties to secure them.

**PUBLIC IMAGE: 4.6**

The public image of CSOs declined in 2016. Media coverage of CSO operations was oriented toward the government’s priorities, and the media avoided covering or disseminating information from or about organizations that did not enjoy the support of government officials. While journalists sometimes attend CSO activities as trainees or passive participants, media coverage generally requires payment, and many CSOs cannot afford to pay journalists to cover their events.

With the government discouraging public debate and expression of dissent, public support for CSOs’ initiatives can be weak. For example, in 2016 cooperatives of farmers in the Northern Province that complained about reduced production and unmet living needs were unable to garner sufficient public support to contradict the government’s claims that local communities were satisfied with its policies.

The government views CSOs as implementers rather than as influencers and limits its engagement with them on many issues. Restrictions on freedom of expression also often affect CSOs’ ability to interact with government officials other than as its followers and supporters. CSO representatives are sometimes called upon to apologize publicly if they take a stand that contradicts the government’s position.
The shrinking space for public debate has not only caused fear and self-censorship among CSOs – it has also affected private-sector perceptions of CSOs. Private actors are affected by many of the same constraints faced by CSOs, and some seek to limit their exposure with potentially controversial organizations. Some donors, on the other hand, hold the view that CSOs are overly passive and silent, when they should instead be mobilizing the public and advocating for its wellbeing.

Many CSOs find it difficult to publicize their programs among beneficiaries. Most CSOs do not have websites and lack funding to maintain public visibility of their programs. Even CSOs that have websites often fail to provide information or share their annual reports. Thus CSOs can appear to be more accountable to donors than to the public and the government.

In general, only international CSOs submit annual reports and financial statements as part of their annual applications for registration renewal. Many years ago, the League for the Defense of Human Rights in the Great Lakes Region developed a code of conduct for CSOs, but it has never been implemented. Some CSOs have their own codes of ethics, which they may or may not follow.
In 2016, Senegal underwent a number of political reforms. A constitutional referendum was passed in April to strengthen good governance, modernize the political regime, and consolidate the rule of law. Some of its key points included: reducing the mandate of the President of the Republic from seven years to five, increasing the sovereignty of the people over natural resources, increasing the participation of independent candidates in all types of elections, and advancing significantly the objectives pursued by CSOs. The reduction in the mandate of the president was years in the making and stems from a popular movement that rose up during the presidential crisis of 2011. The social movements M23, “Y en a marre” [Fed up with it], political organizations, and a diverse grouping of CSOs came together to put pressure on the government to prevent the incumbent president, Abdoulaye Wade, from running for a third term.

In October, the president created the High Council of Territorial Authorities to support the development of the territories of Senegal and, in doing so, opened up new space for dialogue between the government and citizens. While its membership is inclusive of civil society members, socio-professional organizations, and other categories of society, the president appoints 70 of the 150 members who participate.
A large land reform policy that engaged the government, civil society, and the private sector was completed with the support of donors. CSO proposals were included in the policy document and they were involved in its validation. Nonetheless, CSOs remain vigilant against the risk of commodification of land, especially since the proposed land policy does not clearly delineate national land access rights. The next step will be to draft the land reform legislation, and CSOs are optimistic that they will have a seat at the table for the drafting process.

In 2014, the government adopted the Plan for an Emerging Senegal strategy to help spur economic growth. To date, the efforts seem to be working with the GDP growth rate reaching 6.5 percent in 2016 after languishing near four percent prior to 2015.

In the social arena, the National Strategy for Social Protection, adopted in 2015, was revised. The Council of Non-Governmental Organizations for Development (CONGAD) held consultations on the contributions of non-state actors in the country’s 14 regions. These contributions were considered in the validated version of the SNPS. The next step will be the development of an action plan and implementation modalities. Civil society is committed to continuing the work so that SNPS is widely shared at the grassroots level and a citizen monitoring system is in place. While there is no total figure for the number of CSOs in Senegal, there were 336 CSOs registered in 2016 of which 334 were associations and two were NGOs.

**LEGAL ENVIRONMENT: 4.9**

The legal environment remained largely the same in 2016. The Code of Civil and Commercial Obligations allows the creation of an association, its registration, and allows it to freely exercise its rights, conforming to the law. The Civil and Commercial Obligations Code grants any CSO the right to register as an association and carry out activities that conform to the law. CSOs that conform to the law do not have any issues registering and operating freely. However, the process is notoriously long, taking approximately three months.

The Civil and Commercial Obligations Code covers internal management, the field of authorized activities, financial reporting, and the dissolution of CSOs. It allows CSOs to operate independently. In 2015, the adoption of Decree 2015/145 requires CSOs to submit requests for registration approval and planned programs with prefects. After one year of implementation of Decree 2015/145, it has highlighted the administrative deficiencies of the state, including slow processing of citizen requests and occasionally losing files.

CSOs and their representatives are authorized to operate freely within the existing laws. In 2016, there were no instances of harassment toward CSOs that were carrying out their missions and expressing their opinions on all subjects of national and international importance. The notable exceptions are CSOs that work on behalf of LGBTI communities such as ENDA Health and Centre AIDS Service. They operate under the guise of improving access to health services. Under Senegalese law, homosexuality is illegal so CSOs that support LGBTI beneficiaries have to do so indirectly.

The law provides for the dissolution of associations. Indeed, CSOs are not adequately protected from the risk of arbitrary dissolution since the administrative authorities can always abuse their discretionary power. However, CSOs have the power to appeal, including challenging the decision of the Administrative Chamber in the Supreme Court. In 2016, there were no cases of the arbitrary dissolution of CSOs. However, there are
two ongoing cases concerning WAMI and Solidarity Action Development. It is also worth noting that administrative delays on the part of the state can result in CSOs with an illegal status due to paperwork not being approved in a timely fashion.

Furthermore, the procedures for obtaining approval for NGO status are still binding, in addition to the long processing time for files (both at the prefecture and central government level).

An Order of Lawyers exists, however CSOs do not have access to lawyers for their administrative procedures and formalities. Associations for the defense of human rights have put in place structures for legal assistance, including the Association of Senegalese Jurists (AJS), the African Network for Integrated Development (RADI), and Civil Forum, which offer their services free of charge to CSOs and the public. Legal advice is available in the capital and in secondary cities through legal clinics like the Civil Forum and AJS.

All NGOs have the right to benefit from tax and customs exemptions on the basis of an investment program approved by the government or under a headquarters agreement. Corporate funds that are used for corporate social responsibility (CSR) initiatives are not taxed.

The right to tax and customs exemptions has not been extended to civil society organizations which are not accredited as NGOs. This mainly includes grassroots organizations and various development associations, which, nevertheless, carry out significant actions in the public interest. This poses a problem of equity in relation to the state’s facilitation of CSOs.

CSOs are private, not-for-profit organizations. According to the law, they can generate income in the form of membership dues, gifts and bequests, and subsidies granted by legal persons.

They can also carry out income-generating activities, in the form of providing intellectual, financial, or material services. The laws and regulations do not prohibit CSOs, declared as not-for-profits, from undertaking activities which provide them with the resources needed to fulfill their social missions. All revenue received, therefore, has to go toward fulfilling a CSO’s mission. Decree 2015-145 establishes a more government-controlled institutional framework, governing the origin and use of funds available to NGOs. However, CSOs take into account compliance with national guidelines and principles of transparency and accountability.

**ORGANIZATIONAL CAPACITY: 4.0**

There were no major changes in CSO organizational capacity in 2016. Given their limited capacity in terms of financial resources, CSOs seek technical, strategic, and policy support. In the healthcare field, CSOs have partnered with the government to promote a platform around universal healthcare coverage and the health of mothers, children, and adolescents. CONGAD held a workshop on health networking in Thies to engage the local population. The Senegalese Association for Research and Support of Community Development successfully mobilized support groups to raise awareness of health and education needs. CSOs working on climate change collaborate with researchers and public institutions in charge of the environment (ministries, local collectives). GREEN Senegal, the Initiative Group for Social Progress-West Africa Region (GIPS-WAR), World Vision, and ADT GERT have successfully mobilized researchers, the Ministry of Environment, and local governments to work on climate change issues.

Some CSOs with internal competency and a good organizational structure have a strategic plan, such as the NGO Association for Action and the NGO Action Aid. Additional NGOs with strategic plans include
CONGAD and the Federation of Senegalese Non-Governmental Organizations. Despite this, the majority of CSOs have organizational, technical, and financial difficulties in developing and implementing strategic plans.

The majority of CSOs have internal bodies for policy, administrative and technical management, such as a board of directors, executive secretary, and technical commissions. The board of directors establishes guidelines and ensures good governance of NGO activities and that regular audits occur. These dispositions are integrated into financial contracts.

However, a common limitation experienced by many CSOs is the irregularity of management meetings. This happens for a variety of reasons, including organizational weakness or lack of resources. In addition, the lack of technical skills among CSOs hinders their proper functioning. It plays out through a weak budget that does not allow CSOs to pay technical staff sufficiently enough to hire them or even plan to hire technical expertise.

The majority of CSOs have difficulty maintaining permanent, paid staff. They simply sign short-term service delivery contracts on a project-by-project basis for personnel and never develop a core of institutional staff. Within CSOs, the high rate of turnover and social payments for staff benefits stretches their budgets. In addition, teams within CSOs are often formed around specific activities and, once the activity is complete, the team breaks up. Increasingly, CSOs are turning to volunteers, interns, retired adults, and recent college graduates to fill gaps. Volunteers typically have strong professional backgrounds and are ready to contribute right away. Interns typically come from universities that have agreements with CSOs to provide real life experience to their students.

The majority of NGOs have the capacity to use information and communication technology (ICT), but there is a great disparity between national NGOs, international NGOs, and grassroots organizations. International NGOs typically have better ICT skills and equipment and can train staff to use them properly. Smaller CSOs make efforts to have basic materials like computers, telephones, photocopiers, internet access, etc., but it is difficult for them to keep their office equipment up to date.

**FINANCIAL VIABILITY: 4.9**

The financial viability of CSOs did not evolve significantly in 2016. For many years, the law has allowed the government to grant awards to national CSOs for the public benefit. The third phase of the decentralization policy also allows local governments to plan for similar grants to local organizations. The law also encourages support for women’s and youth organizations, in particular. Funding is supposed to flow down from the central government to the local governments through the Decentralization Endowment Fund and the Local Communities’ Infrastructure and Equipment Fund. However, implementation of these laws has been limited. The local authorities have not truly integrated financing for CSO activities in their local development plans. Furthermore, while the third phase of decentralization policy encourages the devolution of skills to the local level, public financing remains in the hands of the central government and the line ministries. There is little that local authorities can do without this budget control.

The financing mechanisms that are available for CSOs are essentially bilateral or multilateral cooperation projects. There has been no change in Senegal’s development partners over the years. The main donors are still France, the United States, Canada (CFLI), the European Union, and the United Nations Development Programme (UNDP).

In addition, community organizations, frequently supported by NGOs, participate in the implementation of development activities financially (using the dues of their members to co-finance activities) and through human
investment, but these investments are relatively weak. That said, the tendency is to expect the project’s primary implementing partner, the national NGO or international NGO, to provide all the resources necessary to carry out a project.

CSOs have not yet succeeded in promoting effective resource mobilization strategies at the local level (state, local government, and private sector financing). The reality is that there are few sources of funding, the criteria for winning funding can be overly selective, and financing often only covers the activities themselves with no payment of fees for CSO management. This has been the typical experience for CSOs for many years now, especially for national NGOs.

Nearly all CSOs have a system of financial management. Annual audits and financial reports are a requirement for access to funding from some donors. In general, CSOs who have properly registered have a proven financial management system with qualified staff that produce annual reports and are involved in audits.

Philanthropic movements for CSO initiatives are rare. At the local level, financing sources are equally rare, weak, and difficult to access. Calls for funds from a large public have not developed in Senegal; however, there are partnerships between national and international NGOs allowing the mobilization of funds from support mechanisms in Northern countries. Philanthropy and patronage includes foundations and service clubs, such as company foundations like Sonatel, Ecobank, Sococim, Senegal Service Foundation, and the Lion’s Club. Donor funding has remained relatively stable over the years, but given that CSOs are unable to cover the costs of managing their organizations, it does little to support their long-term financial viability.

The principle resources of CSOs are membership dues, however they have difficulty mobilizing them regularly. In the face of limited sources of financing, CSOs are increasingly active in providing services on donor-funded and government-funded activities, but the revenues from these services are not yet sufficient for sustainable existence and operation.

In general, financing is granted for the implementation of specific projects. Each project has financing and a partner. Financing only relates to program activities and does not cover institutional costs, which does not promote the sustainability of CSOs.

National CSOs still have not adequately developed strategies for mobilizing funds at the national level. Moreover, they have difficulty ensuring a vibrant community life, which makes it possible to strengthen the participation of members and facilitate regular collection of membership dues.

**ADVOCACY: 3.7**

The strong relationship between CSOs and the government continued in 2016. CSOs are regularly incorporated into the design of public projects and policies, as well as in monitoring and evaluating plans and programs. In 2016, CSOs were involved in land reform, specifically in validating the land policy document and moving it towards the design of new land legislation. The European Union-funded Program for the Support of Citizen Initiatives of Civil Society brings together CSO platforms like CONGAD, non-state actors, and the Ministry of Finance. The USAID program Sunu Budget brings together the Ministry of Finance and the NGO 3D to improve citizen’s knowledge of budget information.

Mechanisms exist to promote the participation of CSOs, but, overall, the state has difficulty making full use of them and promoting a permanent operational monitoring system. The Decree on NGOs established specific
government bodies, such as the Interministerial Consultative Commission, which consults with CSOs to study and prepare thematic papers to submit to the appropriate authorities. There are monitoring and evaluation committees at local, departmental, and regional levels that monitor NGO activities. Regional conferences evaluate on an annual basis the work of NGOs and develop a report on their contributions to regional development. The Strategic Council of NGO-Government Partnership oversees implementation of the governmental policies related to partnerships with NGOs. The challenge for the state is overcoming administrative delays or turnover at the institutional level for these different partnership mechanisms to function properly. In addition, some CSOs are not well equipped to adequately participate in these fora.

At the local level, networks, cells, and community-based organizations (CBOs) have actively participated in work on land reform, emergency response, climate, and in sector review meetings (health, education and sanitation). On the ground, CSOs are increasingly reactive to the demands of those financing their projects. Where they used to initiate activities, CSOs are now simply responding to whatever financing options are available, which are often requests for proposals from foreign donors.

There are active platforms, like the campaigns on universal health coverage and on land reform, which promote the inclusion of CSO positions (on the Mining Code or the decree implementing the July 2016 anti-smoking law). Advocacy in favor of universal health coverage was spearheaded by APROFES of Kaolack, Health, HIV, and Population Network (RESSIP), Senegalese Association for Family Well-being (ASBEF) and Siggil Jigèen Network, the Women in an Urban Environment Program (PROFEMU), and the Union of Health Mutuals. Land reform advocacy was led by the Framework for Reflection and Action on Land in Senegal (CRAFS) which is made up of CNCR, Agricultural and Rural Prospective Initiative (IPAR), Consumer for Development (CICODEV), ENDA PRONAL, CONGAD, and Action AID. Advocacy to improve transparency in the extractive industries and the miners' code was led by the Light of Tambacounda, SADEV of Kedougou, and Oxfam.

State and CSO collaboration has seen advances, as with the work of the inter-ministry commission monitoring approvals, investment programs, and headquarters agreements, where civil society is formally and actively involved.

In Senegal, the organization of advocacy campaigns is one of the distinctive skills of CSOs, evidenced by, among others, the CONGAD initiative to support the universal health care movement which mobilized community-based organizations and engaged local governments in 2016. The National Alliance of Communities for Health (ANCS) led advocacy initiatives against the stigmatization of those infected with HIV. The Coalition of Organizations in Synergy for the Defense of Public Schools (COSYDEP) led advocacy for a calming of the education sector, which was frequently interrupted by strikes in 2016. The NGO Green Senegal engaged in advocacy to defend the environment in line with the Paris Climate Accord.

CSOs have gathered on various platforms like CONGAD, International Non-Governmental Organizations in Senegal (ONGIS), the Platform for European Union NGOs (PFONGUE) and the Platform for Non-State Actors (ANE); moreover many organizations are members of several of these platforms at the same time. It should be noted that these do not yet have a unitary action strategy to form a single point of contact between the public authorities and, if necessary, all other families of development actors and partners. This limits the participation of CSOs in the major negotiating spaces.

CSOs participated in the launch of the national dialogue initiated by the President of the Republic. CONGAD, in collaboration with other CSOs, initiated a state-NGO partnership framework document to help guide the partnership. On the base of common objectives for economic, social, and cultural development, this framework defined the roles and responsibilities of the government and of CSOs in this partnership. Moreover, it also refocused CSOs on their missions and called for renewing State-CSO cooperation on the base of performance and transparency. It was accepted by the state, but was slow to be signed.
Regionally, consultation and harmonization committees exist and function as best they can, under the presidency of governors and in the presence of local CSOs.

Today, the leaders of certain CSOs are involved in state institutions where they occupy positions which permit them to participate in different decision-making processes in the government. CSOs participate in oversight committees for the Center for Policy Studies for Development, monitoring national policies on apprenticeship training, and the coordinating body for programs financed by the Global Fund to Fight HIV, Tuberculosis, and Malaria.

In 2016, CSOs lobbied for the adoption of the Tobacco Act. The Anti-Tobacco League of Senegal, the Anti-Tobacco Movement of Senegal, and the NGO Jamra were integral players in leading lobbying efforts against tobacco. The law was passed on August 11, and it was followed by a decree which set out the modalities of implementation.

CONGAD continues to deploy a broad advocacy movement to defend CSO interests and their sustainability. As such, it collects information, shares it, and advocates to improve the legal and regulatory framework for CSO intervention. These efforts have not yet impacted CSOs’ awareness on the effectiveness of the legal framework for their actions and their sustainability. On the contrary, they consider it a complex and constraining factor.

**SERVICE PROVISION: 3.9**

CSO service delivery capacity improved minimally from 2015 to 2016. CSOs started to win contracts and grants from the government and donors, largely through the government and United Nations Development Programme-funded Emergency Program for Community Development (PUDC). CSOs have traditionally provided basic social services and they invest in them enormously to improve living conditions through a diverse range of products. CSOs intervene based on the real concerns of the communities in which they operate. They are involved in the installation of basic infrastructure and equipment, information actions, education, and communication, including raising awareness on reproductive health and community organizing, and mobilization in educational structures. They deliver education services, training, health, clean water, hygiene, sanitation, governance, and generally try to improve the quality of life of their beneficiaries.

In addition to providing basic social services, CSOs carry out studies and research for the national government, donor projects, and national CSOs. These are paid activities that contribute to a larger discussion of the issue through workshops and conferences with various categories of stakeholders, institutional leaders, and local collectives. The publications resulting from this work are distributed widely to the public, experts, universities, and researchers, and media events are organized.

CSOs recover costs through the services and products they offer because the activities are funded, either entirely or partially, through government or donor-funded activities. However, as not-for-profit associations, they may provide an aspect of delivery as a cost-share to the donor, and they do not earn any profit. This is the case for NGOs working in education and training, such as the Senegalese Association to Support Training and Integration (ASAFIN), the Cultural Association for Education and Social Promotion, the Union for Solidarity and Mutual Support (USE), and NGOs working in health such as Action and Development (ACDEV), and Research Support Mutual Initiatives Group.
CSOs have been recognized by both the public and the government for the effectiveness of their contributions to the delivery and monitoring of basic social services. Under services implemented by the government, CSOs can benefit from service delivery contracts, but they are rarely awarded any. However, in 2016 there were several notable examples. For instance the NGO ACDEV was selected by the Ministry of Health and Social Action as a sub-contractor of the Strengthening Health Systems/Global Fund program. This is a rare case of government working directly with a local NGO. Many NGOs are also social actors in the 14 regions for the National Family Safety Scholarship Program, and others are involved in various government programs such as Third World Environmental Development (ENDA) for the Regional Express Train, ACDEV and the Sigjil Jigèen Network (RSJ), the Strengthening Health Systems/The Vaccine Alliance (RSS/GAVI) project, and the NGO Caritas in the Emergency Program for Community Development (PUDC) funded by the United Nations Development Program and the government. PUDC is significant because, as part of the government’s Plan for an Emerging Senegal, it works at the community level through many local partner CSOs who are gaining experience implementing contracts. Nonetheless, CSOs in general have not yet been able to benefit from direct state subsidies that would be similar to the annual media subvention, Aide to the Press. The state determines the amount given to each media organization.

**INFRASTRUCTURE: 4.5**

The CSO infrastructure in Senegal improved from 2015 to 2016 due to a proliferation of partnerships among CSOs and government entities. Intermediary Support Organizations (ISOs) like CONGAD have developed mechanisms of exchange and consultation, enabling them to strengthen the capacities of their members through issue-specific networks around health, water and sanitation, and gender. Some ISOs, like the National Council for Rural Consultation and Cooperation (CNCR) and the Platform for Non-State Actors (ANE), offer service opportunities for local CSOs to access to information, training, and technical support.

CSOs have gathered on various platforms like CONGAD, International Non-Governmental Organizations in Senegal (ONGIS), the Platform for European Union NGOs (PFONGUE), and the Platform for Non-State Actors (ANE). Indeed many organizations are members of several of these platforms at the same time. It should be noted that these do not yet have a unitary action strategy to form a single point of contact between the public authorities and, if necessary, all other families of development actors and partners. This limits the participation of CSOs in the major negotiating spaces.

CONGAD organized training sessions on public procurement regulations for its members and it continues to provide CSOs with technical assistance in administrative procedures relating to their registration or for the approval of their investment programs. In other local organizations, like the Agricultural and Rural Prospective Initiative (IPAR) and the African Institute for Economic Planning and Development, it also offers training services to CSOs.

In general, ISOs and resource centers do not bring in income. There are some rare exceptions, such as the NGO USE, which has an ophthalmology center that covers most of the organization’s institutional costs, and the NGO ASAFIN, which uses a professional training center to generate its operational revenues. The majority of CSOs rely on offering services to members and participating in donor-funded programs.

Within the framework of corporate social responsibility (CSR), extractive industries provide financial support to local projects by CSOs. These actions are small-scale and lacking in visibility. For example, the Kumba Resource Society, which is involved in mining extraction, has established partnerships for the construction of community buildings such as schools and health centers with NGOs like RADI, Action Aid, and ENDA.
CSO platforms allow large-scale information sharing between their members and are a mechanism to defend their interests. CONGAD, ONGIS, PFONGUE, ANE, and others develop thematic and operational collaboration tools and shared maps that show their respective actions in the national territory capitalization. They also organized public debates that were broadcast on television and radio on issues such as the governance of public resources, land rights, and human rights.

CONGAD organized a three-month training on project management for the benefit of CSO agents with support from the Belgian Technical Cooperation. In addition, it mapped out non-state actors working in the healthcare sector and triggered a computer donation.

CSOs include trainers with proven experience in a variety of areas relevant to CSO capacity building for CSOs in the capital and other cities. These areas include CSO management, strategic management, accounting, financial management, youth entrepreneurship and employability, fundraising, volunteer management, and community governance structures. These trainings, which are linked to priority needs, can be given in local languages with supports adapted to their targets. CSOs like Advisory Associates for Action (ACA), Associates in Research and Education in Development (ARED), Concept, and other organizations have been working for decades on variously-themed trainings.

The University Institute for Enterprise and Development (IUED) initiatives provide training on NGO registration, as well as short- and long-term courses on management, and USE continues to offer technical and vocational training for NGO professionals in the health sector.

Inter-sector partnerships such as the RESSIP and the Ministry of Health that work together the Vaccine Alliance (GAVI) initiative. CONGAD has established partnerships with the media to promote an open and equitable dialogue on land reform between the different stakeholders. The Global Fund to Fight AIDS, Tuberculosis and Malaria works in partnership with the local CSO National Alliance Against AIDS to implement its programs.

**PUBLIC IMAGE: 3.7**

The public image of CSOs remained unchanged in 2016. CSOs have benefited from positive media coverage at the local and national levels. The Network of Health and Development Journalists regularly covers CSO issues. However, the absence of regular communication spaces for CSOs and the media should be noted. There is regular local media coverage on community radio stations, most of which are supported by CSOs. For many CSOs, the lack of a communication strategy is a major weakness, along with poor documentation on significant achievements. In reality, there is a total absence of institutional relations with the press apart from media coverage of CSO activities.

The general public appreciates the development initiatives carried out by CSOs, both at the local and national level. The various services offered in the areas of health, education and training, sanitation, empowerment of vulnerable groups, and governance and citizenship shape this public perception. While the perception of CSOs is positive, there is an understanding that CSOs are not able to bring about sustainable change in all their initiatives due to the fact that CSOs are relatively weak and under-funded.

Government and business representatives generally have a good perception of CSOs because of their expertise and their role in social mediation.
The findings of the Ministry of Economy and Finance’s mission to audit NGO funds confirmed the positive image of CSOs, with the results showing the importance of the resources mobilized by CSOs and their results in affected social sectors. The decree on NGOs necessitates this annual monitoring mission.

CSOs owe their positive public image to the nature of their intervention strategy, which relies on engaging the public in identifying their priority needs and their participation to implement activities. Communities that work with CSOs are engaged in identifying the problems, developing solutions, and monitoring the results of initiatives, giving them a strong sense of ownership.

Some of the larger, national CSOs, such as CONGAD, have a code of ethics. In the case of CONGAD, the code needs to be updated. Similarly, ONGIS has an anti-corruption charter signed by each member at the time they join. The leading CSOs at the national level publish annual reports, a requirement reinforced by the new regulatory framework.
In 2016, CSOs in Sierra Leone operated in an environment of serious economic recession. Prior to 2014 Sierra Leone had one of the fastest growing economies in the world, but the twin shocks of the Ebola crisis and a fall in the international price of iron ore and other commodities threw the economy into a precarious state. In March 2016, the government introduced austerity measures to curtail government spending and reduce severe balance-of-payment deficits.

The Ebola outbreak limited the work of the Constitutional Review Committee (CRC), which the president had appointed in 2013 to strengthen multi-party democracy and establish an open and transparent society. The eighty-member committee is composed of a wide range of stakeholders, including CSOs, which have submitted more than eighty position papers to the committee and hosted community events to raise public awareness about key constitutional issues and the review process. The committee published an abridged version of its first draft report in February 2016. Women’s groups and service agencies were dissatisfied that the draft did not take into account specific women’s concerns, and after a nationwide conference they submitted a nineteen-point
resolution, which the committee accepted for inclusion in its report before presenting it to the president in January 2017. By the end of 2016, no date had been set for the referendum.

Preparations for presidential and parliamentary elections in 2018 began in 2016 as the government, National Electoral Commission, and National Civil Registration Authority conferred about a proposed election date and began national voter registration. CSOs pushed for the election date to be finalized and made plans to ensure a peaceful, free, and fair election process. The election date was finally announced in early 2017.

The overall sustainability of CSOs in Sierra Leone was stable in 2016. Registration became considerably easier under the Corporate Affairs Commission (CAC), which had taken over responsibility for registration from the Office of the Administrator and Registrar General in 2014. CSOs’ public image was robust thanks to effective partnerships with the media, and their advocacy efforts on the election and land rights, among other issues, were largely successful. The austerity measures imposed by the government did not directly affect CSOs’ financial viability, and their service provision and the infrastructure supporting CSOs remained stable.

The number of CSOs in Sierra Leone is difficult to ascertain, since organizations register with various entities and consolidated data is not available. In 2016 the total number of organizations, including community-based organizations (CBOs), was thought to be about 1,000. This figure includes 9 newly registered international CSOs and 63 newly registered domestic CSOs, as well 72 international CSOs and 107 domestic CSOs that renewed their registrations.

**LEGAL ENVIRONMENT: 5.2**

There is no comprehensive law governing CSOs in Sierra Leone. The main regulatory framework is the Revised Non-Governmental Organization (NGO) Policy Regulations of 2009, which the government began to review in 2015 with the stated intention of more closely scrutinizing CSOs. Many CSOs took part in the review process, hoping that the policy could be revised to establish clearer parameters for their registration and operations. But they regarded the government’s draft policy, which was still under review at the end of 2016, as limiting freedoms of association and expression. In particular, CSOs are concerned about provisions requiring them to seek permission from relevant ministries before implementing activities.

CSOs in Sierra Leone register with the CAC, a government institution responsible for their area of intervention, or a city or district council. In 2016 registration became easier under the CAC. The registration process is straightforward, and the CAC organized sessions to advise CSOs on its procedures and offered a one-stop shop for more efficient registration. Applications must still be submitted in person, but the CAC processes applications quickly—often within a week if all documents are available and submitted on time. Depending on their focus and location, some organizations must register with more than one entity. For example, organizations that wish to obtain NGO status, which confers eligibility for tax waivers, must register with the Sierra Leone Association of NGOs (SLANGO) and then with the Ministry of Finance and Economic Development (MOFED). Many CSOs register with the CAC while waiting for registration with MOFED, which requires more documentation than the CAC and can take up to one month or more to issue approval. Other CSOs and CBOs usually register with relevant ministries or departments and sometimes also with local agencies, since government offices may deny them permission to collaborate or work locally if they have not
registered with local entities. For example, despite concluding registration at the central level, the Youth and Child Advocacy Network (YACAN) was not allowed to implement a project in Moyamba District without first registering with the local council.

The space for CSO engagement remained robust in 2016. Even organizations working on sensitive issues such as budget transparency, public spending, and female genital mutilation (FGM) were allowed to operate freely and without harassment. Only organizations working on issues of corporate governance faced some constraint. The government believes that “safe havens” must be created for private-sector growth and that CSOs probing the excesses of mining and industrial agricultural companies or critiquing their lack of corporate social responsibility and community development programs scare investors away. CSOs engaged in these issues can face a serious backlash from the government. In 2016, for example, Green Scenery was barred from operating in Pujehun, Malen Chiefdom, after it tried to commission a study that would have exposed a land-grabbing scandal involving a locally operating company. In a worrying trend that started in 2015, parliament continued to summon CSO representatives—for example, from the Center for Accountability and Rule of Law (CARL-SL)—to question them about issues of accountability in their organizations.

All CSOs must pay taxes on income from grants, endowments, fees, and economic activities. However, the Finance Act of 2016 allows a 6.8 percent exemption for organizations that appoint women to managerial positions within the two-year period from 2016 to 2018. CSOs also pay taxes on imported goods. They may request a waiver on duty if the goods are needed for their operations, but in 2016 the Ministry of Finance was reluctant to issue such waivers, claiming that some CSOs have abused the privilege by importing personal possessions and commercial goods.

There are no laws that prevent CSOs from raising funds through the provision of services. However, Sierra Leone’s political environment and not-for-profit culture do not encourage CSOs to charge for services or compete for government contracts.

Pro bono legal services for CSOs are scarce, since local legal practitioners do not see the civil society sector as a stimulating area of work. However, the head of Society for Democratic Initiatives (SDI) helps protect the legal rights of CSOs, and Namati, an organization focused on legal empowerment, undertakes legal work on behalf of CSOs engaged in advocacy related to land grabbing and industrial agriculture. The Legal Aid Board established by the government also offers assistance to organizations and individuals in conflict with the law.

**ORGANIZATIONAL CAPACITY: 4.8**

In 2016, CSOs’ organizational capacity did not change significantly, although a shift in constituency building was evident. Many organizations systematically worked on deepening their networks and consolidating their areas of intervention by meeting with government officials, engaging partner organizations, and involving wider CSO networks across the country. For example, when challenges arose with a project involving road construction in Kenema City in the eastern part of Sierra Leone, local CSOs reached out to organizations in Freetown to support their efforts.

CSOs at all levels recognize the value of strategic planning in delineating their organizations’ direction and focus. However, most CSOs must pursue funding opportunities as they arise and are often unable to generate the resources needed to realize their strategic plans.

Well-organized CSOs usually have a hierarchy of managers with clear roles and responsibilities. But most small CSOs do not have defined management structures, and heads of organizations are often the sole permanent
employees. The lack of proper internal management structures has become an urgent concern at many emerging coalitions, whose loose management and operational structures allow swift decision making but raise questions about accountability and internal controls. Boards of directors are usually inactive.

Most CSOs have a skeleton staff and recruit other employees on a project-by-project basis. Donors usually pay only a portion of salaries reflecting the time actually spent on funded projects, which makes it difficult for some organizations to retain staff. Some CSOs do not have contracted staff, and volunteers ranging from the founders’ family members to unemployed graduates carry out day-to-day operations. Few organizations have clear staffing guidelines and procedures.

The impediments to CSOs’ technical advancement in Sierra Leone are glaring. Most organizations spend only 5 to 10 percent of their budgets on administrative costs, as this is a standard requirement of donors. Thus budgetary support for essential equipment such as laptops, printers, generators, office furniture, and Internet services is minimal. In addition, most donors request that CSOs return assets such as vehicles at the end of a project. Internal cost-saving measures aimed at helping meet high costs for operational needs such as fuel have limited the activities of some CSOs.

**FINANCIAL VIABILITY: 5.7**

CSOs’ financial viability was unchanged in 2016. The donor community in Sierra Leone is relatively small, and in 2016 a donor coordination mechanism was introduced to ensure that funded projects are not duplicated and outputs are maximized. Funds are often managed by international CSOs, which in turn pass them on to domestic organizations. Larger CSOs are generally able to take advantage of this arrangement, but smaller CSOs lack the necessary capacity and as a result experience constrained growth. For instance, when considering grant proposals most donors ask CSOs for audit reports from the previous year. Smaller CSOs often do not have audited reports for the specified period since they did not have funded projects and thus are automatically disqualified from receiving grants. CSOs increasingly apply for donor funds through coalitions, which enhances information sharing and the strategic management of programs and funds.

Funding for Ebola-related activities did not continue in 2016. In previous years CSOs had largely received strategic emergency funding to help with the Ebola crisis rather than long-term contracted support.

Local sources of funding are limited in Sierra Leone, and CSOs made little progress in fundraising or diversifying their funding sources in 2016. Organizations working on governance found fundraising particularly difficult, since their activities are often viewed as political. A few businesses support specific events rather than projects. For example, the auditing firm KPMG supports an awards program for people with disabilities; Standard Chartered Bank funds cancer- and disability-related projects; and the Sierra Leone Cement Corporation, Mercury International, and some cellphone companies support a variety of campaigns. Other local donations support activities such as football matches, scholarships, and the construction of water wells. Otherwise, the public mostly perceives CSOs as wealthy organizations and may even expect remuneration if taking part in CSO events. Exceptionally, the 50/50 Group, an organization that advocates for the political participation of women, the Sierra Leone Teachers Union (SLTU), and several market associations thrive on membership dues paid directly by members or deducted automatically from monthly payrolls. Although few CSOs generate income, the 50/50 Group also rents out its halls, SLTU runs a hotel and conference facility, and farmers’ associations have mobile markets from which they sell vegetables and other products.

The quality of CSOs’ financial management systems is closely tied to their technical capacities. Although most CSOs keep track of income and cash flows and submit financial reports to donors, only a few larger CSOs can...
afford to have sound financial management systems and pay for professional financial staff. Since donors are usually unwilling to fund CSOs that cannot offer proper financial reporting, smaller organizations are often at a disadvantage.

**ADVOCACY: 4.1**

CSO advocacy remained stable in 2016. CSOs cooperate regularly with local and central governments. For example, state institutions routinely appoint CSOs to various committees, such as the Election Security Strategy Committee and Sierra Leone International Benchmarks Systems. CSO representatives also sit on the CRC and support the committee’s work by taking part in community consultations and hosting sessions with target groups that the CRC cannot access. For example, in 2016 the Campaign for Good Governance (CGG) met with women from political parties and women’s groups, conducted expert panel studies, and submitted a report to the CRC addressing women’s empowerment and gender equity, human rights (especially as they pertain to health and education, the elderly, and children), and local government and decentralization.

In 2016, CSOs took part in the Open Government Partnership (OGP), a multilateral initiative that promotes transparency, empowers citizens, fights corruption, and harnesses new technologies to strengthen governance. CSOs and the government worked together on joint reviews and reports about Sierra Leone’s progress towards achieving its commitments under the OGP.

CSOs advocated effectively on a number of issues in 2016, often through coalitions and partnerships. YACAN called on the Ministry of Social Welfare, Gender, and Children’s Affairs and the Law Reform Commission to strengthen the country’s laws on child marriage. Its appeal was well received, and a committee comprising government and CSO representatives was established to draft a new law on child marriage. The Strengthening Community-Led Accountability to Improve Service Delivery in Sierra Leone Program (SABI), an initiative funded by the United Kingdom’s Department For International Development (DFID) and led by Christian Aid, monitored progress towards the president’s post-Ebola recovery priorities and empowered local citizens to promote bottom-up accountability in service delivery. The Standing Together for Democracy consortium, comprised of local and international organizations, focused on preparations for the 2018 elections. Other CSOs, including CARL-SL, CGG, and National Elections Watch (NEW), organized the Elections Date campaign, which pushed for the date of elections to be set so the current president’s term in office would not be extended. Its interventions included awareness raising through social media and email, as well as an intense media campaign. In 2016, a new organization, Forward, addressed issues of governance, human rights, and the elections.

Lobbying takes place mostly through coalitions and consortiums. For example, Human Rights Defenders appealed for a law to protect human right defenders in Sierra Leone, and a draft bill is now under consideration. The Sierra Leone Association of Journalists advocated for the repeal of Part 5 of the 1965 Public Order Act, which criminalizes libel, and a cabinet paper was developed to foster its repeal.

In 2016, a coalition of CSOs worked against passage of the draft NGO policy, which they consider draconian, especially insofar as it requires CSOs to obtain permission from related ministries before they can implement any activities. Among other efforts, the coalition held a series of workshops and seminars to educate CSOs about the content of the proposed law and drafted a common proposal.
SERVICE PROVISION: 4.0

In 2016, CSOs continued to provide a wide range of goods and services in a variety of sectors, including health, education, social protection, water, energy, and the environment. In the aftermath of the deadly Ebola epidemic, organizations that had been engaged in helping to address the crisis, such as the Health For All Coalition, focused on the post-Ebola recovery plan, especially the restoration and monitoring of healthcare services. Other CSOs, such as Health Alert and Wash-NET, shifted their focus from crisis management to the provision of basic services such as water and sanitation.

CSOs in Sierra Leone often emerge in response to urgent issues in specific communities. Organizations often design and implement their activities based on community concerns and conduct needs assessments to understand those concerns more deeply. The SABI program includes a focus on improving the collection of data on service delivery.

There are few forums through which CSOs can provide their goods and services to a broader constituency. The bulk of CSOs do not market their services, usually because they lack a platform or the necessary expertise. For example, CSOs do not take advantage of churches, mosques, and other public meeting places to market their products. Since a culture of reading does not exist in Sierra Leone, platforms such as established publishing houses are lacking. CSOs distribute the few publications they manage to produce free of charge, but their poor design can sometimes inhibit their usefulness.

Government officials have shown appreciation for CSO research by referring to documents published by CSOs, including publications of the Budget Advocacy Network and National Advocacy Coalition on Extractives. CSO representatives have been asked to serve on government committees and help with monitoring. For example, the Health For All Coalition usually monitors basic health care services.

INFRASTRUCTURE: 5.1

The infrastructure supporting CSOs in Sierra Leone was unchanged in 2016. Few resource centers or other sources of information serve CSOs. Organizations can access information through the Internet, although in most parts of the country networks are limited.

Local grant making organizations do not exist. Companies are willing to support football matches and pageants but seldom support the work of CSOs. The Open Society Initiative for West Africa (OSIWA) has an office in Freetown that distributes grants for projects promoting accountability and transparency, human rights, and similar areas, but OSIWA’s regional headquarters outside of the country also takes part in funding decisions. The World Bank Fund for Non-State Actors administered by the Ministry of Finance was discontinued in 2016. Donor agencies usually distribute grants through international CSOs, which in turn reach out to Sierra Leonean CSOs through calls for proposals. This trend has become a concern for local organizations, which believe that they can manage funds without the involvement of international CSOs. In addition, international CSOs typically expend resources to cover their own expenses, such as vehicles, air conditioning, scanners, color printers, and other office equipment, which are usually disallowed for local CSOs. In some instances Sierra Leonean CSOs are selected to administer projects together in a consortium.
For example, in 2016 SABI, Welbodi Partnership, and Standing Together for Democracy Consortium were among the consortia of national and international organizations invited to apply for funds. Although some observers complain that the selection process for consortia members is not always transparent, this model has increased local CSOs’ access to financial support.

CSOs in Sierra Leone cooperate effectively. In recent years, consortia in policy advocacy areas have brought about sustainable reform, and this trend has prompted the widespread realization, even among donors, that no one group or organization can do it alone. There are now several consortia consisting of a wide range of like-minded organizations that implement projects. For example, in 2016 a number of FGM campaigners realized that no one organization was confident or secure enough to campaign against FGM, as it is a sensitive issue, and therefore CSOs came together under the umbrella Forum Against Harmful Practices to serve as a formidable voice on the issue. Female journalists united under the organization Women in the Media Sierra Leone, and seven CSOs, including CGG and NEW, formed the Standing Together Consortium to work towards peaceful, free, and fair elections. A consortium of organizations called WASH-NET advocated for access to water in communities and schools.

Although formalized training to build the capacity of local CSOs is limited, some international organizations offer training, and several local CSOs offer ad hoc training for their members and partner organizations. For example, in 2016 the Network Movement for Justice and Development conducted training on CSO management for some of its community partners, and the Budget Advocacy Network offered training on tax management to its members. In addition, a number of international CSOs trained their local partners on the implementation of specific projects. Trócaire, an Irish CSO, offered training on program and finance management; Christian Aid conducted training on financial management, power analysis, report writing, and project implementation; Canadian Teachers conducted training on innovative teaching methodologies; and SABI offered capacity building to organizations involved in coordinating and monitoring the Ebola-recovery process.

Intersectoral partnerships in 2016 included the Integrated Election Security Strategy Committee, in which CSOs and government agencies, including the police, armed forces, and the Human Rights Commission, jointly designed a security strategy for the 2018 electoral process. CSOs also involved state institutions in their projects and activities. For example, the National Resource Governance and Economic Justice Network organized a one-day meeting on the mineral industry, which was attended by the deputy minister of mines and mineral resources. In 2016, the media and CSOs intensified their campaign to repeal the 1965 Public Order Act, a repressive law that undermines freedom of association and expression, and the government publicly committed to review the law.

**PUBLIC IMAGE: 4.5**

CSOs’ public image did not change in 2016. The media are an effective, long-standing partner of CSOs and give extensive coverage to their work. In 2016, CSOs enjoyed increased media coverage, which greatly enhanced their public visibility. While previously only government officials were consulted for comment, the media have begun to bring together CSO experts and government representatives to debate a number of thorny national issues, such as the increase in fuel prices and taxation of electricity and water. As the media create platforms for CSOs to highlight issues of national concern, CSOs in turn often set the agenda for debates on the elections, open data, the constitution, and other topics. This cooperation allows CSOs to share media space with state authorities while engaging in critical policy discussions. Media services, however, are not always free of charge, and CSOs sometimes have to pay for expensive airtime if they wish to communicate specific messages about their programs.
Public perceptions of CSOs improved significantly in 2016. The public sees the CSO sector as a reliable entity dealing with issues of national interest and puts more faith in CSOs than in state institutions. In particular, the public relies heavily on CSOs to serve as a credible voice on issues of governance and human rights. Some of the most trusted CSOs include CARL-SL, CGG, SDI, NEW, and ActionAid Sierra Leone. However, the public can be confused by politically partisan or so-called “rogue” CSOs, which have splintered off in recent years and now act as government propagandists.

In 2016, in a developing trend, statements by politicians about CSOs became very negative and sometimes seemed deliberately aimed at undermining CSOs’ efforts. For example, whenever an organization such as the Center for Human Rights and Development Initiatives raised a governance issue, the minister of information pointed out the corrupt nature of CSOs. During the official opening of parliament in 2016, the president stated that CSOs needed to be regulated and parliament would address this issue shortly with the new NGO policy. The business sector also views CSOs negatively as a threat to its profits. When confronted with this tension, the government fails to understand CSOs’ advocacy role and often sides with businesses, since its main aim is to improve private-sector growth.

CSOs publicize their activities through a paid presence on radio and television talk shows and other programs. In 2016 some CSOs issued joint press releases with partner organizations. CSOs usually have strong relationships with journalists and partner with them in addressing public concerns.

In general, CSOs have adopted individual codes of ethics and are transparent about their programs and activities. CSOs normally produce annual reports, but only a few organizations publish them.
The global economic climate had a deleterious effect on the South African economy in 2016. Lower commodity prices, higher borrowing costs, diminished business and consumer confidence, and drought slowed GDP growth to 0.7 percent, less than half of the forecasted amount. The economic contraction helped push the unemployment rate to more than 27 percent, the highest level since 2003.

Municipal elections for district, metropolitan, and local councils were held in August 2016. Although the African National Congress (ANC) maintained a narrow majority, it received the lowest level of support since coming to power in 1994. Violent protests erupted in the city of Tshwane in June over the mayoral candidate selected by the ANC. The ANC went on to lose Tshwane as well as the Nelson Mandela Bay Municipality and the City of Johannesburg to the Democratic Alliance (DA).

The #FeesMustFall student movement, which began in September 2015 in reaction to increases in university fees, resurged in August 2016 when the Council on Higher Education recommended inflation-related fee increases in the next year. Protests erupted at universities around the country and were generally more violent than those in 2015, with property damage estimated at ZAR 1 billion (more than $80 million). In the Eastern
Cape hundreds of students blocked a major highway, and several universities suspended academic programs in the wake of the protests. In an effort to address students’ grievances the finance minister announced in October that university subsidies would grow by nearly 11 percent annually and allocations to the National Student Financial Aid Scheme would increase by 18.5 percent over the next three years.

The overall sustainability of CSOs in South Africa remained unchanged in 2016. Advocacy strengthened in response to a number of government scandals. For example, allegations in early 2016 that President Jacob Zuma had allowed members of the wealthy Gupta family to appoint cabinet ministers inspired the emergence of the Save South Africa coalition, and attempts by the head of the South African Broadcasting Corporation (SABC) to censor media coverage of pre-election protests were halted by legal action from a CSO. The public image of CSOs also improved as the media offered more positive coverage of CSOs engaged in community work. However, the infrastructure for CSOs did not grow in tandem with the increasing number of organizations requiring support and resources.

CSOs in South Africa may register as voluntary associations, nonprofit trusts, or nonprofit companies (NPCs). Small, grassroots community-based organizations (CBOs) and faith-based organizations typically register as voluntary associations, while larger, better-resourced, urban organizations generally register as NPCs or nonprofit trusts. In 2015-16 there were 153,667 CSOs registered with the Department of Social Development (DSD), of which 94 percent were voluntary associations, 4 percent were NPCs, and 2 percent were nonprofit trusts. Social services are the leading area of activity (36 percent of organizations), followed by development and housing (26 percent).

**LEGAL ENVIRONMENT: **3.3

The legal environment for South African CSOs remained largely unchanged in 2016. The Nonprofit Organizations Act (NPO Act) of 1997 is the primary legislation governing CSOs. Formal consultations on a draft bill to amend the NPO Act, the framework for which was initially presented at the NPO Summit in 2012, did not proceed in 2016 because of budgetary constraints. The 2012 framework proposed the creation of two new statutory bodies, the South African Non-Profit Organizations Regulatory Authority (Sanpora) and the South African Non-Profit Organizations Tribunal (Sanpotri), which would take over the functions of the under-resourced NPO Directorate, which is the branch of the DSD currently responsible for registering CSOs. The draft bill describes the tribunal as an independent mediator between government and NPOs, which will have authority to make decisions that are binding for all parties. However, CSOs are concerned that the establishment of the tribunal will actually give the state more power over CSOs, and they have expressed skepticism that replacing the NPO Directorate with two new bodies could improve the efficiency of the registration process.

The registration process for CSOs remained the same as in previous years. Ease of registration varies by type of organization, with the registration of trusts being a slower and more onerous process than the registration of voluntary associations and NPCs. To remain compliant after registering, a CSO must submit annual reports, including a narrative report, an annual finance statement, and an accounting officer’s report, and must comply with the provisions of its constitution. However, some members of the CSO sector believe that the regulatory bodies that register CSOs, including the NPO Directorate, exercise inadequate oversight by failing to ensure that CSOs comply with other binding legislative and regulatory requirements. As of March 2015, the majority of registered CSOs in every sector except social services were non-compliant with reporting or other...
requirements, according to the DSD. A registered CSO that does not comply with reporting requirements may have its registration cancelled, but since 2013 the DSD has been hesitant to deregister CSOs. Organizations may appeal refusals by the DSD to grant registration or its cancellation of registrations.

Although there were no proven instances of direct government harassment or interference with CSOs in 2016, there were several troubling incidents. In May 2016, days after it filed a case challenging the appointment of a new head of South Africa’s anti-corruption unit, the offices of the Helen Suzman Foundation were burglarized. The foundation promotes liberal constitutional democracy and has brought litigation against the government on several occasions. The media reported widespread suspicions that the government was involved in the burglary, since only computers were taken and no other business in the building was targeted. Eighteen CSOs, including Corruption Watch, Freedom Under Law, Lawyers for Human Rights, and the South Africa Litigation Center, condemned the robbery as an attempt to intimidate the foundation and others who are fighting corruption. Also of concern were allegations in April 2016 by the minister of state security that citizens and CSOs were collaborating with external forces to undermine and destabilize South Africa. He claimed that some CSOs were fronts for covert operations and were funding the student protests associated with the #FeesMustFall movement.

A CSO registered as a trust, voluntary association, or NPC that wishes to enjoy preferential tax treatment must register as a public-benefit organization (PBO) with the South African Revenue Service (SARS). Fewer than half of registered CSOs are registered as PBOs. Under Section 18A of the Income Tax Act of 1962, PBOs may apply for approval to receive tax-deductible donations if they use donations to fund specific public benefit activities. Taxpayers who make donations to Section 18A PBOs are eligible for tax deductions. As of March 2017, there were 16,149 Section 18A PBOs listed on the SARS website. Organizations with PBO status may have their status revoked if they do not comply with requirements of the Income Tax Act.

CSOs recognized as PBOs are allowed to earn income from business undertakings and trading activities provided their principal objective remains the pursuit of public-benefit activities. Income-generating activities are tax exempt provided they are directly related to a CSO’s primary activities, are conducted on a cost-recovery basis, and do not result in unfair competition with taxable businesses. However, many smaller grassroots CSOs, particularly those lacking legal counsel, refrain from engaging in income-generating activities because they are concerned about losing their PBO status.

Legal services for CSOs exist in South Africa. Most large national CSOs are able to afford legal services or secure pro bono legal services, but for the smaller local organizations that comprise most of the sector, paid services are prohibitively expensive and pro bono services are difficult to secure. CSOs lacking legal services can face profound challenges. For example, they may inadvertently become non-compliant and thereby face de-registration because they do not understand how to maintain their status under NPO legislation.

**ORGANIZATIONAL CAPACITY: 3.8**

The organizational capacity of CSOs in South Africa did not change in 2016. Well-resourced, nationally operating CSOs continued to have stronger organizational capacity than grassroots CBOs.

Constituency building and maintenance remained a strength of CSOs in South Africa in 2016. Larger national CSOs, such as the Khulumani Support Group and the QuadPara Association of South Africa (QASA), typically maintain their constituencies through membership programs. Small CBOs usually build constituencies organically in the communities in which they work.
Few South African CSOs, regardless of their size or resource base, practice strategic planning. Organizations that engage in strategic planning usually rely on external consultants, which can undercut their sense of ownership of their plans. Strategic plans are often not implemented fully or amended to reflect circumstances that deviate from planning assumptions. Unlike for-profit entities, most CSOs do not have sufficient resources to invest into “idea incubators” to pilot innovative ideas.

Governance remains a major challenge for CSOs throughout the sector. Because board members serve on a voluntary basis and are difficult to recruit, CSO boards often end up lacking the necessary skills. For example, there is often only one board member with legal or financial competency, and that person may wield disproportionate power over other board members. In addition, because of recruiting challenges, board turnover is often very slow. Board induction and training are often not financially feasible, with the result that new board members are often not fully familiar with their duties and responsibilities. While the 2016 King IV Report on Corporate Governance in South Africa includes a supplemental section on CSO governance that lays out principles that CSOs can easily adapt, such resources are likely to be applied only by national CSOs. NPO board members may take on personal legal liability unless they are protected from personal liability by their organizations’ constitutions. Although civil actions involving CSO board members are rare, the increasing focus on good corporate governance in South Africa suggests that such litigation could become more common in the near future.

Staff turnover is high among CSOs because of flat organizational structures that leave little opportunity for personnel growth and development. Individuals working in the CSO sector tend to jump from organization to organization to advance their careers. Many CSOs have staffs that are too large and too expensive to maintain permanently. Such organizations struggle to achieve a flexible human resources approach by having small core staffs and other staffing levels that can be scaled up and down according to available funding and project needs. Volunteers comprise much of the workforce for smaller CSOs and can be particularly useful for part-time or short-term project-based work. However, CSOs are not always aware that volunteers, even if they receive no remuneration, may qualify as employees and thus are protected by labor laws.

The technical capacity of CSOs is dependent on their resources and geographic locations. In some rural areas electricity supplies are not dependable and landline phones are difficult to access. Cell phones are heavily used for phone and Internet service, but network coverage is spotty in many rural areas. As a result, the satellite offices of well-resourced CSOs may have the same limited technical capacity as small rural CBOs, even though they are able to pay for services. The technical capacity of CSOs operating in urban centers is generally much better.

**FINANCIAL SUSTAINABILITY: 4.3**

CSOs’ financial sustainability did not change in 2016. Unlike in preceding years, in 2016 there were few high-profile reports of CSOs undergoing mass retrenchment or completely shutting down. But at the same time, funding conditions did not improve, and many organizations were uncertain about how to adapt to a constrained financial climate and continue working with fewer resources.

The perception among CSOs of all sizes and in all sectors is that funding has become increasingly scarce in recent years. According to the OECD, total aid to South Africa dropped from $1.3 billion to $1.1 billion between 2013 and 2014. Foreign donors have tended to favor a few well-known national CSOs, leaving other organizations to compete for limited national funds.

Local funding is dominated by corporate donors, which expended approximately ZAR 8.6 billion (nearly $640 million) in corporate social investment in 2016. These donors tend to be concerned about their public image...
and thus gravitate towards universally appealing projects in education and capacity building. Other local funding sources include provincial departments of social development, the National Lottery Distribution Trust Fund, and the National Development Agency (NDA). Despite the availability of funds through these sources, the perception is widespread among CSOs that there is not enough funding available for the growing number of organizations, which has caused the competition for funding to become more intense.

In 2016, so-called social impact bonds (SIBs) emerged as a new source of financing for CSOs. SIBs allow socially motivated investors to pay for social services up front and then be repaid if pre-determined targets are achieved. In a SIB pilot project launched in March 2016, the government of Western Cape province made available ZAR 25 million (approximately $1.9 million) over a three-year period, which will be paid out to three CSOs if they achieve a set of outcomes associated with early childhood development. If SIB pilot programs are successful the bonds may become an important new outcome-driven source of funding for CSOs.

Declining funding and donors’ increasing emphasis on financial sustainability has prompted many CSOs to seek to better diversify their funding sources. Whereas in the past CSOs assumed that ample funding would deter potential donors, they now recognize that in fact a sound financial outlook makes them more attractive to donors. Most organizations have become more adept at fundraising and more creative at mobilizing resources with income-generating activities, including membership fees, businesses, the sale of products, or the rental of office space, equipment, and vehicles. The Endangered Wildlife Trust has an online store, and GreaterCapital NPC generates consulting income that is invested into the GreaterGood South Africa Trust. QASA engages in several income-generating activities, including charging membership fees, publishing a magazine, and endorsing bottled water. However, not all CSOs pursue such opportunities, either because they are unaware that income-generating activities are allowed or are unsure of the legal conditions they must meet to maintain nonprofit status while generating income.

CSOs’ financial management systems vary in quality. Larger, well-resourced CSOs are usually able to hire an internal chief financial officer or host a finance department, while smaller CSOs often have a limited financial management capacity or outsource financial management to an external agency. When financial management is outsourced, CSOs risk losing control of their finances and may require legal assistance if their funds are mismanaged. CSOs are not required to submit to annual audits to maintain their registration and PBO tax-exempt status, but certain donors require them to do so. For small CSOs, annual financial audits are prohibitively expensive.

**ADVOCACY: 3.0**

Advocacy by South African CSOs intensified in 2016. Many CSOs worked with the government to inform and influence policy through established formal systems of communications. For example, the Legal Resources Center submitted recommendations to the Portfolio Committee on Public Works about the rights of landowners under the Expropriation Bill B-4 2015, which sought to define the process for the expropriation of property by the state. The submission was well received by the government, and most of the recommendations were incorporated into the bill. The Legal Resources Center also made a joint submission with Lawyers for Human Rights to a green paper on international migration.

CSOs often engage in the policy-making process by participating in public hearings and policy consultations. In January 2016 parliament established an independent high-level panel to investigate the impact of legislation on poverty, unemployment, inequality, wealth distribution, land reform, and nation building. A number of CSOs participated in nationwide public hearings held by the panel and submitted statements related to the panel’s mandate. The Gender and Equality Program of Lawyers for Human Rights, for example, made an oral...
presentation to the panel in December about systems for monitoring implementation of the Sexual Offences Act and Domestic Violence Act.

Some CSOs resort to litigation if they encounter obstacles when engaging the government. In a case that was heralded as a victory for freedom of expression, the Helen Suzman Foundation took the SABC to court over the government’s censorship policy after the SABC attempted to prevent broadcasts about pre-election protests. The SABC capitulated on the day of the hearing and agreed to an order that interdicted the respondents from implementing the censorship policy. Section 27 and the Treatment Action Campaign (TAC), which was founded in 1998 to campaign for access to HIV treatment and remains one of South Africa’s most prominent CSOs, were involved in a case in which ninety-four community health workers, known as the Bophelo 94, were arrested for attending an overnight vigil protesting their dismissal. The Free State High Court ultimately overturned their convictions, and the case was seen as a victory for free speech and the right to protest.

TAC led several other high-profile public advocacy campaigns in 2016, which addressed the collapsing health systems in the Free State and Eastern Cape, raised awareness for the prevention of cervical cancer and drug-resistant tuberculosis, and lobbied for the reform of patent laws to improve access to affordable medicines. The #FeesMustFall movement, a grassroots student advocacy initiative, prompted an increase in university subsidies and allocations to the National Student Financial Aid Scheme. In April 2016, CSOs announced a joint campaign to remove President Zuma from office, which led to the formation of Save South Africa, a coalition of CSOs united around concerns about the president’s leadership.

In 2016, CSOs did not seek to promote legal reform for the CSO sector after consultations on the draft NPO Bill came to a standstill because of budgetary constraints. However, CSOs continued to monitor developments on the draft bill and are aware of its implications for the sector.

**SERVICE PROVISION: 3.2**

Service provision by CSOs in South Africa did not change in 2016. CSOs continued to provide a wide range of services in health, education, water and sanitation, housing, and legal aid.

The services provided by CSOs generally reflect the needs and priorities of the communities that they serve. In fact, most CBOs come into existence because community members identify a problem or gap that they want to address. However, CSOs that are primarily grant-funded and thus answer ultimately to their donors risk becoming supply driven—that is, delivering services based on donors’ desires rather than the needs of the community.

CSOs rarely engage in cost recovery. This is due in part to tax law limits on cost recovery, which CSOs often poorly understand if they do not have legal support. But even if CSOs are aware that they may engage in cost recovery, the communities they work in are impoverished and charging fees for services may not be feasible or productive.

The government generally recognizes the value of the services provided by the CSO sector. The government provides funding to CSOs through service contracts, and CSOs may apply for contracts to render services in areas such as children and families, HIV/AIDS, the elderly, and crime prevention. As part of its annual performance plan, the DSD is developing a partnership model for the state, NPOs, and other stakeholders that includes a proposal to formally recognize the work of outstanding NPOs with awards. The DSD held consultations with provinces on the plan and was still finalizing it at the end of the year.
Overall, the infrastructure for CSOs was unchanged in 2016 as the number of CSOs grew but the support and resources available to them remained stagnant. For example, although resource centers provide a variety of services to CSOs, there are not enough to serve the growing number of organizations. Among the most prominent centers are the Legal Resources Center, which provides a range of legal services, including help with registration and compliance, and walk-in advisory centers operated by the NDA, which offer model constitutions for NPOs and cooperatives, manuals on various topics (such as financial management), monitoring and evaluation guidelines, and in-house training. However, the need for translation services is not adequately met. Donor reports and documents for government, including constitutions and annual reports, must be prepared in English, which can be challenging for CSOs with staff who do not speak English as their first language.

Intermediary support organizations (ISOs), such as the South African NGO Network (SANGONeT) and NACOSA, provide capacity building and training to CSOs. They also operate as networks through which CSOs share information. However, many ISOs, including Tshikulu Social Investments, mainly support corporate social investment (CSI) endeavors and charge fees for their services that are too expensive for CSOs. ISOs tend to be concentrated in urban areas, which can leave rural CSOs unserved by their support and resources.

As foreign donors funnel funds to a few well-established CSOs and the majority of CSOs compete for limited local funding, competition undermines coalition building, the sharing of resources, and other collaborative activities. However, there were a few notable exceptions to this trend in 2016. Save South Africa was founded in 2016 during the public protector's investigation of state capture. Well-known advocacy CSOs, including Section 27, Corruption Watch, and the SA NGO Coalition, joined the coalition, which held two public meetings, called “people’s assemblies,” regarding state capture and the president’s state of the nation address.

Training is available to CSOs through resource centers. For example, since 2013 the NDA’s Capacity Building program, which is offered through provincial NDA advisory centers, has provided training and mentorship on a number of topics, including governance, financial management, and resource mobilization, to more than five thousand CSOs. Individualized training on report and proposal writing is also available through the NDA program. The Capacity Development and Support (CDS) program run by FHI 360 and funded by the U.S. President’s Emergency Plan for AIDS Relief (PEPFAR) focuses on improving CSOs’ organizational management, technical capacity, and financial sustainability in high HIV-prevalent districts. Trainings are conducted in local languages when feasible.

Intersectoral partnerships exist in South Africa. For example, the South African National AIDS Council (SANAC) brings together stakeholders from government, the private sector, and civil society to address the HIV/AIDS epidemic in the country. In 2016 SANAC coordinated drafting of the next National Strategic Plan for HIV/AIDS, Tuberculosis, and Sexually Transmitted Diseases, which included a lengthy multi-sectoral consultation process.

PUBLIC IMAGE: 3.6

CSOs’ public image was stable in 2016. The media provided more positive coverage than in previous years, and disproportionate coverage of CSO rule of law activities was balanced to some extent by coverage of other activities. For example, News 24’s Beautiful News website highlighted CSOs’ work with a feature on the organization Street Sleeper, which makes specialized “survival” bags for the homeless. The Mail & Guardian
newspaper was a headline sponsor of the 2016 CSI Conference and covered the event extensively on its website. Most CSOs develop relationships with local media outlets, such as community radio stations and town newspapers, but do not build relationships with regional or national media.

Public perceptions of CSOs did not change in 2016. Although the public seems to have the impression that the primary function of CSOs is to be at odds with the government, trust in the CSO sector remained stable at 58 percent, according to the 2017 Edelman Trust Barometer. This is notable since public trust declined in every other sector, including government, the media, and business. Public support for CSOs is strong when the media portrays them as fighting against government malfeasance, but negative media coverage tends to damage public trust quickly, and CSOs often find it difficult to recover from such damage. For example, extensive media coverage of the deaths of nearly one hundred mentally ill patients while in the care of twenty-seven unlicensed CSOs led to a public outcry against CSOs and the provincial Department of Health. An opinion piece in the media criticized the government for funding CSOs to do work that the government itself should do.

Government perceptions of CSOs appeared to be mixed in 2016. The government still relies heavily on CSOs for service provision, but key government officials made several negative statements about the civil society sector during the year. These included an allegation by the state security minister that CSOs were helping to destabilize South Africa, and a pronouncement by Edward Zuma, the president’s eldest son, that CSOs are western agents that feed the public lies and misinformation to incite a revolution. Businesses continued to perceive CSOs favorably in 2016. The rising popularity of CSI projects has brought the nonprofit and corporate sectors closer together in recent years, and that trend continued in 2016.

Public relations efforts by CSOs vary across the sector. Several large CSOs, such as SOS Children’s Villages and Doctors Without Borders, engage public relations firms. Some media companies offered pro bono services to create media campaigns for CSOs. Smaller organizations, particularly CBOs, do not have the funds or resources to engage in formal public relations activities.

South African CSOs have adopted the Independent Code of Governance for Non-Profit Organizations in South Africa, which sets out eight fundamental values and principles. Currently, 183 CSOs have subscribed to the code and in return may use a logo verifying their commitment. Most of the subscribers are urban, well-resourced CSOs. The King IV Report on Corporate Governance for South Africa contains guidance on ethics, governance, strategy, and stakeholder relations that is applicable to the CSO sector and is beginning to be used by larger CSOs. Annual reporting is a legal requirement for all CSOs, and if a CSO fails to submit an annual report it is subject to deregistration. To maintain their tax-exempt status CSOs must also submit annual tax returns proving that they comply with tax regulations.
The year 2016 saw both progress and regression in resolving the civil war that broke out in South Sudan in December 2013. After the government and the Sudan Peoples’ Liberation Movement-in-Opposition (SPLM-IO) signed a peace deal to end more than twenty months of war in 2015, the head of the SPLM-IO, Dr. Riek Machar, returned to Juba in April 2016 to be sworn in as the first vice president. However, renewed fighting between the two sides broke out in July, killing more than three hundred people, including civilians. The conflict forced Dr. Machar and his forces to quit the capital, and the peace agreement fell apart rapidly as the SPLM-IO split into two factions and security conditions disintegrated throughout the country. Widespread unrest led to the massive displacement of civilians internally and to neighboring countries. In December, the United Nations (UN) Office for the Coordination of Humanitarian Affairs reported that more than 405,000 South Sudanese refugees had fled to Uganda in 2016, for a total of more than 3 million civilians displaced since the beginning of the conflict, according to the UN International Office for Migration.

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4 South Sudan was not included in the 2015 CSO Sustainability Index, therefore scoring changes may reflect more than a one year trend.
In the midst of these events, CSOs in South Sudan provided interventions aimed at achieving peace and meeting urgent humanitarian needs. But the security situation hampered their work in several critical ways. For example, certain CSO initiatives became obsolete because of radical political and security changes, and some CSO employees had to flee their homes and places of work to seek safety. Moreover, shifts in donors’ focus forced some projects to be put on hold while new projects were started up. In addition, two regressive new laws threatened freedoms of expression and assembly, and turmoil in the banking sector damaged CSOs’ financial stability. Nevertheless, CSOs were able to achieve important gains in advocacy and benefitted from an improved infrastructure supporting their work.

The exact number of CSOs in South Sudan is not known. In 2015, the NGO Forum, a private umbrella body, reported that it had 242 member organizations, up from 193 in 2014.

**LEGAL ENVIRONMENT: 6.6**

In 2016, the legal environment for CSOs in South Sudan deteriorated significantly because of two new acts that the president signed into law in February: the South Sudan Non-Governmental Organization (NGO) Act 2016, which replaced the 2003 NGO Act as the main law for CSOs, and the Relief and Rehabilitation Act 2016, which established a new regulatory body, the Relief and Rehabilitation Center (RRC), to oversee CSOs. While these laws recognize the contributions of CSOs, they also provide the government with the means to curtail civil society’s work. In particular, the NGO Act 2016 contains several important flaws. For example, the act gives the RRC excessively broad authority to deny registration if an organization is involved in “tribal and political differences in the country.” This provision has already had a negative effect on the legal status of CSOs, as the RRC has issued letters to certain organizations, including the Community Empowerment for Progress Organization (CEPO), citing the political nature of their work and advising them to seek registration with the Political Parties Council. In addition, Section 10 of the NGO Registration Procedures and Regulations 2016 issued under the act provides for penalties, including jail for CSO leaders, if organizations operate outside of their mandates (although no organizations were targeted under this provision in 2016). Finally, under the act CSOs must register to operate legally and renew their registration certificates and operating licenses annually, which can be a burdensome process. The act required all organizations to re-register within three months after its entry into force. Many CSOs were unable to meet this deadline, even with an extension, and had to pay hefty fines. Thus these laws place a heavy burden on CSOs and ultimately threaten their existence by increasing the risk of being shut down because of non-compliance.

Civil society activists are often harassed. It is not uncommon for their activities to be halted arbitrarily and for rights defenders to practice self-censorship out of fear of reprisals. In 2016, the National Security Service (NSS) shut down one youth meeting and suspended another for several hours. In contradiction to South Sudan’s constitution, which stipulates that arrested persons must be presented to the courts within forty-eight hours, the NSS Law 2015 gives sweeping powers to the intelligence services to arrest, detain, and interrogate anyone for unspecified periods without being charged. In particular, journalists are routinely threatened and detained and independent media are suspended for reporting on issues that the government deems against its interests. For example, in November 2016 three government security personnel showed up at the Eye Radio station and without explanation locked the studios and told journalists to pack up and go home. Similarly, the Nation Mirror newspaper was closed without a legally valid explanation. After government authorities closed the Juba
Monitor several times and arrested its editor in July 2016, civil society activists launched a campaign, #FreeAlfredTaban, which led to the editor’s release. However, by the end of the year the NSS was still holding incommunicado and without charges a reporter for the UN-operated Radio Miraya, whom it arrested more than two years ago.

Freedom of assembly was threatened in 2016 as CSOs faced new impediments to their operations. The NSS sometimes requires CSOs to submit in advance agendas for workshops and other events taking place in venues other than their offices. Security personnel often sit in on CSO meetings, thereby inhibiting open discussion, and the NSS has instructed some CSOs to fire certain staff members on baseless allegations that they support the armed opposition. Additionally, CSOs needing cash for their field operations are required to obtain prior permission from the NSS to carry cash on planes, which is sometimes denied. Moreover, the handling of cash for field activities has become a liability, since robbery is likely once the amount is disclosed. Organizations transporting supplies such as medications can also face tough questioning by security personnel on the pretext that they could be supplying drugs to rebel groups.

Section 16 of the NGO Act 2016 provides CSOs with exemptions on customs duties and taxes on assets and equipment imported or purchased for their work. However, success in acquiring tax exemptions depends more on personal and institutional connections than on meeting legal or regulatory requirements. CSOs whose applications are rejected are often not provided with explanations, and there is no clear appeal procedure to address such complaints. The government continued in 2016 to grant tax exemptions to some CSOs at a dramatically reduced rate. CSOs may engage in income-generating activities as long as such income is applied to an organization’s public benefit purposes rather than private gain.

South Sudan does not have many lawyers trained specifically in CSO law. Furthermore, most CSOs are unable to hire lawyers because of their high fees. The sector has yet to explore the potential of pro bono services for CSOs that are unable to afford legal services.

**ORGANIZATIONAL CAPACITY: 5.7**

The organizational capacity of CSOs deteriorated in 2016, mainly because of instabilities generated by the civil war as well as the oppression of CSOs following passage of the NGO Act 2016 and the RRC Act 2016. In addition, the nature of donor support continued to widen the capacity gap between larger and smaller or emerging organizations. In general, larger CSOs based in the capital, no matter what their focus, have stronger capacity than smaller, emerging, state-level CSOs. For this reason, they are better able to compete for funds from donors, which typically invest in further strengthening their organizational and fundraising capacities. For example, the South Sudan Law Society reports that its ability to negotiate with donors for overhead expenses and core funding has improved in recent years.

The instability of communities in South Sudan, especially in 2016, made it difficult for CSOs to develop strong relationships with their constituencies. Joint CSO, government, and community action plans have been shelved as the lives of ordinary citizens are disrupted by widespread insecurity and displacement. For instance, a joint action plan to enhance citizen security that was drafted during a security dialogue in Yei in May 2016 had to be aborted following a spike in violence in July.

Many CSOs have clear visions and mission statements but do not adhere to them strictly. Since many donors are unwilling to provide core funding, CSOs must accumulate as many projects as possible to continue to function. Strategic plans are frequently shelved as available funding determines the focus of programming. As they spread their efforts too thinly, the overall impact of CSOs can be greatly reduced.
Many organizations are “one-man shows” run by the founders or executive directors. CSOs usually have boards, but their value varies from organization to organization. Some boards help raise funds or implement projects, while others are purely ceremonial. Larger organizations tend to have written management procedures but do not always follow them closely in daily practice. CSOs sometimes adopt internal policies and procedures because donors include them in capacity assessments that help determine an organization’s access to funding. Without core funding, the vast majority of CSOs are unable to retain highly capable staff. Some employees have moved to international CSOs to obtain decent and sustained incomes, thus depriving South Sudanese CSOs of valuable human resources. Other CSOs have lost their most capable staff because of NSS orders to fire them. For instance, in 2016 Assistance Mission Africa (AMA) had to relieve three capable staff members of their duties and transfer them out of the country because of accusations by security officials that they were supporters of the SPLM-IO. Many rights defenders have fled South Sudan because of threats. In some cases they continue to work from neighboring countries.

Most CSOs have offices equipped with computers, telephones, printers, and, if they are located in national or county capitals, internet access. CSOs that are unable to afford office space and equipment often work out of the offices of international CSOs and resource centers. However, without core funding the vast majority of CSOs, especially at the state and county levels, are unable to keep their office equipment up to date.

**FINANCIAL VIABILITY: 6.3**

The financial viability of CSOs in South Sudan declined in 2016. South Sudan’s banking sector was in turmoil during the year and the bank accounts of many organizations were closed without reason, forcing many organizations to withdraw their funds and find other ways to hold onto their cash. This unexpected development undermined the cash-handling procedures that many CSOs had in place. For example, organizations found themselves with more cash on hand than their policies allowed, mainly because they were not certain that banks would allow future cash withdrawals. In addition, the economic crisis caused by the civil war dramatically crippled the ability of banks to meet the foreign currency needs of their customers, which made it difficult for CSOs to implement planned activities.

Nearly all CSOs in South Sudan depend on donor funding for their survival. In 2016, the main area of CSO operations was humanitarian assistance, funded largely by the United States, European Union (EU), United Kingdom, Germany, and Canada. Of the $608.6 million in funding reported to the Financial Tracking Service for South Sudan in 2016, about $143 million or 23 percent was designated for CSOs. Although several domestic CSOs, including the Nile Hope Development Forum, Health Link South Sudan, Christian Mission for Development, Sudan Medical Care, and Universal Network for Knowledge and Empowerment Agency, benefited from these funds, a huge portion went to international CSOs and the International Committee of the Red Cross. Funding for the South Sudan Common Humanitarian Fund, which is administered by the Multi-Partner Trust Fund Office of the UN Development Program, declined to its lowest level in recent years (from $138.3 million in 2014 to $40 million in 2016). CSOs’ dependency on donors means that their funding diversification usually amounts to securing funds from as many donors as possible.

CSOs do not mobilize local resources from companies or government contracts. The country’s declining economy has lowered business and personal incomes, and there is a general unawareness of the funding potential of these sources.

A few CSOs supplement donor funding with paid consultancy services in areas ranging from research and surveys for other CSOs to workshops and training. These activities are possible only for large CSOs with highly
capable staff. For example, in 2016 the South Sudan Action Network on Small Arms (SSANSA) partnered with the Geneva-based Small Arms Survey to conduct a national assessment of small arms; South Sudan Law Society (SSLS) partnered with PAX and the University of Peace to conduct a perception survey on justice and reconciliation; and Women Development Group partnered with the Center for Basic Research and SSANSA to conduct a perception survey on peace and conflict.

The financial management systems of large and small or emerging CSOs vary. Fewer than half of CSOs nationally are estimated to have sound financial management systems. Smaller CSOs often use computerized spreadsheets for basic accounting and adopt more sophisticated financial management procedures only when required to by their donors. Larger CSOs usually have well-established financial management systems, mainly because donors fund capacity building in this area for organizations that already have reasonably adequate capacity. Only a few CSOs are externally audited. Most organizations cannot afford the cost of audits and are therefore unaware of the flaws in their systems that audits might reveal.

**ADVOCACY: 5.1**

Advocacy by South Sudanese CSOs improved modestly in 2016. As donors’ focus shifted to humanitarian assistance in 2016, less funding was available for robust and sustained CSO advocacy, which is needed to address the political tensions that gave rise to the humanitarian crisis in the first place. Nevertheless, some advocacy organizations, such as CEPO, SSLS, South Sudan Democratic Engagement Monitoring and Observation Program (SSuDEMOP), and Eve Organization for Women Development, were able to continue their advocacy because the cost of some activities, such the production of press statements and position papers, was relatively small. Many organizations that traditionally engage in both advocacy and service provision focused more on service provision in 2016 in response to donors’ interest. Some advocacy organizations self-censored after passage of the NGO Act 2016 or lost personnel because of their security concerns.

CSOs in South Sudan work closely at the national and local levels with government ministries and independent institutions, such as the South Sudan Human Rights Commission. Relevant government officials attend and participate in CSO meetings. For example, a representative of the Bureau for Community Security and Small Arms Control attended a meeting organized by CSOs to discuss challenges in disarming civilians. Government offices welcome CSOs’ input on parliamentary bills, co-convene workshops with them on topics of mutual interest, and invite civil society representatives to participate in planning processes. In 2016, CSO representatives participated in committees established by the Agreement to Resolve the Crisis in South Sudan (ARCISS) group, including the Joint Monitoring and Evaluation Commission and the Strategic Defense and Security Review Board.

An important coalition effort in 2016 was the campaign for an arms embargo against South Sudan, which was promoted by the Security Sector Reform Working Group (SSRWG), Transitional Justice Working Group (TJWG), and Resource Governance Working Group. During the peace negotiations SSRWG and more than twenty other CSOs co-sponsored recommendations concerning the U.S. Sudanese Sanctions Regulations, some of which were included in the final peace accord. Similarly, TJWG submitted recommendations on transitional justice, portions of which made it into the final accord. TJWG also wrote a swift response to June 7 Op Ed by President Kiir and Vice President Machar in the New York Times that called for a truth and reconciliation commission. TJWG defended provisions in the ARCISS relating to a hybrid national-international court. The Vice President subsequently denied involvement with the Op Ed. Long-term coalitions engage in ongoing or recurrent issues such as election monitoring (SUNDE and SSuDEMOP), community security and arms control (SSANSA), and legal reform and lawmaking (SSLS). All long-term networks have member organizations at the
state and county levels. In May 2016, SSANSA, SSuDEMOP, and SUNDE jointly convened meetings with other CSOs to discuss the peace process and CSO involvement in implementing the agreement.

CSOs in Sudan do not regularly engage in lobbying, and in particular smaller and state-level organizations need more capacity building to lobby effectively. But they are coming to understand the concept and in 2016 registered a degree of success. For example, in April CSOs under the auspices of SSANSA commented on the Firearms Act 2016 and successfully lobbied the parliament’s Committee on Security, Defense, and Public Order to incorporate certain revisions on such issues as eligibility and age requirements for carrying firearms.

During the year, the NGO Forum raised awareness in the CSO community about the NGO Act 2016 and RRC Act 2016. A temporary working group was established to solicit and consolidated CSOs’ comments on the bills, which were eventually presented to parliament. Although CSOs’ attempts to fix the bills during deliberations were not successful and as adopted the laws have serious flaws, CSOs continued their efforts to reform them. For example, CSOs were able to include a provision in the ARCISS calling for revision of the NGO Act 2016.

**SERVICE PROVISION: 5.0**

CSOs’ capacity for service provision in South Sudan declined in 2016. Following South Sudan’s relapse into violence in July 2016, humanitarian needs grew to massive proportions. As the government focused on fighting the civil war, it contributed minimally to providing essential services to the public. Thus South Sudanese CSOs filled a critical gap by providing services to help meet basic needs. Overall, however, they were scarcely able to keep up with demand for their services, even though human resources and donor funding for humanitarian aid increased steeply in 2016.

CSOs’ humanitarian work in 2016 included the distribution of food and household supplies, veterinary services to improve food security, the construction and rehabilitation of temporary learning spaces for internally displaced persons, emergency health services, and integration and conflict mitigation for displaced persons and their host communities. For example, Nile Hope provided emergency health services to hard-to-reach, underserved, conflict-affected communities in Unity and Jonglei states, and Rural Community Action for Peace and Development supported livelihoods by providing livestock health services and fishing kits to vulnerable communities in Upper and Western Nile states.

The needs of communities throughout South Sudan are obvious. CSOs try to serve communities in an unbiased manner, but the funding they receive from donors is sometimes earmarked for specific regions, thus limiting the scope of CSOs’ outreach. CSOs can find it challenging to explain to vulnerable communities why they are not beneficiaries of services. For instance, CSOs were aware of hunger in the southeastern part of the country but were unable to make needed interventions because the region was not considered a priority. As a result, citizens from the southeast fled to refugee camps in neighboring Uganda to escape hunger. CSOs do not make efforts to cover costs by charging fees because of widespread poverty in the country.

The relationship between service-providing organizations and the government remains relatively healthy. The government recognizes the important role played by CSOs in the provision of services and humanitarian relief and often calls on CSOs for help. However, at times the government restricts CSOs’ access to regions controlled or previously controlled by opposition forces, despite the dire need of people living in those areas.
Overall, the infrastructure facilitating CSO operations deteriorated in 2016. Several resource centers serve CSOs, but CSOs consider their number and the range of services offered inadequate and find that older centers are poorly equipped.

In 2016, the only South Sudanese CSO that re-granted donor funding was the Institute for Promotion of Civil Society. Funding for this program came from the EU, and its grants, which focused on capacity building, went mainly to community-based organizations (CBOs), such as Western Equatoria Civil Society Land Alliance and Nzara Human Rights Forum.

CSOs have two main channels for sharing information: the NGO Forum and the Civil Society Open Forum. The online listservs of these fora serve as platforms for information sharing, debates, the distribution of publications, and announcements of funding opportunities. Theme-based networks, such as SSuDEMOP, SUNDE, TJWG, and SSANSA, share information with their members and regularly convene meetings to discuss relevant issues. However, because of the conflict CSOs overall are polarized and prone to mistrust, especially when rumors circulate that CSO networks have been infiltrated by NSS agents or that certain CSO representatives are government informants or collect intelligence for opposition groups.

If money is available for a particular program, CSOs swiftly coalesce around that funding and put less effort into other meaningful coalitions. Coalitions built on financial resources tend to create antagonisms between the beneficiaries and non-beneficiaries of the funding, thereby undermining issue-based CSO coalition building.

The government and CSOs often work closely together. For example, government officials attend joint meetings on issues of common interest, such as crime and gun control, and often make opening and closing remarks during CSO workshops. Relationships between CSOs and the private sector are minimal and the potential for partnerships remains untapped, largely because of the country’s steadily deteriorating economic situation.

CSOs in South Sudan generally receive positive media coverage. Press statements from CSOs are published quickly, and their public service announcements are broadcast at discounted prices. Journalists often reach out to CSOs for comments on current affairs. However, since many CSOs now work in a variety of areas to survive, it has become difficult for the media to establish with certainty CSOs’ areas of expertise.

CSOs publicize their activities through press conferences, public marches, T-shirts, brochures, billboards, websites, and the branding of articles distributed to beneficiaries. However, many CSOs have not made an adequate effort to reach out to media, and as a result, some important events go unnoticed by the public. This is especially true of activities at the state and county levels, where a media presence is usually limited. Only a few CSOs, for instance CEPO, have a communications staff that engages with journalists.
Public views of CSOs are mixed, particularly at the state and local levels. Communities’ views of service-providing CSOs are generally positive, although beneficiaries sometimes express suspicions that they receive fewer services than CSOs receive funding to provide. The public tends to have a less positive opinion of advocacy groups, mainly because it does not see their work as translating into immediate and tangible benefits. Some organizations, including the Human Rights Development Organization, TJWG, CEPO, SSLS, and SSANA, have managed to overcome these perceptions through sustained engagement with communities and consistent messaging featuring position statements and press releases. Government officials also hold mixed opinions of CSOs, with advocacy organizations often viewed as advancing an agenda for regime change.

The vast majority of CSOs do not publish annual reports.
SUDAN

CSO SUSTAINABILITY: 5.6

Sudan experienced significant political and economic turmoil in 2016. Continuing armed conflict in Darfur, South Kordofan, and Blue Nile displaced 82,000 people in the first seven months of the year, according to the United Nations (UN). During the summer the African Union attempted to mediate peace negotiations between the government and opposition groups. Although participating parties signed a procedural “road map” to pave the way to a settlement, they failed to agree on the cessation of hostilities and humanitarian access to areas of conflict. Efforts to restart the peace talks were unsuccessful, and the government indefinitely suspended discussions with opposition forces in November 2016.

The National Dialogue, a controversial process begun by President Omar al-Bashir in October 2015, concluded in October 2016 with the signing of the National Document. Key provisions included the representation of all dialogue participants in the government and the parliament, direct election of government officials at all levels, formation of a fully mandated transitional government, and expanded freedoms secured by, among other things, a more limited role for the National Intelligence and Security Services (NISS). In the absence of confidence-building measures, rebel groups and opposition parties boycotted the dialogue process, and some
dialogue participants remained skeptical that the government was truly committed to implementing the National Document.

Among other important developments in 2016 was Sudan’s suspension of diplomatic relations with Iran after joining the Saudi-led military operations in Yemen. In return for Sudan’s support, Saudi Arabia and the United Arab Emirates extended financial assistance to Sudan and backed its campaign to lift U.S. economic sanctions. Sudan’s relationship with the European Union (EU) improved significantly in 2016. The EU provided €100 million (approximately $105 million) to help Sudan deal with the migration of a large number of refugees through the country from the Horn of Africa.

The government’s announced price increases for several consumer goods—especially fuel, electricity, and medications—triggered protests by CSOs that culminated in a large-scale civil disobedience movement in November and December 2016. The movement was widely supported by opposition parties, youth groups, major rebel groups, and the Sudanese diaspora. Organized largely through social media, the movement consisted of a call for citizens to sit at home, which was viewed as preferable to street protests, which had resulted in more than 200 deaths in September 2013. The government responded to the campaign by arresting hundreds of activists and party leaders and confiscating independent newspapers.

While the overall sustainability of CSOs did not change in 2016, the legal environment and infrastructure supporting CSOs deteriorated, mainly because of state-sponsored harassment, which caused the space for civil society to shrink. Additionally, the organizational capacity of CSOs declined significantly due to the impact of a multi-year drop off in funding. Despite these challenges, CSO advocacy yielded impressive results, and CSO service provision was strong in response to the humanitarian crisis.

There are no exact figures available on the size of the CSO sector in 2016, but it is assumed to have remained about the same size as in the previous year, when fifteen thousand organizations were reported as registered with the Humanitarian Aid Commission (HAC). Another five to six hundred CSOs are probably registered as cultural groups and training institutions. The number of active organizations could be fewer than 10 percent of that total.

**LEGAL ENVIRONMENT: 6.6**

The legal environment for Sudanese CSOs worsened in 2016. CSOs may register as voluntary organizations, cultural groups, nonprofit companies, or training centers. Most CSOs register with the HAC as voluntary organizations, although some CSOs choose other forms to avoid the complicated registration process or rejection of their applications by HAC. The 2006 Voluntary Organizations Law gives HAC wide discretionary authority to deny registration without explanation. Changes in HAC’s bylaws and new procedures introduced in 2016 allow the authorities to halt a CSO’s activities until its registration is renewed. During the year the activities of several CSOs, including the Sudanese Development Initiative (SUDIA) and the Sudanese Human Rights Monitor (SHRM), were frozen for six months or longer after they had submitted the necessary documents. On the other hand, the National Civic Forum (NCF) and the Sudanese Writers Union, whose registrations had been cancelled in January 2015 by the Cultural Groups Registrar, won court cases against the Ministry of Culture, and their registrations were in the
process of being reinstated at the end of 2016. During the year a growing number of civil society groups operated without registration or as social media platforms in an apparent effort to avoid government restrictions and NISS harassment.

A new draft law, the Organization of Voluntary Work and Humanitarian Affairs Bill (2016), was introduced in parliament to replace the 2006 Voluntary Organizations Law. A review of the new law by the Confederation of Sudanese Civil Society Organizations (CSCSO) shows that it propagates all of the problems of the 2006 law, especially concerning funding. For example, the law requires CSOs to solicit funds through a project document approved by HAC and forbids them to accept grants or donations from international sources without HAC’s prior approval. The 2016 bill gives HAC unlimited discretionary powers over registration and adds a prohibition on the disposal of assets by CSOs through donations, sale, exchanges, or mortgages without prior approval. This restriction, if realized, will be a blow to smaller CSOs, which depend on the donation of used assets such as computers by larger CSOs.

In 2016, national CSOs were required to sign technical agreements with HAC for every project they intended to implement and to work with partners identified by HAC at the state level. An anti-corruption law passed in 2016 allows the Anti-Corruption Commission to investigate CSOs’ foreign funding. Although no organization was investigated during the year, the provision potentially allows the commission to undermine the credibility of an organization’s leadership even if no legal action is warranted.

Both HAC and NISS may stop a CSO’s activities without justification. The government’s treatment of CSOs is based on its view of them as either pro- or anti-government. Pro-government CSOs are largely government-initiated or -supported organizations (GNGOs), which take part in government programs. Service-providing CSOs are also less subject to pressure from the government. CSOs perceived as against the government, or independent CSOs, are subject to restrictions, impediments, and harassment, particularly if they work on human rights and democratization. For example, NISS raided the office of the Center for Training and Human Development (TRACKS) in February and May 2016 and during the latter raid detained all staff and guests present. Seven persons were released on bail, with charges later dropped, but two activists from TRACKS were still in detention at the end of the year on criminal charges of publishing false information. Similarly, the director of El Zargaa Organization for Rural Development was arrested and charged with illegally communicating with the International Criminal Court, which carries the death penalty. NISS also repeatedly confiscated newspapers after they were printed—a financially devastating attack on the press, which was usually linked to coverage of student demonstrations, civil disobedience, and corruption.

The law theoretically grants CSOs the right to tax and customs exemptions, but on a practical level CSOs do not benefit from these provisions, particularly if they are independent organizations. The reasons for this include lengthy administrative procedures and unrealistic conditions set for approval, including a requirement that CSOs present requests for exemptions at the beginning of the fiscal year.

The law does not specifically prohibit income-generating activities by CSOs, but HAC has imposed a prohibition on such activities through its bylaws. In very limited cases, some service charges are allowed—for example, health services and water projects in rural areas may charge fees to cover operational costs after other support stops.

In 2016, there was a marked increase in the number of lawyers working with CSOs, which resulted largely from a higher volume of human rights violations and legal cases against human rights defenders and other CSOs. Although most legal experts working with CSOs are in Khartoum, lawyers have started to engage in smaller towns, such as Port Sudan, AlFashir, Medani, and Gedarif. Most legal representation offered to CSOs is voluntary and free of charge.
ORGANIZATIONAL CAPACITY: 5.5

The organizational capacity of Sudanese CSOs deteriorated in 2016, mainly due to the impact of a multi-year decline in funding (discussed in greater detail under Financial Viability).

Service-providing CSOs in rural areas are supported by beneficiary communities. For example, constituents protect CSOs by acting as a buffer against work impediments or harassment by the authorities. CSOs in urban centers have largely failed to build strong constituencies and instead are heavily dependent for support on their members and intellectuals. However, some initiatives by unregistered groups, such as Shari Alhawadith and Nafir, are widely supported by constituencies because their work in areas such as health and emergency services is perceived as needed and useful. Aside from formal trade unions, professional organizations for medical doctors, pharmacists, teachers, and other groups are widely supported by the public. For example, in November 2016 pharmacists stopped working to protest an increase in drug prices, and their disobedience succeeded in gaining public support.

Most large CSOs have written strategic plans but do not pursue them, mainly because their funding from foreign sources has decreased steeply, their work is project based, and they are more concerned with short-term survival than the achievement of long-term goals. The activities of newly formed protest groups are reactive rather than strategic.

Most registered CSOs have strong internal management structures and a reasonable level of transparency. However, the recent drop in funding and deteriorating economic conditions have undermined the formerly sound management of some CSOs, such as SUDIA, NCF, and SHRM. Most members, including board members, are increasingly less involved in the work of CSOs, and only full-time paid staff members are actively engaged. Management structures and accountability systems are less clear in unregistered organizations, which are usually controlled by their founders.

Large professional CSOs able to access resources usually have permanent core staff. Less stable and less professional CSOs usually appoint staff for the duration of projects, while smaller CSOs depend totally on volunteers. CSOs with full-time staff have been in decline since 2011 because of the drop in funding and cancelled registrations or delayed re-registrations. Human resource policies are generally weak or non-existent. The use of information technology and legal advice is needs based and affordable only by a limited number of CSOs.

Most CSOs use computers and have access to the internet and social media. However, updating equipment and programs is hampered by funding shortages and the reluctance of donors to support institutional development. Information flow within organizations is often handicapped by limited technical capacity. Elder board members are less familiar with new social media applications, while youth groups lack the necessary equipment.

FINANCIAL VIABILITY: 6.0

Funding for CSOs continued to be limited in 2016. Most CSOs are heavily dependent on funding from donors, and in 2016 financial support from Western donors declined for the third year in a row. According to the Ministry of International Cooperation, humanitarian assistance to Sudan dropped from $164.4 million in 2011 to $48.4 million in 2016. This decrease can be attributed largely to the redirection of funds to other countries as well as to U.S. sanctions. In addition, the EU now directs more funding to the government rather than to
independent organizations. Funding from the Gulf States for projects in Darfur is earmarked exclusively for GNGOs. No independent CSO has core long-term funding from donors; instead they depend mostly on project-based annual funding. Exceptionally, the Sudanese Red Crescent is supported by the International Committee of the Red Cross and partners with all emergency and relief organizations.

Very few CSOs have access to or seek other sources of funding. Local support for independent CSOs is almost nonexistent. The government provides generous financial support to its affiliated organizations, or GNGOs. For example, GNGOs such as AlShaheed and AlZubeir Charity Organization receive direct support from the government or have their own investments, as is the case with Sanad, which is headed by the president’s wife. But the government rarely provides support at the local level, even if it is obliged to according to agreements with the UN or international CSOs. This lack of support has been a major factor behind the failure of CSOs to sustain most local projects. The private sector hesitates to support CSOs for fear of antagonizing the government. However, the public, including businesses and the poor, are often ready to donate to emergency causes. In 2016, unregistered groups such as Shari AlHawadith, Sadagat, and Nafir managed to collect a large amount of funding from the public in a relatively short time, mainly in response to specific crises and emergency situations, such as floods.

Legal restrictions and limited operational space prevent CSOs from generating income. Membership fees are symbolic and insignificant. Governmental authorities usually object to charging fees for services in a context dominated by a relief mentality, particularly in rural areas and poor neighborhoods.

The law obliges CSOs to submit audited accounts to the registering authority at the end of each year. Most registered CSOs have some financial procedures in place, but these do not usually amount to full-fledged financial management systems, as the accountant is usually also the financial controller and sometimes the procurement officer. CSO executive directors or board members usually oversee financial matters. Unregistered and community-based organizations (CBOs) generally do not have financial management systems but instead have a hand-to-mouth approach of collection and distribution.

**ADVOCACY: 5.0**

2016 was the most successful year in recent history for CSO advocacy. Not only were impressive results achieved, but new groups, such as Youth for Change, 27 November Movement, Iseina, and the Alisian Group, emerged, and Sudanese diaspora groups in the United States, United Kingdom, Gulf States, and South Africa were more engaged. A growing number of unregistered CSOs and social media groups were active, apparently in an effort to avoid formal government restrictions and NISS harassment. The impact of groups such as Shari al Hawadith, Women Lawyers Without Frontiers, No To Women Subjugation, and Education Unlimited was clearly felt on the ground, especially during emergencies, such as the mass arrest of students and activists during the civil disobedience movement and raids on women working in the informal sector. Many of their achievements were made possible through the effective use of social media. This was especially important during the civil disobedience movement in November and December, which achieved the cancellation of increases in the price of medicine. Other successful efforts in 2016 included campaigns against the demolition of squatter settlements and police raids on informal sector workers, support for safe water and electricity, and Education Unlimited’s campaign for free education, which achieved the cancellation of fees for basic education. Selective strikes by medical doctors outside of the official
union led to improved equipment, services, and working conditions in the health sector, while women picketing in the streets to protest water cutoffs in residential areas prompted a quick response by the authorities.

Several GNGOs carried out campaigns against U.S. sanctions in cooperation with the Sudan Human Rights Consultative Council and the Sudanese business community. Independent CSOs are generally blocked from the government’s meetings with international organizations, donor agencies, and human rights representatives, such as the special rapporteur from the UN Human Rights Council. Sudanese civil society leaders were also prevented by NISS from traveling to high-level human rights meeting in Geneva in March 2016 and the UPR review in May.

The only successful lobbying effort by independent CSOs in 2016 concerned the criminalization of female genital mutilation, which was included in Article 13 of the Child Protection Law, which is expected to be passed by parliament in 2017.

Interest in the reform of laws affecting the CSOs sector is low, as most independent CSOs are consumed with surviving attacks by the authorities, most of which take place outside of the legal framework. Lack of legal knowledge is a handicap for small, newly established, and rural organizations. In 2016, CSCSO conducted a study of the NGO Law and developed alternatives for articles that they view as contradicting the constitution or restricting CSO freedoms. CSCSO intends to submit the report to the authorities and initiate a debate on the law in 2017.

**SERVICE PROVISION: 5.2**

Service programs and activities implemented by CSOs are diverse and address essential needs in areas such as health, education, water, and the environment. Humanitarian services in conflict zones, rural areas, and urban areas hosting displaced persons constitute the bulk of activities, as they are the focus of most available support. Many services provided by CSOs are seasonal in nature or shaped by the availability of funding and donors’ priorities. Most GNGOs work in service delivery.

International CSOs are obliged to partner with domestic CSOs, which implement projects but do not participate in project design. This requirement has been misused to empower organizations that are politically affiliated with the government or ethnically or personally affiliated with government officials. HAC has arbitrarily required that CSOs sign technical agreements with line ministries for projects with budgets larger than SDG 250,000 (approximately $39,000), which often causes delays in implementation.

CSOs involved in service delivery face a number of challenges. Declining resources limit the volume of services they can offer, but at the same time the need for their services is growing, because the state has withdrawn its support for most services although conflict and displacement continue. The government has failed to fulfill its commitments in technical agreements with implementing organizations to cover the costs of transportation and accommodations for local organizations, which must pay for these charges themselves. Government officials often have a different understanding than CSOs of needed interventions and priorities, especially in rural areas. In most cases, local officials prefer physical interventions—for example, school construction—over less tangible interventions such as improving the quality of education, for which they may fail to provide necessary seating, books, and staff. There is also a widespread lack of development plans within which CSOs’ work can fit, which can result in the duplication of activities, a waste of resources in dysfunctional projects, or a drop of trust in CSOs’ work.
With the exception of groups serving handicapped persons, trade unions, and CBOs, most CSOs provide services to non-members. A few CSOs, such as NCF, Salmah, and Khartoum Center, used to produce publications and technical reports and disseminate them within limited circles, but the government has revoked their registrations. Other organizations are discouraged from disseminating information by the lack of an enabling environment. Some CSOs, especially those located abroad, are making use of social media and electronic magazines to publish useful materials, including articles on topics that are taboo inside the country. Organizations pursuing this kind of activity include AlTaghyeer, Sudanile, AlTareeg, and Sudaneseonline.

Although the law is silent about cost recovery, HAC directives have prompted many CSOs to perceive cost recovery as income generation, which is prohibited, and thus to avoid it. Fear of the authorities or poor technical capacity can also prevent CSOs from recovering costs. A few CSOs in rural areas charge user fees for water and health services, which are applied to project maintenance and management.

The attitude of the central government towards independent CSOs’ work is rarely constructive. In 2015 HAC issued a directive making CSO cooperation with line ministries compulsory. CSOs view the directive mainly as a mandate for a security presence, especially in areas outside of Khartoum. Local authorities, in contrast, greatly appreciate the work of service-providing CSOs, and CSO-local government cooperation is strong in poor states and rural areas, especially insofar as it addresses needs in water, education, and health. However, this cooperation can be impeded by the lack of control over the disposition of funds, which causes problems for CSOs that are accountable to donors; by issues of ownership, as local authorities often claim credit for CSO work; and by pressure on CSOs to pay for government staff off budget, which can create problems with donors. In some cases, CSOs, including international CSOs, also bear some blame, as they do not visit the field prior to implementation to assess and select their partners.

**INFRASTRUCTURE: 5.4**

In 2016, the infrastructure for CSOs deteriorated as the space for civil society continued to shrink. Most organizations work in the field of humanitarian aid, and as most funding is allocated to that area, only a few CSOs such as SUDIA are able to provide support such as training, publications, and information to other CSOs and CBOs. Between 2015 and 2016, about sixty CSOs benefited from training in organizational development from Counterpart International. Other CSO employees took part in the EU-funded Horn of Africa Leadership and Learning for Action (HOLLA) program. The impact of this training has yet to be seen.

With the exception of Hajjar Foundation, there are no local grant-making organizations in Sudan. Some companies make grants in the framework of corporate social responsibility (CSR) programs, most of which go to activities such as sports and music that can publicize the company and its products.

Several CSO coalitions have been formed in the last few years, mainly to protect CSOs’ existence and reputations. However, the effectiveness of these coalitions can be limited by the fact that their activities are seasonal, event driven, or merely reactive to governmental activities. In addition, members often compete over shrinking donor funding, or their work can be excessively politicized, thereby increasing governmental pressure. The most noteworthy coalition in 2016 was the Al Mubadara initiative, which includes a large number of CSOs. New women’s and youth groupings continued to appear. Several organizations produced monitoring reports in their areas of specialization. For example, CSCSO produced the Civil Society Watch, JHR and S.J.Net produced the Press Freedom Watch, NIDAA produced an annual report on development aid, and NCF reported on social and economic rights in Arab Social Watch, published by the Arab Network of Non-Governmental Organizations for Development (ANND).
High-caliber trainers and training institutions are available in Khartoum, but most organizations employ less qualified trainers to save money. Trainings can be poorly organized or lack clarity in their objectives and target audiences. A large number of CSOs seems to perceive training as a routine activity rather than as adding value to organizations. Short-term training abroad has proved to be ineffective, as most participants use such opportunities to pursue personal interests.

Collaboration with the government is most effective at the local level. On the national level, independent CSOs’ interactions with the government consist mostly of efforts to obtain necessary approvals and instructions. Private-sector engagement with CSOs is limited to a few CSR grants. The media is not free to collaborate with CSOs, as doing so would antagonize the authorities. However, groups of independent journalists collaborate with CSOs to monitor civic and media space.

**PUBLIC IMAGE: 5.2**

In 2016, the government continued its effort systematically to damage the image of CSOs. Nearly all television and radio stations in Sudan are directly or indirectly under governmental control. Those that are not are afraid of antagonizing the regime and are subject to censorship. Nevertheless, the few independent newspapers that exist in Sudan provide positive coverage of CSO activities and allow space for CSOs’ contributions. Pro-regime newspapers tend to depict CSOs negatively or merely to ignore them.

In rural areas and the urban peripheries the public’s view of CSOs is very positive, as CSOs provide communities with needed services and support the right to a decent life. In urban areas positive perceptions of CSOs are mainly limited to intellectuals. The larger public is poorly informed about CSOs’ role in policymaking and is influenced by the negative or indifferent attitudes towards CSOs in the government-controlled media. However, in 2016 the civil disobedience exercise enjoyed widespread public support, which suggests that public awareness and appreciation of CSOs may be increasing.

The business sector’s perceptions of CSOs are influenced by its tendency to avoid antagonizing the government. The government seems to recognize the influence of the CSO sector, but this perception leads to hostility against CSOs, as is indicated in the government’s huge effort to form and fund GNGOs and closely monitor other CSOs’ activities. The government uses its strong hand in the media to damage the image of independent CSOs and build that of its affiliate organizations.

Independent CSOs generally refrain from media exposure out of fear of attracting the attention of the authorities. Information is circulated within close circles, especially since the NISS justified its decision to close Salmah Women’s Resource Center in 2015 by reference to its newsletter on the status of women. In 2016, CSOs made more use of electronic and social media to communicate with each other, the public, and partners abroad. Knowledge of the value of communications is developing quickly, but few organizations have websites and, if they do, rarely update them.

In accordance with the law, every CSO prepares an annual audited financial report and narrative for submission to the authorities. Several attempts were made in the past to develop a code of ethics for CSOs, but these attempts failed for various reason. No attempt to develop a code of conduct was made in 2016.
The 2016 CSO Sustainability Scores for Sudan

- Legal Environment
- Public Image
- Organizational Capacity
- Infrastructure
- Financial Viability
- Service Provision
- Advocacy

CSO Sustainability

Sudan: 5.6

Sustainability
- Enhanced
- Evolving
- Impeded
In 2016, the government of Tanzania acted on a decision taken in 1973 to relocate the seat of government to Dodoma, a city about six hundred kilometers from Dar es Salaam. The prime minister released a schedule to relocate offices incrementally over the next four years. Economically, the news sparked an upbeat reaction from investors, and for the most part the public also received the news positively, although the people of Dodoma expressed concerns about increased demands for housing, education, water, and other services. The shift is likely to strain the budgets of CSOs based in Dar es Salaam, since many of them have made large investments in permanent premises there and now may have to spend additional funds on travel, communications, and office space in Dodoma.

On March 20, 2016, general elections were held in semi-autonomous Zanzibar for the second time in six months. In a controversial decision, the Zanzibar Electoral Commission (ZEC) nullified the results of tense, contested elections in October 2015, claiming that the number of people voting was higher than the number of registered voters. Most election observers judged the first elections to have been free and fair. Although many CSOs had taken part in various ways in the first elections, most organizations did not participate in
monitoring the follow-up elections, since they believed that doing so could be construed as giving a stamp of approval to their legitimacy. The incumbent president Ali Mohamed Shein was reelected.

The government took several actions to limit freedoms of expression and assembly in 2016 with the stated aim of maintaining national security. The constraints especially targeted pro-opposition groups. As the 2015 Cybercrimes Act came into full operation, more than 120 people were charged with sedition after expressing opinions about the presidency and other governance issues that displeased state officials. For instance, in December the owner of a social media platform was charged with obstructing an investigation in violation of Section 22(2) of the Cybercrimes Act. Parliament passed several media-stifling laws, most notably the Access to Information Act No. 6 of 2016 and the Media Services Act No. 12 of 2016, both of which purport to promote professionalism in the media industry by establishing a regulatory framework, independent media council, and accreditation board for journalists. However, many stakeholders, including CSOs, strenuously opposed the new laws, arguing that their names do not reflect their true nature and they in fact shrink freedoms of expression and information. Freedom of expression was further suppressed when the government stopped live broadcasts of parliamentary debates to avoid public scrutiny. The government banned two newspapers, Mawio and Mseto, and two privately owned radio stations, Radio Five and Magic FM, for publishing what a state official called “seditious” material, such as a declaration that the opposition candidate had won the presidential election in Zanzibar and allegations that the president of Tanzania, John Magufuli, was involved in corrupt activities during the elections. During the year no action was taken on a highly controversial, people-centered draft constitution that has been pending for several years. President Magufuli announced that the new constitution is not on his agenda.

On the economic front, the government made what was widely viewed as great progress in introducing structural reforms in 2016. Increased public consumption together with growth in the construction, communications, financial services, and mining sectors helped GDP growth remain strong at 7 percent. Tourism continued to be the top foreign exchange earner, but agriculture—the economic mainstay of about 70 percent of households—posted slower growth. Tanzanians felt an economic pinch as inflation hit 6.5 percent and the Tanzanian shilling depreciated.

Overall CSO sustainability declined in Tanzania in 2016. The rapidly changing political atmosphere undermined CSOs’ legal environment and advocacy efforts, and many organizations shifted away from provocative programs to more timid, non-confrontational approaches. At the same time, declines in funding from Tanzania’s development partners contributed to ongoing deterioration of CSO service provision. Despite these challenges, CSOs’ organizational capacity and infrastructure remained the same as in previous years and their public image improved.

In 2016, 570 new CSOs were registered, bringing the total number of registered organizations in Tanzania to 22,525. Most CSOs are based in urban areas and implement projects and programs in rural areas.

**LEGAL ENVIRONMENT: 4.7**

The legal environment for CSOs in Tanzania deteriorated significantly in 2016 with the implementation of repressive new laws and increased state harassment of CSOs.

The registration process did not change during the year. Companies limited by guarantee continue to register with the Business Registration and Licensing Agency (BRELA); trusts register with the Registration, Insolvency, and Trusteeship Agency (RITA); and other types of organizations register with relevant ministries and government agencies. In 2016, the Ministry of Community Development, Gender, and Children, which housed
the Office of the Registrar of Non-Governmental Organizations (NGOs), merged with the Ministry of Health and Social Welfare to form the new Ministry of Health, Community Development, Gender, Elderly, and Children. In Zanzibar the registration of CSOs moved to the Ministry of Trade, which delayed the registration of some organizations. The NGO Act requires CSOs to submit annual narrative and financial reports, and in 2016 about one hundred organizations were de-registered because they did not comply with this requirement.

In addition to the Access to Information Act and Media Services Act, parliament has passed several other new laws in the past two years that pose threats to fundamental freedoms and shrink the scope of CSO operations. The Whistleblower and Witness Protection Act, National Statistics Act, and Cybercrimes Act were passed by the parliament in 2015 under certificates of urgency, which limited the period in which the public and members of the parliament could offer comments on the bills. Many CSOs believe that the Cybercrimes Act limits freedom of expression and access to information by allowing recipients of information to be punished even if they did not request the information. CSOs also view the Statistics Act as undermining freedom of expression by requiring researchers to allow the government to review any information that they plan to make public. In tandem with these new laws, harassment of CSOs increased in 2016. For example, several people were arbitrarily arrested and imprisoned for criticizing the government on social media such as WhatsApp and Facebook. In one of the most disturbing incidents, the police arrested the co-founder of JamiiForums, Tanzania’s most popular social media site, which hosts political discussions and serves as a whistleblowing platform for revealing corrupt activities by government officials. The police charged JamiiForums’ co-founder under the Cybercrimes Act after he refused to surrender members’ personal data. In addition, as part of a crackdown on the LGBT community, the Ministry of Health announced a prohibition on the distribution of lubricants and ordered organizations to remove lubricants from their projects, threatening those that did not do so with de-registration. Finally, the deputy director of criminal investigations in Zanzibar intimidated lawyers by stating that those who proceeded to defend persons charged with various crimes would be prosecuted along with their clients.

The process of applying for tax exemptions did not change in 2016. As in previous years, most CSOs apply to the Tanzania Revenue Authority to benefit from tax exemptions. The application process can be bureaucratic and time consuming. International NGOs receive tax exemptions for imported goods after signing agreements with the government. Faith-based organizations enjoy automatic tax exemptions.

CSOs may compete for government contracts but rarely do so because they find it difficult to access information about tenders and fulfill bidding requirements. CSOs may generate income provided the profit is used to support the organization.

CSOs needing independent legal advice consult lawyers based in towns and cities. The Office of the Registrar of NGOs has lawyers on its staff who can assist CSOs with legal matters involving registration. However, the majority of lawyers in Tanzania are not aware of the legal framework for CSOs, and there is no specialized formal organization or initiative that provides legal support to CSOs that are in conflict with the law.

**ORGANIZATIONAL CAPACITY: 4.3**

CSOs’ organizational capacity did not change noticeably in 2016. Several organizations developed innovative new approaches to work actively with local constituencies. For example, the organization HakiElimu established a database of citizens’ representatives to serve as a platform for Marafiki wa Elimu (“Friends of Education”), a civic movement that promotes education at the grassroots level. Other constituency-building efforts included nationwide campaigns organized by Femina Health Information Project to focus girls on...
reproductive health. In an effort to tap into financial resources, some CSOs funded by donors from the geopolitical North tend to be more accountable to their donors than to the people they serve.

Some CSOs use strategic plans to guide project implementation, but other organizations view strategic plans mainly as fundraising tools. In 2016, many CSOs, including larger CSO networks such as Jukwaa la Katiba and the Policy Forum, changed their strategic plans in light of changes in the political and social-economic environment. In rewriting their plans, some organizations relied on consultants, whose fees are sometimes paid by donors.

CSOs in Tanzania continue to be guided by their boards of directors or executive committees, which sometimes play a role similar to that of boards. There was no notable change in the work of CSO boards in 2016. A survey conducted by the Foundation for Civil Society (FCS) in 2016 indicated that 50 percent of organizations interviewed felt that their boards performed well and had achieved nearly all of their targets set for the year. Management teams determine and carry out CSOs’ day-to-day interventions.

In 2016, staff retention remained a challenge for the majority of large and middle-sized organizations because of decreased funding. However, throughout the country the spirit of volunteerism grew, as demonstrated by the huge number of individuals, especially recent graduates, who applied to work with CSOs as volunteers. The 2016 FCS survey showed that about one thousand volunteers work as staff with CSOs. Even as organizations faced funding difficulties, many individuals, including staff members, continued to work for reduced pay. Their dedication suggests how strongly volunteers and staff are committed to realizing the missions and visions of their organizations, although in 2016 this resilience was threatened as the country’s civic space shrank.

Most established urban CSOs have modern offices with phones, fax machines, and computers. With the growth of Internet penetration and telephone ownership, many of these organizations now have adequate access to information as well. Internet access and computer literacy remain a hurdle for community-based organizations (CBOs). However, the Ministry of Energy and Minerals has begun a rural electrification project, which should eventually improve internet access.

**FINANCIAL VIABILITY: 5.0**

In 2016, CSOs continued to experience declines in funding. Most CSOs are dependent on foreign aid, which shrank in 2016. The main donors continued to be USAID, the United Kingdom’s Department for International Development (DFID), Swedish International Development Cooperation Agency (Sida), Danish International Cooperation Agency (DANIDA), Norwegian Agency for Development Cooperation (NORAD), Canadian International Development Agency (CIDA), Open Society Initiative for Eastern Africa (OSIEA), and Ford Foundation. In 2016, these donors supported a range of interventions in governance, democracy, human rights, health, education, food security, water and sanitation, and peace maintenance. Several donors began to operate in Zanzibar, including the French Embassy, whose Fund for Innovative Projects for Civil Societies and Coalitions of Actors (PISCCA) supported advocacy and climate change projects.

CSO funding is not sufficiently diversified in Tanzania. Very few local sources of funding exist, and most CSOs raise an insignificant portion of their funding from local sources. There are some exceptions, however. Trade
groups such as the Tanzania Teachers Union (CWT), Tanganyika Law Society, and Medical Association of Tanzania raise money from members’ contributions. Moreover, the level of individual giving seems to be growing. Some entities affiliated with religious institutions receive support from their followers, and savings and credit cooperative organizations and village community banks have mobilized huge sums of money from grassroots sources. In 2016, FCS collected more than $14,000 along with in-kind donations at a Giving Tuesday event to support students with disabilities. Corporate donations also seem to be growing, although in 2016 corporations sometimes used corporate social responsibility (CSR) programs as platforms to operate projects directly rather than fund CSOs. For instance, the Vodacom Foundation operates its own programs in women’s health and education while also funding CSOs engaged in the same area. The Geita Gold Mine organized a climbing event called the Geita Gold Mine Kilimanjaro HIV/AIDS Challenge to raise money for organizations working on HIV/AIDS.

Some CSOs earn income through consultancies and charity work. For example, in 2016 the Association of Non-Governmental Organizations in Zanzibar (ANGOZA) was hired by the Revolutionary Government of Zanzibar to prepare a publicly distributed version of the Zanzibar Strategy for Growth and Reduction of Poverty (MKUZA III). Large CSOs earn income by selling their products and marketing publications such as books and training manuals. The Gando Farmers Association of Pemba sells organic spices.

Most well-established large and middle-sized organizations have financial management guidelines, procurement procedures, and internal controls. Smaller organizations tend to have inadequate capacity and hence weak financial management practices and skills. Of the 108 organizations receiving funds from FCS in 2016, more than 90 followed required financial rules and regulations with no detection of the misuse of funds. The Office of the Registrar of NGOs reported an increase in the number of CSOs complying with the legal requirement to submit financial reports in 2016. Some CSOs, especially well-established organizations, also share their audit and financial reports with donors and other stakeholders.

**ADVOCACY: 3.6**

In 2016, CSO advocacy efforts were undermined by declining funding and the rapidly changing political atmosphere, which raised serious questions about the government’s commitment to democratic principles, human rights, and the rule of law. In particular, the suppression of freedom of expression and assembly created a fearful atmosphere that prompted CSOs to shift from provocative advocacy actions to more timid, non-confrontational approaches. Some of the most vibrant CSOs in Tanzania have become less vocal, despite the fact that they now have institutional experience and expertise that should allow them to advocate more skillfully than in past years. For instance, feminist activism by the Tanzania Gender Networking Program (TGNP), public demands for land rights by Haki Ardhi, protests and media programs by Legal and Human Rights Center (LHRC), press statements by Tanzania Media Women’s Association (TAMWA), civic actions by Lawyers’ Environmental Action Team (LEAT), and a series of litigations by Tanganyika Law Society (TLS) all seemed to fade quickly in 2016. At the same time, when the president appointed a number of CSO chief executives to serve in the government as district commissioners and district executive directors, there was some confusion as to whether this move was the president’s way of recognizing CSOs’ contributions or was intended to silence vocal individuals and downgrade CSOs by co-opting them into the government. In Zanzibar CSOs helped the government operationalize the Local Government Act of 2015. However, given the nullified elections in 2015, mutual trust between the CSOs and the government of Zanzibar remained tenuous.

Despite these challenges, in 2016 Tanzanian CSOs cautiously formed several issue-based coalitions and conducted notable broad-based advocacy campaigns around politically non-sensitive issues, such as combatting violence against women and children. For instance, a very successful coalition coordinated by ActionAid
Tanzania and TGNP organized the Women to Kilimanjaro Initiative, which mobilized rural women from across Africa to take part in public decision-making processes. A campaign by the Gender Land Task Force (which changed its name to Mama Ardhi Alliance in 2016) focused on raising awareness of gender and land rights issues. A new coalition named the Tanzania Ending Child Marriages Network, in which more than 30 member organizations are hosted by the Child Dignity Forum, addressed the issue of early marriage and sought to influence a review of the Marriage Act. The Tanzania Human Rights Defenders Coalition (THRDC) coordinated the participation of Tanzanian CSOs in the Universal Periodic Review (UPR) in April, which secured government commitments to, among other things, protect women’s and children rights and the rights of persons with albinism. FCS and the Tanzania Federation of Disabled People’s Organizations (SHIVYAWATA) organized the Fifth Forum for People with Disabilities, which brought together 150 participants from CSOs and government. A coalition called the Zanzibar Network for Good Governance was formed in 2016 to promote the rule of law and human rights in Zanzibar.

Lobbying by CSOs continued in 2016. For example, under the umbrella of the Tanzania Coalition on Debt and Development (TCDD), CSOs engaged with parliament on the national debt. The Policy Forum worked with parliament on tax justice, and LHRC prepared policy briefs on amending oppressive provisions in the Statistical Act, Access to Information Bill, and Cybercrimes Law. During the World Press Day media stakeholders raised complaints about the proposed Access to Information Bill with the minister for information, youth, artists, culture, and sports. However, such efforts proceeded cautiously if they involved issues about which parliament or the media were subject to executive pressure.

In Zanzibar, CSOs led by ANGOZA met with stakeholders to discuss Zanzibar’s NGO Policy of 2009, which provides for the establishment of the NGO Council of Zanzibar. The council would resemble the National Council of NGOs (NACONGO) and act as a government-mandated regulatory authority to help CSOs self-regulate. The government promised to form a joint CSO-government committee to facilitate the process of establishing the council.

**SERVICE PROVISION: 3.5**

CSO service provision declined in 2016 as a result of decreases in funding. For example, in 2014 FCS, Tanzania’s largest grant maker, supported more than 1,150 CSOs, but in 2016 this figure dropped to 116 organizations. Moreover, the government shut down some clinics and service providers delivering HIV services to key populations on the grounds that they were promoting homosexuality. Nevertheless, CSOs such as Compassion International, International Rescue Committee, Tanzania Red Cross Society, World Vision, Care International, Save the Children, ActionAid Tanzania, and the Southern Agricultural Growth Corridor of Tanzania (SAGCOT) continued to provide vital services in health, education, relief, housing, water and sanitation, energy, and other areas. For example, in 2016 World Vision sponsored 127,113 Tanzanian children so that they and their families could access clean water, quality educational facilities, food, and health care.

The decline in funding prompted some Tanzanian organizations to shift their focus in 2016 from providing services directly to improving service-delivery systems and helping citizens claim their rights to service. Behind this change in focus was the growing realization that better utilization of public funds from taxes could reduce the need for donor funding. For example, FCS provided funding to the Wataalam Group Gairo to track public expenditures on education. In December, the Gairo district government finally disbursed the full amount previously allocated for the construction of three schools, which had been stalled until Wataalam Group Gairo intervened. FCS also provided grants to eighteen organizations to strengthen public service-delivery systems in health and education, with an emphasis on maternal and child health and access to quality education by girls.
and other vulnerable children. Other funded projects similarly sought to enable citizens to protect their rights and hold duty bearers accountable. Most community members are satisfied with the change in focus because it empowers them to question and manage projects and make follow-up requests for social services in their localities, thereby improving the governance of service delivery.

In a growing trend in 2016, CSOs with improved internet facilities and smartphones were able to share information with their beneficiaries. For example, CSOs helped farmers find out about market prices, pastoral societies electronically mark and trace their livestock, women at marketplaces share information about their businesses, and members of the public access information about the availability of medicines. CSOs such as Tanzania Women Lawyers Association (TAWLA) and Women’s Legal Aid Center (WLAC) hosted hotlines and web-based complaint forms that enabled members of the public to communicate with legal aid providers and tap into law enforcement mechanisms. All of these services were offered free of charge.

In several instances in 2016, the government reduced resource allocations for areas in which CSOs provide services, thus making CSOs’ work even more indispensable. For instance, when funding under the Legal Sector Reform Program was no longer available to legal aid providers, the Legal Service Facility (LSF) filled the gap. As a result of long-term consultations between CSOs and the central government, the Ministry of Constitutional Affairs passed a Legal Aid Bill in 2016 that, among other things, expands the scope of operation of legal aid providers and recognizes the role of paralegals. In Zanzibar, paralegals were registered with the support of LSF and the Zanzibar Legal Service Center (ZLSC). Elsewhere, WLAC, LHRC, TAWLA, and other CSOs nurtured paralegals to support communities at the grassroots level.

Many organizations produce publications and distribute them to policy makers and the public. Larger CSOs such as Women in Law and Development in Africa (WiLDAF) produce books, flyers, posters, and other materials for public consumption on such topics as human rights, women’s rights, and access to justice. A few publications are sold at subsidized prices, but otherwise Tanzanian CSOs do not usually seek to recover costs. Most services in education, health, governance, legal aid, and agriculture are provided free of charge with funding from donors.

At the national and local levels, the government recognizes the value of CSOs in providing and monitoring basic social services. In 2016, the government provided token amounts of funding to a few organizations that deal with environmental conservation, such as Ileje Environmental Conservation Association, Journalist Environmental Team, Communication for All Fund, and Mazingira Community Development Forum in Mwanza and Musoma. The government in Zanzibar supported a few organizations as well, including Umoja wa walemavu Zanzibar and the Women Entrepreneurship Development Trust Fund.

**INFRASTRUCTURE: 4.2**

The infrastructure supporting the CSO sector in Tanzania did not change significantly in 2016. All CSOs operating at the national level have access to libraries, resource centers, and documentation centers that offer literature on matters relevant to their work. For instance, LHRC hosts a constitutional library and database; the TGNP resource center has materials on gender; the Media Council of Tanzania has right-to-information materials; HakiElimu’s documentation center has a rich collection of education-related publications; and the library of Zanzibar Legal Services Center has a unique collection of publications on governance that are no longer available elsewhere.

In 2016, local community foundations and intermediary support organizations (ISOs) used locally raised funds and international donor funds to provide financial support to locally identified needs and projects. As in
previous years, the main local funding organizations in 2016 were FCS, LSF, and the Women Fund Tanzania. In 2016, FCS disbursed approximately $2.3 million to CSOs, which was less than in previous years. The funding went mostly to projects focused on public expenditure tracking, social accountability monitoring, gender-based violence, public participation in local government planning, land rights, and advocacy for effective public service delivery. LSF supported projects on strengthening paralegal services, legal aid, and legal education. Women Fund Tanzania disbursed approximately $150,000 to women’s organizations for projects on gender-based violence, leadership, movement building, and environmental justice. In Zanzibar, the Milele Zanzibar Foundation, which was established in part by the Zanzibari diaspora, supported health, education, and livelihood projects in rural and remote areas.

CSO networks continued to face an identity crisis in 2016, in part because of weak governance and financial management systems. Some network leaders have stayed in their positions beyond their terms in violation of their constitutions, and networks often lack reliable funding and the capacity to manage financial resources. In addition, individual members of coalitions sometimes seek to promote their own profiles, which can lead to competition among them.

In 2016, several organizations continued to enhance the organizational capacity of Tanzanian CSOs in both urban and rural areas. LSF, for example, provided technical support to more than twenty organizations and mentored grassroots CSOs and CBOs to ensure their sustainability; THRDC conducted trainings for CSOs on cyber-security; and ZLSC trained CSOs in Zanzibar on human rights approaches after the contentious 2015 elections. Other trainings addressed CSO governance and management, policy analysis and advocacy, monitoring and evaluation, and financial management. The MS Training Center for Development Cooperation (MS-TCDC) in Arusha offered a wide range of valuable trainings for CSO staff, including advanced specialized training in strategic management, accounting, financial management, fundraising, volunteer management, and board development. In addition to helping CSOs strengthen their strategic engagement in nationwide campaigns on girls’ reproductive health organized by Msichana Initiatives, FCS trained 160 women and youth on entrepreneurship and fifty-five CSOs on evidence-based advocacy. ANGOZA, FCS, and ActionAid Tanzania organized and mentored peer learning and exchange visits to promote policy engagement and evidence-based advocacy by forty CSOs.

The government and CSOs continued to engage in several partnerships in 2016. For example, in March TCDD organized a meeting of stakeholders in Dar es Salaam to discuss interventions related to Second Round Monitoring under the Global Partnership for Effective Development Cooperation, a joint project of the United Nations Development Program and the Organization for Economic Cooperation and development. In Zanzibar, the Milele Zanzibar Foundation worked closely with the government to build the capacity of staff in rural health centers. FCS participated with the National Economic Empowerment Council in an advisory committee on entrepreneurship, public investment funds, and economic empowerment policy and collaborated with the Tanzania Women Chamber of Commerce on a five-day training for youth about business opportunities in the East African region.

**PUBLIC IMAGE: 3.8**

In 2016, many CSOs in Tanzania enjoyed growing and increasingly positive media coverage at the local and national levels. Competition from social media forced mainstream media to broaden their focus on marketable news by covering CSO press conferences and the launches of CSOs’ reports on human rights, research, and the re-run election in Zanzibar. At the same time, the suppression of political and civil rights during the year shifted the media spotlight to specific areas of CSO work, such as the rights of women, children, the elderly, and persons with disabilities, as well as access to water,
sanitation, energy, and food. The media’s increased coverage of these issues tended to offer an uplifting profile of the country’s CSOs. For instance, media coverage of the Women to Kilimanjaro Initiative was extensive and positive. Media outlets also performed many interviews with CSO representatives and published a number of popular columns and articles on or written by CSO staff. Politically sensitive issues championed by CSOs often failed to attract coverage, even if organizations were willing to pay associated costs. In a change from previous years, the media tended to self-censor and avoided coverage of human rights abuses, breaches of the constitution and the rule of law, and other issues that they thought could be unpleasant or irritating to the government.

At the grassroots level, including in Zanzibar, CSOs not engaged in politically sensitive issues continued to enjoy the services of community and commercial radio stations. On the small island of Tumbatu in Zanzibar, for example, the station Tumbatu Radio Jamii, hosted by the Tumbatu Association for Social Promotion (TASOP), addressed issues of community concern, such as water, sanitation, health, education, and access to justice. Chuchu FM in Zanzibar hosts a popular live program entitled “Farkash,” which features public discussion of topical issues. In mainland Tanzania, Tandabui Health Access Tanzania operates the TANDABUI radio station in Mwanza, and the Kagera Development and Credit Revolving Fund hosts KADETF radio in the Kagera region. The private sector positively viewed CSOs in 2016, as evidenced in the joint training conducted by the Tanzania Women Chamber of Commerce and FCS. The government’s perceptions of CSOs were also largely positive, and even CSOs that criticized government policies were nonetheless invited to participate in government meetings.

CSOs in Tanzania publicize their activities and promote their public image. Several CSOs have developed relationships with journalists to encourage positive coverage. CSOs’ use of new technologies has greatly improved their outreach to beneficiaries. For example, Femina Health Information Project, Restless Development, United Nations Association, Tanzania Youth Vision Association (TYVA), and other CSOs focused on youth use Twitter, WhatsApp, and other smart phone applications to reach out to their constituencies in real time. In an effort to enhance public understanding of the East African Community, a regional intergovernmental organization, FCS aired nine programs on national radio and published sixteen newspaper articles.

CSOs have sought to self-regulate through NACONGO, which sponsors a code of conduct that provides guidance on sustaining democratic and participatory institutions. In 2016, NACONGO adopted rules of procedure and election regulations to ensure that its members are democratically elected. NACONGO also developed a six-month plan for establishing a strong and effective secretariat. CSOs usually publish their annual reports on their websites or in print or electronic media and distribute them at meetings, workshops, and other important events. Few CSOs prepare public versions of their annual reports to circulate to stakeholders.
2016 CSO Sustainability Scores for Tanzania

- Legal Environment
- Public Image
- Organizational Capacity
- Infrastructure
- Financial Viability
- Service Provision
- Advocacy

CSO Sustainability

Tanzania 4.2

- Sustainability Enhanced
- Sustainability Evolving
- Sustainability Impeded
In February 2016, presidential and parliamentary elections took place in Uganda, and incumbent president Yoweri Museveni won a fifth term. Although voter turnout increased, the opposition charged that the elections were marred by a large number of irregularities, especially since the government had failed to adopt the comprehensive reforms proposed in the 2014 Citizens Compact on Free and Fair Elections. During the election period the government stifled free speech by arresting journalists and activists, threatening to close radio stations that hosted opposition figures, and shutting down social media on both election day and also during the president’s inauguration. Scattered violence was reported in the capital city when the delivery of ballot boxes was delayed. After the elections an opposition presidential candidate sought unsuccessfully to have the election results declared null and void. During this stalemate the police raided the offices of the Forum for Democratic Change party and its leader was put under house arrest, which effectively tamped down opposition party activities.

The Ugandan economy experienced severe strains in 2016. The declining value of the Ugandan shilling increased debt levels, while lower commodity prices and the continuing conflict in South Sudan depressed the
export market. Income inequality shot upward, and corruption remained a persistent problem that drove up costs and complicated business operations in the country.

The Non-Governmental Organizations (NGO) Act 2016 was signed into law by the president on January 30. Although concerned about certain provisions of the new law, many actors view it as a substantial improvement in the legal framework for CSOs. The new law created the National Bureau for NGOs, a regulatory body with broad oversight powers and the authority to grant and revoke permits to operate. CSO representatives were elected to the bureau’s board of directors but had to be approved by the bureau’s director. CSOs worked with the government to organize consultations on regulations under the new law, which were to come into force in 2017.

The overall sustainability of CSOs in Uganda declined in 2016, in part because of increased government harassment. Weaker organizational capacity, reduced infrastructure support, and a poor public image also hindered CSOs’ work. However, the financial situation of CSOs did not change appreciably during the year, and advocacy and service-providing activities were also relatively stable.

According to the National NGO Bureau, 12,237 CSOs were registered in Uganda at the end of 2016. Specific information about their areas of activity and geographic scope was not readily available.

**LEGAL ENVIRONMENT: 5.4**

The legal environment for Ugandan CSOs worsened in 2016. The NGO Act 2016 requires all CSOs to incorporate before the National NGO Bureau will issue them permits to operate. Incorporation requires the submission of a memorandum of association, the articles of association, and a reserve name for the organization. In addition, all community-based organizations (CBOs) must register and may operate at the sub-national level only. In emergency situations the Minister of Internal Affairs, in consultation with the National NGO Bureau, may exempt organizations from registration requirements and issue provisional permits for a period of not more than six months. However, the law does not define the emergency situations that warrant issuance of provisional permits.

The NGO Act 2016 ostensibly aims to provide a more enabling environment for the CSO sector. Its stated goals include strengthening CSO capacity and promoting partnerships with the government. The act describes a clear process for appealing decisions of the National NGO Bureau and district CSO monitoring committees and for dissolving CSOs. Overall, many observers view the new law as a positive achievement, especially since CSOs had pushed relentlessly since 2006 to help draft the new law. However, some CSOs, such as those working to defend the rights of marginalized minorities, remain concerned that provisions in sections 44(d) and (f) of the law, which oblige organizations to avoid activities that are prejudicial to the “security and laws of Uganda” and the “interests of Uganda and the dignity of Ugandans,” may be used to clamp down on CSOs working on sexual and minority rights. In 2016 these sections were cited to stop a parade convened by Queer Youth Uganda.

In 2016, advocacy CSOs experienced increased state scrutiny and harassment, especially on the local level. For instance, the chairperson of Local Council Five in the Luwero district threatened to close Community Development and Child Welfare Initiatives (CODI) because of its work on voter education. Staff members of
Kick Corruption Out of Uganda (KICK-U) and the president of Forum for Democratic Change, the country’s largest opposition party, were forcibly locked up in a radio station during a talk show and ordered by the district police commander to change the topic of their discussion and replace the show’s moderator. In a continuing trend since 2012, the offices of five CSOs, including the Human Rights Awareness and Promotion Forum (HRAPF), Human Rights Network for Journalists-Uganda, and Forum for African Women Educationists, were broken into, and a private security guard at HRAPF was murdered. Thirty-one CSOs petitioned the inspector general of police to investigate repeated office break-ins and harassment, but the police made little effort to follow up on these incidents. On September 14, 2016, twenty-five women were arrested and detained as they prepared to present a petition to parliament opposing proposed constitutional amendments that would change the mandatory retirement age for judicial officers and electoral commissioners.

Media freedom and freedom of information were curtailed during the elections. The government blocked access to social media, messaging platforms, and mobile money transfer services for three days, citing security concerns. However, some citizens and activists were able to use virtual private networks (VPNs) to exchange information about election-related developments. More subtle forms of state harassment in 2016 included incidents involving bribery and coercion by security personnel. The rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) populations continued to be violated. For example, according to media reports, in August the police raided an event focused on LGBTI rights and arrested twenty people, who were later released without charges.

The taxation of CSOs in Uganda did not change in 2016. All income of exempt organizations is free from income tax, and foreign grants to CSOs providing social welfare, medical, and agricultural services are exempt from value-added tax. CSOs must apply for tax exemptions, but they continue to lack adequate information about the application process, and the Uganda Revenue Authority made no effort to address this deficiency in 2016. Donors receive tax benefits for donations to eligible organizations through bilateral agreements between donor governments and the government of Uganda.

The NGO Act 2016 allows organizations to earn income, provided revenue that exceeds administrative costs is invested in the organization and its projects. Although the new law does not specify whether CSOs are allowed to compete for government contracts, a stringent and bureaucratic process generally deters them from doing so.

Several lawyers working in Kampala are trained in CSO law, but CSOs have a hard time accessing their services, as most lawyers view CSO cases as unprofitable and undesirable. Outside of Kampala there is a shortage of lawyers, and CSOs often rely on legal-aid service providers. In 2016, lawyers working in the CSO sector provided valuable information on the new NGO law to organizations at the national and sub-national levels.

**ORGANIZATIONAL CAPACITY: 3.9**

CSOs’ organizational capacity did not change significantly in 2016. Although CSOs’ operating environment continued to deteriorate, organizations remained broadly resilient. Many organizations continued to build local constituencies to earn legitimacy and buy-in for their initiatives. For example, the Uganda Women’s Network convened its third Women’s Week, which brought together more than three thousand participants to advocate for gender equality. ActionAid International Uganda (AAIU) organized anti-corruption marathons with more than five hundred citizens in the Northern Region and Sebei sub-region to highlight the effect of corruption on service delivery. Numerous citizen-led initiatives, such as neighborhood watch groups and community policing, also sprang up in response to rising crime rates in urban and semi-urban areas.
Most organizations have strategic plans aligned with donors’ country programs, which are usually synchronized with the election cycle. Because 2016 was an election year, a number of CSOs, including organizations uninvolved in the elections, undertook various forms of strategic planning, such as brainstorming sessions, strategic plan evaluations, and peer reviews. However, adherence to strategic plans remains problematic, since most CSOs deviate from them to pursue funding opportunities.

CSOs’ internal management structures improved significantly in 2016. Key indicators of improvement included more consistent efforts to convene annual general meetings, regular reflections by leadership on internal governance issues, and peer support for organizations in crisis. Board development programs continued in 2016 to emphasize the separation of powers between the board and management as well as organizational policies. However, some CSOs continued to face governance challenges. For example, the coordinators of three district networks resigned because of strained relationships with their boards over financial expectations.

In 2016, some organizations offered security training to staff to help protect them in the difficult political environment. However, the majority of domestic CSOs struggled to meet staff costs during the year, especially since donors rarely cover general operating expenses. Some organizations resorted to employing staff on a part-time basis, and many organizations continued to engage volunteers. However, funding constraints did not permit CSOs to make use of volunteers on a permanent basis, because, according to the income tax law, employers may retain the services of volunteers for six months only before becoming liable for taxes, social security payments, and other statutory deductions.

Ugandan CSOs made impressive technological progress in 2016. Internet usage in Uganda has increased in recent years, and in 2016 the government launched free internet services in an effort to broaden public access. However the free services are available only in the capital city, and most CBOs were unable to take advantage of them. After break-ins at some organizations, development partners donated computers and other equipment to replace stolen or confiscated equipment. Many organizations use online data backup to guard against loss of information in the case of office break-ins.

**FINANCIAL VIABILITY: 5.0**

The financial situation of CSOs did not change in 2016. CSOs continued to depend largely on external sources of funding, and donor support dropped slightly as election-related programs came to a close. Most donors were reluctant to provide funding for new projects during the post-election stalemate.

Appreciation for philanthropy as a contributor to inclusive growth and sustainable development grew in 2016. Cultural institutions such as the Buganda Kingdom and the Nnabagereka Development Foundation partnered with banks, telecommunications companies, and schools to raise funds for girls’ education, fistula operations, and other causes. In September the Nnabageraka Development Foundation, African Philanthropy Forum, and Higherlife Foundation organized the first-ever philanthropic gathering in the country, which brought together more than one hundred potential philanthropists.

Diversification of income sources is still a challenge for the CSO sector. Some professional associations have set up social enterprises to supplement donor funding. For example, the Uganda Bankers Association runs the Uganda Institute for Banking and Financial Services, which offers training courses that generate income for the association. Networks and membership-based organizations seek to raise funds through annual subscriptions, but members rarely honor their obligations.
The majority of CSOs, excluding CBOs, continue to endeavor to establish functioning financial management systems to comply with donor expectations for effective resource utilization and accountability. Donors increasingly decline to fund organizations that do not comply with established financial management standards. For example, the Democratic Governance Facility, the largest basket fund for civil society, withdrew funding from some of its partners because of their lack of financial transparency. The NGO Act 2016 requires all registered CSOs and CBOs to submit annual returns and audited financial reports to the National NGO Bureau and sub-county CSO monitoring committees.

**ADVOCACY: 3.4**

The National NGO Policy 2010 provides a general framework for the government to engage with CSOs as part of its national development process. In 2016, a spirit of cooperation between CSOs and the government was evident in robust countrywide consultations about regulations under the new NGO law. The Uganda National NGO Forum (UNNGOF), Global Rights Alert, Chapter Four, National Association of Professional Environmentalists, and AAIU worked with the National NGO Bureau to convene fifteen regional consultations to solicit CSOs’ view on regulations under the act, which will be presented to the cabinet in February 2017.

CSOs at the local level often enjoy cordial working relations with local government officials. For example, Lira District NGO Forum partnered with local governments in Alebtong, Dokolo, Otuke, Lira, and Amoltar districts to train more than 160 new district councilors on such topics as the legal framework and planning and budgeting processes. Women councilors taking part in the trainings formed caucuses in the five districts to track gender issues. Nevertheless, some policymakers at the national and local levels continue to view CSOs focused on governance and human rights as an opposition force working to promote foreign interests.

During the elections the Citizens’ Coalition for Electoral Democracy in Uganda (CCEDU) and Citizens’ Election Observers Network (CEON) engaged in voter education; the Inter-Religious Council of Uganda (ICRU), Elders’ Forum, and UNNGOF convened the first-ever presidential debates; and CCEDU and other CSOs promoted voter participation and conducted election observation missions. Generally, however, CSO advocacy campaigns were sluggish during the elections, and some organizations practiced self-censorship until the election stalemate was resolved.

After the elections, advocacy CSOs generally grew more vibrant, although some organizations involved in governance continued to self-censor. Several key new advocacy initiatives were launched. The Let Peace Prevail campaign coordinated by the Uganda Governance Monitoring Platform (UGMP), Uganda Joint Christian Council (UJCC), and AAIU encouraged discussions on peace and justice, and the Uganda Governance Monitoring Platform undertook an opinion poll and analyzed the first one hundred days of the presidency. In addition, the Tax Justice campaign coordinated by the Civil Society Budget Advocacy Group (CSBAG) collected more than four million signatures on a petition to the president to veto a bill allowing members of parliament to exempt their emoluments from taxation (the bill was passed into law in November). The Leave No One Behind campaign led by the Agenda 2030 CSO Core Reference Group sought to amplify the voices of the disabled, children, the elderly, and other marginalized groups, while the Girls Not Brides campaign, steered by eleven children’s rights advocacy organizations, continued efforts to stop early marriages. Increasingly, issues of transparency and governance in the extractive sector dominate public discourse. For example, in a bid to improve transparency in the sector, a group of CSOs launched an online petition urging the president to join the Extractive Industries Transparency Initiative (EITI), a global platform that commits governments to publicizing their revenues from oil, gas, and mineral resources.
Sector-level working groups and technical planning committees at the national and sub-national levels allow CSOs to participate in government decision making processes. However, their efforts have been constrained by the government’s limited acceptance of CSOs’ proposals, as well as CSOs’ lack of access to information. Nevertheless, in 2016 CSO lobbying efforts registered several key successes at the national and local levels. For example, CSOs contributed to the enactment of the NGO Act 2016; the launch of the National Social Protection Policy, a policy framework to guide social protection programs; cabinet approval of the National Gender-Based Violence Policy 2016; adoption of strong tobacco control regulations; enactment of the Children (Amendment) Act 2016 to enhance child protection; and passage of the Gender-Based Violence ordinance in Lira district. The Refugee Law Project successfully advocated for protecting the Kyangwali Refugee Settlement and establishing mobile courts in the Kyaka settlement so that refugees can access judicial services. In addition, the National Coalition of Human Rights Defenders promoted policies to protect human rights defenders and initiated the drafting of a human rights defenders protection bill, which was under consultation at the end of the year.

In 2016, CSOs pursued various activities to help organizations understand the implications of the new NGO law. Their efforts included a session on the NGO Act at the 2016 Women’s Week, a national dialogue attracting more than three hundred CSOs; fifteen regional engagements on the new law and proposed regulations; and various radio and TV talk shows. HRAPF, Chapter Four, and other organizations published papers challenging some provisions of the act, especially sections 44(d) and (f), which impose special obligations on organizations not to engage in activities that are prejudicial to the “security and laws of Uganda” and to the “interests of Uganda and to dignity of Ugandans,” as well as section 30(1)(a), which allows the NGO Bureau to refuse to register an organization if its objectives are viewed as contravening the laws of Uganda.

**SERVICE PROVISION: 3.5**

In 2016, service provision by CSOs in Uganda was stable. Although many donors shifted funding to election-related interventions and, during the post-election political stalemate, were hesitant to provide funding for new projects, CSOs continued to provide services in all major sectors, including health, education, and legal aid. For example, organizations focused on water issues, such as Plan International, Caritas, and the International Union for Conservation of Nature, built boreholes, public tap kiosks, and shallow wells.

CSOs endeavor to provide goods and services that reflect the needs and priorities of their constituents and communities. For example, in 2016 Reach A Hand Uganda provided counseling to young people about HIV/AIDS and conducted sessions on sexual and reproductive health rights. AAIU worked through ten women protection centers to provide shelter, food, counseling, and medical and mediation services to female victims of domestic violence. All of these services were offered free of charge.

CSOs continued to distribute publications to their constituencies, government officials at the local and national levels, academia, and the media. A number of CSOs, including Uganda Debt Network, CSBAG, UNNGOF, and AAIU, compiled comprehensive email lists for sharing weekly newsletters that included policy analysis and success stories. CSOs in the Black Monday movement, a campaign to end the theft of public funds, published twelve online editions of its newsletter.

The government recognizes and appreciates the central role of CSOs in service provision. While the government offers no direct funding to CSOs, government institutions and CSOs sometimes work jointly on specific initiatives. For instance, CSBAG has a formal partnership with the Ministry of Finance to solicit CSO input on the budget at all levels.
The infrastructure supporting civil society in Uganda declined in 2016, largely because of limited information sharing, reduced funding, and weakened coalitions.

In Uganda there are few fully-established resource centers where CSOs can access information, computers, and internet service or seek assistance from librarians and technology specialists. Those that do exist are located in urban areas and operated by national and international CSOs. Organizations such as the Human Rights Network Uganda, Uganda Debt Network, and Oxfam International have libraries with information on such topics as human rights, debt analysis, livelihoods, and legal issues. The centers are open to members and partner institutions. The Community Development Resource Network has a fully-equipped resource center with information on civil society issues, CSO management, and participatory approaches to development. Although it is open to the public, organizations may pay an annual subscription of UGX 100,000 (about $28) to become members.

The Independent Development Fund (IDF) is one of Uganda’s main local grant-making organizations. It receives funding from the Democratic Governance Fund and primarily supports projects on human rights and good governance implemented by CBOs. In 2015-16, IDF awarded grants to thirty-eight organizations across the country. International CSOs continued to grant funds to local organizations.

CSO coalitions continued to serve as a critical voice for the CSO sector in 2016. UNNGOF remained a primary platform for interaction among CSOs. However struggles among some influential platforms continued, including the rivalry between the Central Organization of Free Trade Unions-Uganda and National Organization of Trade Unions, which has persisted for years. Funding for platform organizations continued to dwindle, as donors increasingly direct resources to local and grassroots organizations instead.

Over the years the CSO sector has built up a pool of competent trainers who work for CSOs or have started their own consultancies. In 2016, national organizations, international organizations, and donors offered training on such topics as ethical leadership, media relations, financial literacy, and networking. Some workshops are free, but others are costly, and CBOs in particular find it difficult to participate in them.

CSOs at the national and sub-national levels increasingly appreciate the importance of partnerships, and they work with the government and media to advance common concerns. For example, Amref Health Africa, Wemos Foundation, Coalition for Health Promotion and Social Development (HEPS-Uganda), and African Center for Global Health and Social Transformation cooperated with the Ministry of Health to curb maternal mortality through reproductive health awareness. The Civil Society Budget Advocacy Group partnered with the Ministry of Finance to conduct local government budget consultations, and service-delivery organizations in the water and health sectors worked with various government entities. Private-sector support for CSO advocacy initiatives remains low and is usually offered only for one-off initiatives. The Civil Society-Private Sector Forum was established four years ago, but has yet to produce results.

**PUBLIC IMAGE: 4.2**

The public image of CSOs declined in 2016. The relationship between media and CSOs remained transactional—that is, CSOs have to pay journalists to cover their activities in print media and invite them as guest speakers on talk shows. The media’s understanding of CSOs’ role is minimal and their reporting about CSO events lacks analysis—a deficiency that in 2016 CSOs sought to mitigate by distributing press releases. At
the sub-national level, most media houses are owned by members of the ruling party and are not comfortable hosting civil society activists discussing issues of good governance and accountability.

In 2016, the government continued to have negative views of organizations working on human rights, accountability, and sexual minorities. CSOs focused on civic education and human rights were deemed to be working for the opposition and were sometimes harassed, although during the election period the same organizations undertook civic education programs and acted as election observers for the Electoral Commission. The business sector perceives CSOs as fully resourced and as a potential market for their products, however businesses often fail to budget for corporate social responsibility projects. Some segments of the public perceive CSOs as self-centered enterprises with minimal impact on their beneficiaries.

To profile their work CSOs increasingly use social media, convene press conferences, and publish weekly bulletins online or as pullout sections in newspapers. Some national organizations have developed informal partnerships with journalists who cover their work. Some networks and national organizations have communications staff, but they are often poorly prepared to report on development work. CBOs rarely publicize their activities because of the high costs involved.

For several years CSOs in Uganda have had a self-regulatory mechanism, the Quality Assurance Mechanism (QuAM), but the number of organizations with QuAM certificates remains low, at 148. In 2016, the major donor of the QuAM project withdrew funding, leaving the QuAM secretariat unable to undertake outreach activities such as trainings and pre-assessments. In November, the Development Network of Indigenous Voluntary Associations (DENIVA) and UNNGOF kicked off a process to rethink the QuAM strategy, and introduced an incentive scheme to encourage organizations to undergo QuAM. The new NGO Act provides for the formation of a self-regulatory body to be set up by registered organizations which will exercise some degree of regulatory authority over them. Among other duties, the new body will administer a CSO code of conduct.
The year 2016 in Zambia began with a ceremony in which President Edgar Lungu signed into law the Constitution of Zambia (Amendment) Act. Nearly all stakeholders, including CSOs, welcomed the act, which was the culmination of years of effort to achieve a people-centered constitution. Important clauses of the amended constitution provide that the president must win the election with an absolute majority of the vote, the presidential candidate must run with a vice presidential candidate rather than appointing a vice president after the election, and individuals running for public office must meet certain educational criteria.

In August 2016, general elections and a referendum on enhancing the bill of rights took place simultaneously. CSOs engaged in a variety of activities related to these events, including voter education and promotion of women’s participation. In the run-up to the elections, several opposition political leaders were arrested and Zambia’s leading independent newspaper, the Post, was suspended because of its failure to pay taxes—a step that some observers viewed as a politically motivated effort by the ruling party to silence the media outlet.
Violent demonstrations took place before and after the elections, threatening the peace and stability of the country. The ruling party, the Patriotic Front (PF), was re-elected for another term, while the measure on the bill of rights was not approved by a majority of voters. After the elections the main opposition party, the United Party for National Development (UPND), engaged in a prolonged court battle contesting the election results. During this period many CSO activities were delayed as the country awaited the outcome of the case, which was eventually dismissed.

Zambia continued to face harsh economic conditions in 2016. Declining productivity, low mineral commodity prices, and a global reduction in the demand for copper hurt the country’s exports. As the kwacha depreciated and electricity supplies dwindled, GDP growth fell, domestic revenues declined, and the fiscal deficit burgeoned. High inflation and a rising cost of living damaged citizens’ welfare and threatened to erode the country’s recent progress in reducing poverty. The government continued to work with the International Monetary Fund (IMF) on an economic recovery program. CSOs participated in the discussions and developed a joint position paper on the need to protect the vulnerable from possible shocks of the economic recovery plan. By the end of the year the government had still not released information about the content of the proposed program.

No firm data is available about the size of civil society in Zambia. The Registrar of Societies at the Ministry of Community Development reports that 688 CSOs were registered under the Societies Act as of December 2016. However, an undetermined number of CSOs registered under the Non-Governmental Organizations (NGO) Act during the year. The last mapping exercise conducted by the Ministry of Community Development, Maternal, and Child Health in 2012 showed that 442 organizations operated under the NGO Act. These numbers do not include community-based organizations (CBOs), faith-based organizations, or community clubs.

**LEGAL ENVIRONMENT: 4.9**

The legal environment for Zambian CSOs worsened in 2016. The controversial NGO Act, which had been suspended in 2015, was slated for repeal and awaited parliamentary action at the end of 2016. However, a provision in the act to establish an NGO Council was implemented, and the council began to formulate an NGO code of conduct based on wide consultations with large and small CSOs. Meanwhile, a consensus emerged among CSOs that the government needed an NGO policy to provide for the act, and by the end of the year the government had drafted a policy for cabinet approval. CSOs were heavily involved in the drafting process and planned to work closely with the government to ensure passage of a new NGO Act.

While these discussions were underway, CSOs were allowed to register either under the NGO Act, the Societies Act, or, to a lesser degree, the Patent and Companies Registration Act. Although some CSOs were confused about the appropriate avenue for registration, the registration process remained fairly straightforward and no changes were reported. The lack of a decentralized system continued to pose a challenge for CSOs in rural areas. Although in some places it became easier for CSOs to collect the forms needed for registration from provincial offices, they still had to return the forms to registering bodies in the capital.
The current legal framework gives the state considerable explicit and implicit authority over CSOs’ activities. For one thing, several different laws regulate CSOs, and the state is thus able to pick and choose among the provisions it wishes to enforce. For instance, organizations registered under the NGO Act must conform to regulations provided for in the act, even though it has been suspended. In addition, the state may deregister organizations registered under other laws by referring to the NGO Act. Deregistered organizations have no chance of appeal.

The government continued to use the Public Order Act to stifle CSOs’ activities in 2016. For instance, the Zambia Council for Social Development (ZCSD) struggled to hold a public meeting on inequality in Mansa District and eventually had to hold the activity in a church to avoid state interference. In Muchinga Province the Media Institute of Southern Africa (MISA) Zambia, which is part of the Access to Information (ATI) Coalition, faced intimidation from the district commissioners’ offices during a petition-signing campaign. CSOs working on governance issues, the elections, and the bill of rights were sometimes accused of supporting the opposition. ZCSD and other CSOs supporting the Grand Coalition on the Constitution were not allowed access to parliament during a debate on the constitution. Some CSOs were attacked in the media after they expressed criticism of ministers who had continued to receive salaries after parliament was dissolved. The independent media was also subject to state harassment, as when the independent Post was shut down, allegedly because of its failure to pay taxes, and the chief government spokesperson openly attacked CSOs and media that the government considered to be working against its interests. These and other acts of intimidation and suppression by government officials, political party cadres, and the police had a chilling effect on the media and CSOs.

CSOs are required to pay taxes on goods and services used in their work. The 2013 Statutory Instrument 103, which withdrew tax exemptions for CSOs on capital goods, remained in effect in 2016. However, CSOs may apply for exemptions to the Ministry of Finance, which grants them on a discretionary basis.

Zambian CSOs are not legally allowed to raise funds through the provision of goods and services, although, depending on where they are located, they sometimes establish subsidiary companies to generate income, including through government contracts. However, the lack of capital to startup businesses makes this an impracticable option for many organizations.

CSOs have little legal recourse when treated unfairly. Although many CSOs need legal services, the cost of acquiring such services remained high in 2016. Moreover, legal advice is easier to obtain in the capital city than in remote areas. Although lawyers are increasingly interested in working with CSOs, the School of Law at the University of Zambia does not provide training specifically focused on civil society.

**ORGANIZATIONAL CAPACITY: 4.3**

The organizational capacity of Zambian CSOs declined in 2016 because of cutbacks in staffing, which forced fewer staff members to perform multiple roles. Reductions in the number of employees were due mainly to decreases in donor funding, as well as donors’ reluctance to provide funding to cover core costs.

CSOs usually have a strong presence in their local communities. In 2016 several new election-related initiatives targeted constituencies that had not been reached during previous elections. For instance, the Women’s Lobby encouraged the participation of women as voters and candidates, which resulted in women being elected to key positions and constituting the majority of voters. MISA Zambia used social and community media to extend its outreach to youth and focus their attention on the ATI Bill as a local as well as national issue.
Larger and more established CSOs have strategic plans that highlight their visions and missions and guide their decision making. These CSOs realize that they need to adhere to their plans if they expect to receive funding from donors. Smaller CSOs do not commonly have strategic plans because they have insufficient funding to pay for their development. They rely instead on what they call “activity plans,” which can be quite comprehensive and are helpful in the decision-making process. In 2016, the Zambia Governance Foundation (ZGF) no longer provided core funding to support the realization of strategic plans, although it offered training to smaller CSOs to enhance their strategic-planning capacity. ZGF itself undertook a major strategic planning process, which will conclude in 2017.

Larger CSOs have stronger internal management structures than smaller organizations, in which one person typically performs multiple roles. For example, large organizations such as Civil Society for Poverty Reduction (CSPR) and Southern African Center for the Constructive Resolution of Disputes (SACCORD) conduct board, management, and staff meetings on a scheduled basis. Larger CSOs’ boards of directors are often effective and play a crucial role in resource mobilization. However, smaller organizations rarely have boards. It is becoming a challenge for all CSOs to hold annual general meetings because of limited funding earmarked for this purpose. The Non-Governmental Organizations Coordinating Council (NGOCC), a major focal point for women’s issues in Zambia, underwent a massive restructuring in 2016 because of the departure of one of its major donors, which resulted in a cutback in staff and programs.

As a result of limited funding, human resource capacity is inadequate at most CSOs. With reductions in staffing, many organizations now operate as one-man shows. Some organizations manage to have information technology and accounting personnel, because their work is so indispensable, but most organizations find lawyers particularly difficult to retain. Boards of directors may include lawyers who provide legal advice, but they, like other professional staff members, often leave the CSO sector for financial reasons. As a result, many organizations have learned to make do with a lean personnel structure and multitasking by the few remaining staff. Some institutions, such as MISA Zambia, Young African Leaders Initiative (YALI), and SACCORD, enlisted many volunteers to meet staffing gaps during the elections. This arrangement is not sustainable, however, and has begun to compromise CSOs’ work as volunteer turnover limits institutional memory.

CSO resources do not allow for modernized equipment. In 2016, most CSOs received fewer donations of office equipment from cooperating partners, except for organizations active in election monitoring. Most of these donations were project based, and some organizations had to return equipment once their projects were finished.

**FINANCIAL VIABILITY: 5.7**

More CSOs were financially impeded in 2016 than in the previous year. Donor funding continued to shrink, and donors preferred to enter into short-term partnership agreements without committing to provide continued support after a project ends. In 2016, CSOs working on the elections received increased funding, but it was temporary and discontinued once the elections were over. MISA Zambia, for example, received funding for elections-related projects but no additional funding for other projects. A number of CSOs that were not engaged in the elections experienced reduced funding from their traditional donors and had to cut back on programming. The closure of the Norwegian Embassy in Zambia severely affected the NGOCC.

As CSOs continue to be vulnerable to shifts in donor funding priorities, they increasingly understand the need to diversify their funding sources and mobilize local resources. However, CSOs’ efforts to diversify income sources in 2016 were not uniformly successful. Membership fees are usually very small (typically $20 to $50
annually), and most network-based organizations experienced a decline in income from fees in 2016. For instance, CSPR had fewer members that paid their full fees in 2016. At most CSOs funding was strictly earmarked for specific activities and could not be used to develop new revenue streams. There are no local sources of philanthropy in Zambia that support CSOs.

The law is not clear on income generation by CSOs, and many CSOs take advantage of this gap to engage in moneymaking opportunities. CSPR established a new research and sustainability unit and was somewhat successful in obtaining commissions for research not tied to a particular project. Organizations such as the NGOCC generate income by selling *chitenges* (African print fabric), and Caritas Zambia earns money from the sale of publications. However, the revenue generated from these activities is generally not sufficient to cover the cost of production and provide additional operational support. While some faith-based organizations, such as CHAZ and the Jesuit Center for Theological Reflection (JCTR), own property that generates rental income, this type of arrangement is rare. Other organizations such as Women Organization in Mansa operate as CSOs but are registered under the Cooperative Act as business entities and thus are able to obtain government contracts. The United Nations sometimes hires organizations such as JCTR, Zambia Institute for Policy Analysis and Research, and Indaba Agricultural Policy Research Institute for consultancies. CSOs do not earn income from contracts with local businesses.

Most CSOs have financial management systems, but only larger CSOs have their accounts audited annually because of the cost. Even large CSOs can find it difficult to persuade donors to help cover audit fees and salaries for financial and administrative staff. CSOs usually publish their financial reports on their websites but find it too costly to print them in hard copy.

**ADVOCACY: 3.6**

In 2016, direct forms of communication between CSOs and policy makers improved. For instance, CSPR and the Ministry of National Planning worked together on the Seventh National Development Plan (7NDP); the Grand Coalition, Foundation for Democratic Process (FODEP), NGOCC, and SACCORD cooperated with the Electoral Commission of Zambia on the election reform agenda; and the Zambia National Education Coalition (ZANEC) and the Ministry of Education conducted an annual joint review of the education sector and developed a chapter on education for the 7NDP. ZANEC also sat on a committee revising educational policy, including a new policy on early childhood education. A coalition including the Center for Trade Policy and Development (CTPD), ActionAid Zambia, CUTS International, Water Aid, Transparency International Zambia, and ZCSD weighed in on the government’s negotiations with the IMF about an economic recovery program. It called on the government to protect vulnerable populations from possible shocks resulting from the economic recovery plan and highlighted alternative policies for fiscal management. Another success in 2016 was that the government responded to concerns raised by CSOs about political tensions and rising violence by establishing a Commissioner of Enquiries.

CSOs also provided various election-related services. Overall there was an increase in voter turnout thanks to CSOs’ civic education efforts. In addition, FODEP and Disability Rights Watch trained disabled people to serve as election monitors after a long discontinuation of such programs, and the Christian Churches Monitoring Group (CCMG) deployed election monitors throughout the country.

During the year, CSOs launched several new issue-based initiatives. The Coalition on the Constitution and ZGF formed the Consortium on Environmental Sustainability, which focused on mainstreaming environmental issues into CSO programming. More than eighty-six CSOs from across the country helped formulate CSOs’ position on 7NDP, which they then presented to the government. The Women’s Lobby, with
the support of USAID, pursued a project to encourage women to participate in the elections as voters and candidates. MISA Zambia and CTPD promoted public debates with political parties. Other organizations pursuing election-related activities included Caritas Zambia and MISA Zambia. Some initiatives were weakened by a lack of political will because of the elections, fragmentation and competition over resources among CSOs, and polarization of the media. For example, the work of the Grand Coalition on the constitution and referendum was less effective than in the previous year.

CSOs in Zambia are comfortable with the concept of lobbying and engaged in considerable lobbying in 2016. Productive initiatives included SACCORD's work on amending the Electoral Act and on anti-torture legislation, which was in draft form awaiting government approval at the end of the year. Another milestone was the enactment of the Gender Equity and Equality Act after NGOCC engaged policy makers to ensure passage. Working with actors in the women's movement, NGOCC also cooperated with the Ministry of Gender to domesticate relevant regional and international instruments that Zambia has endorsed. In an initiative led by WLSA, CSOs worked with traditional leaders and the Ministry of Traditional Affairs to encourage parliament to enact the Early-Child Marriage Act.

CSOs are aware that a favorable legal and regulatory framework could enhance their effectiveness and sustainability. In 2016, CSOs identified contradictions between the NGO Act and the constitution and stimulated public discussion on the topic. However, CSOs still lack legal knowledge and resources and are also impeded by a lack of continuity in their lobbying initiatives because of the departure of senior activists. NGOCC spearheaded efforts to reform the Public Order Act in 2016.

**SERVICE PROVISION: 4.4**

In 2016, CSOs continued to provide the public with a range of basic services in education, agriculture, health, and water and sanitation. For example, CHAZ provided health services and CAMFED and ZANEC provided educational services to local communities. Funding cutbacks and the diversion of funding to election-related projects did not greatly affect service delivery in 2016.

The goods and services provided by CSO generally reflect the needs of the communities that they serve. Zambian CSOs use several techniques to identify needs and assess the effectiveness of their programs. For example, before interventions CSOs usually question local communities about their priorities and then use their quarterly, biannual, and annual reviews as opportunities to evaluate the relevance of provided services. In some instances beneficiaries do not appreciate service-providing CSOs and see their provision of services as politically motivated. Community members sometimes also view CSOs as serving the interests of donors rather than those of the community, and there can be a mismatch between a particular service and local needs or interests. Parents, for example, do not always welcome sex education.

CSO products are well marketed to other CSOs, academia, churches, and the government. Research conducted by the Policy Monitoring and Research Center is consumed by various organizations, including SACCORD and JCTR. MISA Zambia's reports on election monitoring were used extensively by SACCORD, and its reports on media monitoring were distributed to NGOCC, SACCORD, and other organizations as well as the public. NGOCC conducts gender budget analyses at the district level, which it uses to engage with district officials and policymakers, including members of parliament. JCTR's monthly Basic Needs Basket determining the cost of a family's basic needs is widely used by CSOs, the media, and the government.
Most CSOs do not engage in cost recovery. While a few organizations successfully charge for their services—including FODEP, which in 2016 earned income by facilitating institutional elections at other organizations—such income does not usually cover the costs incurred in delivering the services.

The government supports CSOs such as World Vision, which provide social services in education, health, and agriculture, and other organizations such as Caritas Zambia, which deal with governance issues. In 2016, CSPR received funding from the Ministry of National Planning for interventions related to the 7NDP, and ZANEC received government funding for an annual review of the educational sector. However, the government’s view of some CSOs as the “opposition” can mitigate its recognition and support.

**INFRASTRUCTURE: 4.9**

Resource centers offering services to CSOs in Zambia include those operated by the Anti-Voter Apathy Project, ZANEC, NGOCC, and Caritas Zambia. These centers generally meet the needs of local CSOs for publications, research, policy documents, briefs, and other services. Women in Law in Southern Africa (WLSA) and Caritas Zambia host paralegal desks providing technical support to other CSOs, and the Women’s Lobby operates a training center. These centers do not generate income.

In 2016, a few organizations sub-granted donor funding to other CSOs. For example, NGOCC continued to re-grant pooled donor funds to its members through a basket-fund mechanism, and MISA Zambia re-granted donor funds for community radio programming and governance programs.

Major CSO coalitions in 2016 included the Grand Coalition, Zambia Tax Platform, and NGOCC. However, competition for funding among CSOs intensified during the year, with the result that many individual organizations tended to work independently of coalitions to highlight their own work. Some CSOs worked in formal and informal partnerships. For example, ZCSD and the 2016 Zambia Alternative Mining Indaba worked with Trade Kings, a private company, to provide support to schools in Chief Chanje. The Young Women’s Christian Association (YWCA) and Victim Support Unit cooperated to release annual data on gender-based violence.

Local training opportunities are limited. Some cooperating partners such as ZGF provide training to CSO staff. For example, in 2016 CSPR and ZGF conducted training on the use of social media. Training materials are generally not available in local languages.

Several CSOs worked in partnership with the media in 2016. NGOCC, for example, coordinated with the editors of various media outlets to promote women’s participation in politics and founded a network of senior editors to champion women’s participation beyond the general elections. As yet there have been no partnerships with the government. Partnerships with the private sector still need to be nurtured.

**PUBLIC IMAGE: 4.5**

In 2016, CSOs received wide media coverage of their work on the elections and the economy. However, the coverage was sometimes influenced by the political orientation of media outlets. For example, while private media supported the Grand Coalition, some observers believe that the government-owned media demonized the Grand Coalition when it spoke out on issues related to the referendum on the constitution. At times the media misrepresented or made incorrect statements about CSOs.
The polarization of politics in Zambia affected public perceptions of CSOs in 2016. Some communities resisted CSOs’ presence because they feared being targeted if CSOs seemed to go against the dominant political party in their locale. For instance, CSPR was unable to hold a focus-group discussion to score public services in Kamlaza Community in Eastern Province because community members feared they would appear to be against the government. In contrast, during discussions of the ATI Bill MISA Zambia was widely accused of being pro-government after meeting with the district commissioner.

Government perceptions of CSOs were similarly dependent on their area of work. The government’s view of service-providing CSOs was largely positive, while its view of CSOs dealing with governance tended to be negative. Parts of the business community continued to view CSOs as anti-investment, because of their strong advocacy against tax avoidance, encouragement of CSR programs, and awareness of the environmental and social impact of business activities.

In 2016, some CSOs promoted their activities. For example, MISA Zambia worked with community media houses to air programs about the elections. CSOs’ use of social media to publicize their programs increased during the year. Several institutions such as Caritas Zambia hosted so-called Media Days to share information about their programs with the media. CSOs issued press statements regularly. NGOCC, for example, issued press releases on International Women’s Day to convey messages about gender equity.

CSOs usually demonstrate transparency in their operations by producing annual reports, although they do not always distribute them because of resource constraints or technical challenges. Some CSOs, such as NGOCC and ZANEC, publish their annual reports online, but other organizations refrain from doing so for fear that they will be targeted because of the funds they receive. In 2016, CSOs working through the NGO Council were in the process of formulating an NGO code of conduct as stipulated in the NGO Act.
2016 CSO Sustainability Scores for Zambia

Zambia
4.6

CSO Sustainability

Legal Environment
Public Image
Organizational Capacity
Infrastructure
Financial Viability
Service Provision
Advocacy

Sustainability Enhanced
Sustainability Evolving
Sustainability Impeded
In Zimbabwe, the year 2016 was marked by escalating daily hardships and a fluid operating climate for CSOs. Midway through the year, large citizen-led protests challenged the country’s long-standing political, social, and economic order under 93-year-old President Robert Mugabe. The state responded to the protests with a number of gross human rights violations, including abductions, detentions, brutal beatings, and the use of tear gas to disperse demonstrations. According to the Zimbabwe Lawyers for Human Rights (ZLHR), more than 500 people were arrested. The state also jammed WhatsApp to prevent its use to mobilize protests, thus violating constitutional guarantees of the right to access and disseminate information.

During the year, food shortages were exacerbated by one of the most devastating El Niño-induced droughts in recent history. Agriculture was particularly vulnerable because of the heavy reliance of smallholder farmers on rain-fed maize production. The effects of two consecutive years of drought were evident in widespread crop failure, livestock deaths, and dwindling livelihood and income-earning options for the rural population. The World Food Program (WFP) noted that Mwenezi, a district in Masvingo, was the hardest hit. The situation
compelled the United Nations Food and Agriculture Organization to facilitate a multi-stakeholder response plan, while CSOs provided support to affected populations.

The collapse of Zimbabwe’s formal economy was evident in ongoing business closures. The government responded to crippling cash shortages by introducing a widely unpopular new currency called the bond note, which had the same monetary value as the U.S. dollar. Statutory Instrument 64 of 2016 banned the import of goods from neighboring South Africa, sparking violent protests led by the Zimbabwe Cross-Border Traders Association. In September the government announced plans to reduce public expenditures by cutting 25,000 workers from the civil service, raising fears that Zimbabwe’s already high unemployment rate would increase further. During the year it was also revealed that the government had lost US$15 billion in revenues from the diamond-mining sector because of illicit financial flows. A decline in social services was evident when dysfunctional drainage systems led to the buildup of refuse during the rainy season in November and December, causing an outbreak of typhoid, with several fatalities. Despite incessant calls for a review of the country’s economic policies, the government took few steps in this direction.

The operating space for civil society continued to shrink in 2016 as the government cracked down on protests led by social movement organizations. In September, the Zimbabwe Republic Police (ZRP) temporarily banned protests in Harare’s central business district. This move followed an earlier 14-day ban that was declared unconstitutional by the Constitutional Court, but the court allowed the second ban on protests to stand. Faced with the constriction of their space for action, CSOs affirmed the importance of coordinated responses to the country’s crisis by creating new platforms for joint activities. CSOs’ organizational capacity, service provision, and infrastructure improved as they explored new avenues for cooperation. Innovative forms of campaign-oriented, non-institutionalized groups, such as Tajamuka, #ThisFlag, Unemployed Youth Organization, #ThisFlower, #Tasvinura, and Occupy Africa Unity Square, emerged to change both the focus and approach of civil society efforts.

Statistics from the National Association of Non-Governmental Organizations (NANGO) indicate that there were 993 private voluntary organizations (PVOs) and 3,000 non-governmental organizations (NGOs) registered in Zimbabwe in 2016. The number of registered PVOs remained the same as in the previous year, mainly because of the slow pace of the registration process. Estimates suggest that there are also more than 5,000 trusts and common-law organizations known as universitas.

**LEGAL ENVIRONMENT: 6.3**

The registration of CSOs in Zimbabwe continued to be challenging in 2016. A CSO may register as a PVO under the PVO Act, as a trust through a trust deed, or as a universitas based on the common law principle that “we exist because we exist.” Most organizations, including associations, seek to register as PVOs, since it allows them to more easily enter into memoranda of understanding with local authorities, and provides other benefits such as tax rebates and waivers and easier access to donor funding (since some donors treat PVO status as a prerequisite for funding). The process of registering a PVO can be long and bureaucratic. The PVO Registration Board convenes only once a year, and applicants must be vetted by the state security apparatus; they must also declare their sources of funding, which they are reluctant to do because it can compromise the operations and security of international development agencies and other partners. Since applications to register PVOs usually end in rejection anyway, most CSOs—particularly those with programs on governance, human rights, and democracy—opt to register instead as trusts or universitas. Registering a trust, however, requires a
substantial financial outlay with between $500-2,000 for legal fees, which is an impediment for many organizations. Although registration as a universitas is a long-standing practice, in 2016 the Zimbabwean government attempted to undermine the legality of such organizations by challenging the legal status of the Zimbabwe NGO Human Rights Forum in court. The court found in favor of the organization.

The PVO Act authorizes the minister of social welfare to send inspectors at any time to examine the accounts and documents of PVOs. Once a notice of inspection is delivered, an organization must provide all requested documents, which can be seized for a “reasonable period.” Such seizures can adversely affect partnerships between CSOs and their funding partners, since CSOs become unable to meet contractual obligations and their public image can be damaged. CSOs working in human rights and governance and their funding partners are particularly vulnerable to government intrusion. For example, in 2016 the government accused foreign embassies of financing protests, thereby strengthening myths about the ill intentions of western diplomatic missions. Operation as a universitas is also not without challenges, since local authorities, especially in closed rural communities, compel organizations wishing to work in their areas to produce proof of recognition by the state, which universitas lack. In addition, organizations registered as universitas, the bulk of which are human rights organizations, find it difficult to obtain mandatory police clearances for activities that involve gatherings of more than 15 people. For example, in August 2016 the social movement Unemployed Youth Organization, which operates as a universitas, was denied police clearance to hold a peaceful protest against the government’s failure to provide employment opportunities for college graduates.

During the year the authorities responded harshly to journalists who exposed police brutality and other human rights violations during the protests. Violations against media practitioners included beatings, arrests, and the seizure of property such as cameras and camcorders. For example, two journalists were detained for filming a protest. Similarly, several protest movement leaders were incarcerated, including the leaders of Tajamuka and the #ThisFlag movement. The state quickly labeled civil society institutions that spoke out against the violations as agents of regime change. The government also peddled allegations that institutionalized CSOs were coordinating protest actions. For instance, Crisis in Zimbabwe Coalition was accused of funding the Occupy Africa Unity Square movement to protest against the government.

PVOs are entitled to tax exemptions and waivers on import duties. Other types of organizations may obtain tax exemptions if they cooperate with PVOs or other tax-exempt entities, such as development agencies. All CSOs are allowed to earn income through the provision of goods and services.

ZLHR, Heal Zimbabwe, Abameli, and Counseling Services Unit (CSU) provide legal as well as medical and social support to CSOs, including the leaders of protest movements.

**ORGANIZATIONAL CAPACITY: 4.4**

The organizational capacity of CSOs strengthened during the large wave of citizen protests in 2016. The protests prompted CSOs to rethink and improve their strategies for mobilizing their constituencies. Many organizations relied increasingly on social media such as Twitter, WhatsApp, and Facebook to reach out to the public during the protests. CSOs also formed alliances with leaders of the protests, especially the #Tajamuka group, and created platforms to coordinate discussion and support for protesters whose rights had been violated. This cooperation greatly improved CSOs’ response to emergencies, especially on behalf of activists who had been arrested or beaten by state security agents or militias of the ruling party, the Zimbabwe African National Union–Patriotic Front (ZANU-PF).

Most CSOs have internal management structures, including boards of trustees (in registered trusts) and boards of directors (in registered associations and other PVOs). CSO boards usually have clear mandates to guide
organizational policies, while the staff provides technical expertise and translates the policy framework into tangible projects. Boards tend to operate transparently and engage with their organizations in fundraising, the processing of contracts and tender bids, and other activities.

Because of rising unemployment in Zimbabwe, CSOs have traditionally been able to attract qualified and skilled personnel. Many people are prepared to work for CSOs on a voluntary basis, and volunteers now constitute the bulk of personnel in the CSO sector, especially for organizations in financial distress. Volunteers tend to work in administrative jobs or implement programs in their own communities. This is particularly true of membership-based organizations such as the Combined Harare Residents Association and the Heal Zimbabwe Trust. Some specialized CSOs, such as Save the Children, continue to employ a pool of experts on a salaried basis or as consultants. As in the previous year, organizations with stable and generous funding were able to engage information technology experts, auditing firms, and lawyers when needed. Some larger CSOs hire in-house specialists in these fields.

Most organizations in urban areas have the equipment they need for their work, including computers, cell phones, cameras, and vehicles. Smaller CBOs in rural areas often lag behind in their use of technology, especially since some areas lack electricity and internet access. CSOs often share office space or operate in virtual offices.

**FINANCIAL VIABILITY: 5.8**

CSOs’ financial viability did not change significantly in 2016. Traditional forms of funding from foreign missions and international development aid agencies continued in 2016, although without significant increases over the previous year. USAID remained the biggest donor agency in Zimbabwe, and supported CSOs working on governance and democracy; water, sanitation, and hygiene; food relief; and capacity strengthening. Other donor agencies active in 2016 included the European Commission, Australian Agency for International Development, United Kingdom’s Department for International Development (DFID), Hivos, and Dan Church Aid. The donor-supported Transparency, Responsiveness, Accountability, and Citizen Engagement (TRACE) fund continued to support CSOs focused on accountability and governance. At the height of the protests, a number of donors, including Front Line Defenders, CSO Lifeline, and the European Union, provided emergency relocation funds to activists in distress or under threat from the government.

A new (though somewhat insignificant) source of funding emerged for CSOs in 2016. Zimbabweans living abroad assisted protesters who had been arrested by establishing solidarity funds to cover the costs of bail, toiletries, and food. For example, the Freedom Fund, founded by a Zimbabwean living in the United States, raised several thousand dollars and assisted 91 activists incarcerated during protests. There was some discussion of setting up a consolidated diaspora fund that could serve as an emergency civil fund, and CSOs reached out to the diaspora to discuss ways of administering such a mechanism.

CSOs in Zimbabwe do not benefit from systematic financial support from local sources of philanthropy. However communities often contribute to CSOs’ activities with free labor, meeting spaces, and other forms of in-kind support. Partnerships with corporations such as banks continued in 2016, albeit in a limited manner and only in non-advocacy areas, since businesses fear that cooperation with CSOs perceived as political could lead to harassment by the state or cancellation of their operating licenses. Most CSO-business partnerships during the year focused on child marriage, the environment, climate change, and relief, with businesses typically funding CSOs’ publicity materials and rarely covering administrative expenses. Some PVOs were able to obtain support from the government, although it was limited by the government’s lack of funds. PVOs receiving government funding usually work in service provision, since they are viewed as less of a threat than advocacy organizations, provided they do not engage in political activities.
Some organizations earn income from business activities, such as renting parts of their premises, hiring out equipment such as public address systems and cameras, and providing professional services such as report writing. A number of membership organizations have begun to explore membership fees as a sustainable funding source. For example, members of labor unions, Women’s Coalition of Zimbabwe, and the Media Institute of Southern Africa (MISA) pay subscription fees. However, membership fees remain minimal for most organizations. For example, at the Zimbabwe Human Rights Association (ZimRights) membership fees are still just one dollar per year, since most members cannot afford to pay more.

Most national organizations have functioning financial management systems, and they often mentor smaller CSOs lacking strong systems. For example, the Zimbabwe Coalition on Debt and Development (ZIMCODD) helped Vendors Initiative for Social and Economic Transformation and the Young Voters Platform develop stronger administrative systems by hosting internships for their financial and administrative staff. Most donors require their grantees to undergo annual organizational audits or audits of specific grants. Donors periodically assess the administrative capacity of their partners to determine the extent to which they need strengthening.

**ADVOCACY: 4.2**

In 2016, there was a major shift in CSOs’ engagement with the government. During the first half of the year CSOs mainly sought dialogue with the government, but as the protests intensified and the state responded in a heavy-handed manner, CSOs became more confrontational. For example, residents’ organizations and other CSOs led protests questioning the salaries of officials in the Harare City Council, during which the vice chairperson of the Crisis in Zimbabwe Coalition was arrested. CSOs also challenged the constitutionality of the 14-day ban on demonstrations in Harare. Although the court ruled that the ban was unconstitutional, this was a short-lived victory, since within two days the police imposed a second ban that was upheld by the courts. During the year CSOs filed several other court cases against the government. For example, the leaders of the #Tajamuka group challenged the incumbency of President Mugabe, arguing that he was no longer fit to hold office because of his age and record of poor governance, and opposition political parties and CSOs challenged the constitutionality of bond notes as legal tender. Both cases were still in court at the end of the year.

In 2016, CSOs continued with advocacy initiatives in areas such as democracy, human rights, child protection, universal access for persons living with disabilities, and women’s rights and empowerment. A consortium led by the Zimbabwe Institute pushed for the revision of laws dealing with minority rights, children’s rights, citizenship, taxation, languages, disabled persons, and land rights. In April the consortium met with the attorney general to present position papers on these issues. Under the sponsorship of the Zimbabwe Environmental Lawyers Association, CSOs also engaged the state on concerns with the diamond-mining sector. CSOs continued to urge reform of the Electoral Act (which requires CSOs to seek permission from the Zimbabwe Election Commission before engaging in voter education), the Public Order and Security Act (which over the years has been used to deny CSOs permission to convene), and the Access to Information and Protection of Privacy Act (which regulates the media environment and has implications for the information that CSOs receive). CSOs argued that without the reform of these key laws Zimbabwe was unlikely to experience free and fair elections in 2018 and beyond. A reason for the state’s unwillingness to reform these laws was evident in a tweet by the Minister of Higher and Tertiary Education, claiming that “we cannot reform ourselves out of power.” After a consortium of non-state actors led by the Election Resource Center filed a petition with parliament demanding comprehensive electoral reform in 2015, the parliament undertook public consultations to gather views on the petition, which were still ongoing at the end of the year. During the year a new platform was launched to provide social safety nets to female human rights defenders following the outbreak of protests and the launch of a campaign in preparation for the 2018 general elections entitled #SheVotes. Despite...
persistent efforts, CSOs were unable to make headway in encouraging the state to bring the General Laws Amendment Bill, which has been pending since 2013, into alignment with the constitution.

CSOs are aware that restrictive legislation hampers their advocacy and lobbying efforts, and that the PVO Act contradicts the constitution. For example, whereas Section 57 of the constitution guarantees the right to privacy and bars the seizure of possessions, the PVO Act empowers the Minister of Labor and Social Welfare to seize information and property from PVOs. However, CSOs made few meaningful efforts to address these issues in 2016.

**SERVICE PROVISION 3.2**

Service provision by CSOs increased in 2016 in tandem with the violent clampdown on protesters by police and state security agents. Services to protesters included emergency relief, such as accommodations, food, and toiletries, as well as legal representation. Among the key organizations providing support to distressed activists were ZLHR, CSU, and Abameli. In addition, MISA supplied arrested journalists with food hampers, money for bail, and legal counsel and lobbied the state to protect journalists from police action while they perform their duties. CSOs relied mainly on their traditional donors to fund these services. At times volunteers provided services to the protesters. For instance, 100 lawyers volunteered to provide legal counsel during the court appearance of an arrested activist.

In 2016, Zimbabwe experienced one of the most devastating droughts in recent history. Widespread crop failure, livestock deaths, food shortages, and dwindling livelihood and income-earning options severely affected many rural households. CSOs such as World Vision, Catholic Agency for Overseas Development, Care International, Plan International, and Southern Alliance for Indigenous Resources intervened to provide food aid to affected populations in Masvingo, upper Midlands, and the Matabeleland region. CSOs also continued to provide support in more traditional areas, such as health, education, humanitarian assistance, agriculture, and the environment.

In addition, the Zimbabwe Congress of Trade Unions (ZCTU) provided legal representation to workers challenging unfair dismissals during the downsizing of labor forces and the closure of industries. The Gays and Lesbians Association of Zimbabwe sponsored mobile clinics to provide health services to the LGBTI community, although they did so discreetly because of the threat of hostile attention from the authorities. Service provision for the disabled improved dramatically as the Leonard Cheshire Center for Disability in Zimbabwe provided entrepreneurship and life skills training to more than 600 beneficiaries. The National Association of the Handicapped also provided life-skill training to the disabled.

CSOs distributed information both to their constituencies and also to larger external audiences in 2016. ZLHR continued to produce and disseminate 50,000 copies of *The Legal Monitor*, and the Election Resource Center provided voter-related information through radio programs and community planning platforms, engaging both elected officials and citizens. ZCTU provided thought leadership by producing research papers on the bond note and its effect on workers.

As they contend with shrinking funding, CSOs are slowly becoming aware of the possibility of cost recovery efforts. A few organizations charge for their publications to recover production and distribution costs, while the Media Center charges fees to journalists using its internet and recording equipment. In addition, some CSOs urge communities to contribute funding and services to local development projects. For instance, after a bridge in Zaka, Masvingo Province, collapsed during the 2016 floods, Heal Zimbabwe provided materials for its reconstruction, the community contributed labor, and each household donated one dollar towards the purchase of cement and other supplies. Some CSOs, such as Shalom Trust, are beginning to explore social enterprise...
models—for example, by selling livestock in communities—and other CSOs are increasingly moving towards the so-called Future Search Model, which emphasizes local resource mobilization to ensure the sustainability of development projects.

In 2016, the relationship between the state and CSOs focused on emergency and humanitarian aid improved, as they worked together to develop a more coordinated framework for reaching drought-affected populations. As a result of better cooperation, outreach widened to serve, for example, severely affected areas in Masvingo province, where more than 8,000 households were at risk. CSOs working in disaster management and food security faced fewer challenges accessing communities and providing services than in 2015 because, at the local level, there were no major political events such as elections generating tension in their work environments. During the year the country was hit by a severe shortage of critical drugs, and health-care CSOs intervened to assist the state with critical health services.

**INFRASTRUCTURE: 4.9**

The infrastructure supporting CSOs in Zimbabwe was stronger in 2016 than in previous years. A significant number of resource centers serve CSOs, activists, and media practitioners. NANGO, Youth Empowerment and Transformation Trust, Zimbabwe NGO Human Rights Forum, Women’s Coalition of Zimbabwe, MISA, Media Center, Zimbabwe Election Support Network, Women in Politics Support Unit, and other organizations continued to operate centers that provided their members, other CSOs, and the public with access to the internet, research papers, library resources, and legal advice. In 2016, for instance, the Media Center provided 13 freelance journalists with workspace and internet access on a daily basis, and hosted an average of six press conferences each month. Several CSOs established new resource centers offering internet access, research facilities, and civic education materials. For example, the Election Resource Center opened countrywide resource and information centers to improve citizens’ access to election-related information.

Several international sub-granting organizations continued to offer technical and financial support to Zimbabwean CSOs in 2016. Their funding usually covers both administrative and project costs. The funding is often short term, lasting from six months to one year. Notable intermediary support organizations (ISOs) supporting local CSOs include Development Alternatives, Inc., which manages a fund under the TRACE project to encourage CSO-government partnerships, and Pact Zimbabwe, which offers short-term support through its rapid response mechanism as well long-term partnerships with selected organizations. Pact Zimbabwe’s funding continues to be one of the most consistent and significant forms of support for CSOs working on citizen engagement, social accountability, and advocacy for reform. A major new fund, the Zimbabwe Resilience Building Fund (ZRBF), was launched in May 2016 to broaden the funding base for CSOs working on drought relief. ZRBF is supported by the European Union and DFID and managed by the United Nations Development Program in close collaboration with the Ministry of Agriculture, Mechanization, and Irrigation Development.

The 2016 protests led to efforts among CSOs to improve coordination in mobilizing the public and responding to its needs. Better coordination was evident in Harare and Bulawayo as, for example, Heal Zimbabwe Trust and CSU collaborated with other CSOs to offer emergency services. Other CSO coalitions that were active included Bulawayo Progressive Residents Association, Christian Alliance, Habakkuk Trust, Abameli, Women’s Coalition of Zimbabwe, Zimbabwe NGO Human Rights Forum, and Zimbabwe Women Resource Center and Network.

Donors, international CSOs, and larger Zimbabwean CSOs continued to offer training on project management, monitoring and evaluation, and advocacy techniques. They also offered programs on topics ranging from
citizens’ socio-economic rights to fundraising, branding, and strengthening the ability of community-based organizations (CBOs) to operate effectively in the challenging political context. Other training opportunities explored the ways in which CSOs can remain relevant to their constituencies—for example, by setting up membership structures or joining forces with protest movements. CSO training is usually not conducted in local languages, but civil society personnel are comfortable working in English. International CSOs sometimes derive revenue from fees for capacity-building trainings. Several civil society activists benefited from scholarships and fellowship programs abroad, including Nuffic fellowships, Young African Leaders Initiative (YALI) leadership training, and the Chevening scholarships offered by the British High Commission.

Businesses are usually hesitant to work with advocacy CSOs, because they fear they will be deregistered or labeled merchants of regime change. However, the National Association of Societies for the Care of the Handicapped worked with the business community to improve access to employment and facilities for persons living with disabilities by convening a special needs workshop in partnership with ECONET Wireless in Harare. In 2016, privately-owned media houses engaged in new partnerships with CSOs. For instance, the media gave wide coverage to the protests, and their editorials often supported the protest movements and CSO initiatives. In response, the state arrested media personnel covering the protests and confiscated journalists’ video footage and equipment. CSOs cooperated with the government to serve drought-affected households. In addition, CSOs worked with the Center for Applied Legal Research (CALR), which is tasked by the government to draft bills, on 17 position papers addressing proposed legal alignments, which were submitted to the attorney general through the Zimbabwe Institute-led Consortium on Constitution Monitoring.

PUBLIC IMAGE: 4.5

As in previous years, CSOs were positively covered in the privately owned press in 2016. Most notably, private media aired interviews with CSO leaders to discuss the rationale behind protest actions. They also gave live coverage to the protests—for example, by using popular social media platforms to send out real-time information and short video clips—and often exposed state excesses in dealing with protesters. The media also engaged in investigative journalism to expose the dilapidated state of social services and the national infrastructure.

In 2016 state media coverage of service-providing CSOs was positive, while its coverage of pro-democracy CSOs was overwhelmingly hostile. In particular, ZANU-PF, which controls state media houses, used the state media to discredit CSOs focused on democracy, human rights, and governance by accusing them of working as agents of Western powers. This coverage seriously damaged civil society’s image, especially among people with limited access to independent or private media.

Public perceptions of CSOs did not change significantly in 2016. In general, the public’s views of CSOs remained widely divided between those who supported democratization and view CSOs positively, and those who backed the current government and see CSOs negatively as agents of regime change. A major point of difference in these two views is the role that CSOs play in civic education, which some see as beneficial and others see as threatening the political establishment by raising awareness of its weaknesses. According to data published by Afrobarometer in 2016, six out of ten Zimbabweans have attended community meetings organized by CSOs. However, only 17 percent of urban residents and 20 percent of rural residents are actually members of CSOs. In the government, hardliners in the ZANU-PF have a harsh view of CSOs working in democracy, human rights, and governance. Perceptions of CSOs working in food relief are largely positive across the political spectrum, although this is subject to change during election periods.

Many CSOs continue to have productive relations with journalists. CSOs regularly invite journalists to cover their events, and CSOs and journalists often hold joint press conferences or issue joint statements on key issues.
Some CSOs used platforms hosted by private media to launch and implement popular activities. For instance, the Election Resource Center publicized its Communities in Action campaign on the radio. To publicize their activities CSOs also often produce paraphernalia such as mosquito nets, t-shirts, caps, umbrellas, and cups. During the protests in 2016, CSOs increased their use of social media to circulate media statements, mobilize citizens to join protests and attend court hearings, and conduct virtual discussions. Several CSOs have built positive reputations through radio programs.

In 2016, under the auspices of the Zimbabwe Institute, CSOs reopened discussion about self-regulatory efforts and considered developing a self-regulatory mechanism pioneered by NANGO. CSOs often publish annual reports and usually share them with funding partners. Few organizations are able to distribute their annual reports more broadly, mainly because available funding does not cover the high cost of printing. CSOs often have policy and procedural manuals stating rules for their activities, associations, professional conduct, and internal control systems.

![2016 CSO Sustainability Scores for Zimbabwe](image-url)
ANNEX A: CSO SUSTAINABILITY INDEX
METHODOLOGY: DIRECTIONS FOR IMPLEMENTING PARTNERS

I. INTRODUCTION

The CSO Sustainability Index for Sub-Saharan Africa is a tool created by USAID to study the strength and overall viability of CSO sectors in each country. The Index is a valuable resource for USAID, other international donors, local CSO advocates, development partners, researchers, and academics. By using a standard set of indicators and collecting data each year, the CSO Sustainability Index tracks changes in the strength of the CSO sector over time and allows for cross-country comparison.

While the Index was initially developed as an internal USAID management and monitoring tool, its uses have broadened significantly over the past decade. In particular, we are pleased that local CSO leaders and activists have found the Index process and final product to be a useful opportunity to look at the larger picture and reflect on sectorial advancements and remaining challenges. Other offices and bureaus within USAID also view the CSO Sustainability Index as a unique model when developing their own monitoring tools.

The CSO Sustainability Index for Sub-Saharan Africa complements the long-standing CSO Sustainability Index for Central and Eastern Europe and Eurasia, the seventeenth edition of which is published in 2014. Given the increasing prominence of civil society and its role in development, the Index expanded into two new regions in 2011. The first editions of the CSO Sustainability Index for the Middle East and North Africa and the CSO Sustainability Indexes for Afghanistan and Pakistan were published in July 2012, the first edition of CSO Sustainability Index for Asia bringing the total number of countries covered by CSOSI reports to seventy-five.

The 2016 Index will be the eighth edition of this publication. In order to ensure consistency and simplicity, no major changes in either the methodology or the questions were made this year.

Also, once again this year we emphasize one core step in the process: check your proposed scores with the corresponding description in “Ratings: A Closer Look” in order to ensure that the score accurately reflects the present state of CSO sector development in the country.

As in the past years, the contract for the 2016 Index has been awarded to Management Systems International (MSI) and the International Center for Not-for-Profit Law (ICNL). MSI and ICNL will manage coordination and editing of the Index. A senior staff member from each MSI and ICNL will serve on the Editorial Committee as will one or more senior USAID/Washington officials.

Your key contacts in each organization are:

<table>
<thead>
<tr>
<th>Jennifer Stuart</th>
<th>Alex Nejadian</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>International Center for Not-for-Profit Law (ICNL) Senior Editor</strong></td>
<td><strong>Management Systems International (MSI)</strong></td>
</tr>
<tr>
<td>Email: <a href="mailto:isturat@icnl.com">isturat@icnl.com</a></td>
<td>Project Manager</td>
</tr>
<tr>
<td>Phone: 1-202-452-8600</td>
<td>Email: <a href="mailto:anejadian@msi-inc.com">anejadian@msi-inc.com</a></td>
</tr>
<tr>
<td>CSOSI responsibility: Editing of country reports and final index, coordination with local implementing partners on editing the country reports.</td>
<td>Phone: 1-703-979-7100</td>
</tr>
<tr>
<td></td>
<td>CSOSI Responsibility: Key Coordinator between local Implementing Partners, MSI and USAID</td>
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II. METHODOLOGY FOR THE IMPLEMENTER

The following steps should be followed to assemble the Expert Panel that will meet in person to discuss the status of civil society over the reporting year, determine scores, and prepare a country report for the 2016 CSO (Civil Society Organization) Sustainability Index for Sub-Saharan Africa. The reporting year will cover the period of January 1, 2016, through December 31, 2016.

1. **Carefully select a group of not less than 8-10 representatives of civil society organizations to serve as panel experts.** Implementers are free to select panel members based on the following guidelines. If desired, the panel may include one representative from the USAID Mission, who would observe the process but not cast a vote on the scores. The panel members should include representatives of a diverse range of civil society organizations including the following types:

   - Local CSO support centers, resource centers or intermediary support organizations (ISOs);
   - Local CSOs, community-based organizations (CBOs), and faith-based organizations involved in a range of service delivery and/or advocacy activities;
   - Academia with expertise related to civil society and CSO sustainability;
   - CSO partners from government, business or media;
   - Think tanks working in the area of civil society development;
   - Member associations such as cooperatives, lawyers' associations and natural resources user’s groups;
   - International donors who support civil society and CSOs; and
   - Other local partners familiar with civil society.

MSI recommends that the Expert Panel be primarily nationals. CSOs represented on the panel can be those whose work is heavily focused on either advocacy or social service delivery. To the extent possible, panelists should represent both rural and urban parts of the country. They should also represent women’s groups, minority populations, and marginalized groups, as well as sub sectors such as women’s rights, community-based development, civic education, microfinance, environment, human rights, and youth. The panel should include an equal representation of men and women. If the implementer believes that this will not be possible, please explain why in a note submitted to Stevens Tucker (stucker@msi-inc.com) at MSI for consideration prior to undertaking the panel.

In some instances, it may be appropriate to select a larger group in order to reflect the diversity and breadth of the civil society sector in the country. Please keep in mind, however, that a significantly larger group may make building consensus within the panel more difficult – and more expensive if it entails arranging transportation for panelists who are based far from the capital. Alternatively, if regional differences within a country are significant, implementers may want to consider holding regional panels. Should the implementer wish to pursue this additional task, the methodology should be outlined and submitted to Stevens Tucker (stucker@msi-inc.com) at MSI for consideration and discussion prior to undertaking the regional panels.

2. **Ensure that panel members understand the objectives of the exercise.** The objective of the panel is to develop a consensus-based rating for each of the seven dimensions of civil society sustainability covered by the Report and to articulate a justification or explanation for each rating consistent with the methodology described below. The overall goal of the Report is to track and compare progress in the sector over time, increasing the ability of local entities to undertake self-assessment and analysis. It also aims to develop an increased understanding of the civil society sector among donors, governments, and CSOs for the purposes of better support and programming.

The instructions and previous years’ country report should be submitted to the members of the Expert Panel a minimum of three (3) days before convening the panel so that they may develop their initial scores for each indicator before meeting with the other panel members. If possible, it is useful to hold a brief orientation session for the panelists prior to the panel discussion. Some partners choose to hold a formal training session...
with panel members, reviewing the methodology document and instructions, other partners provide more of a general discussion about the objectives of the exercise and process to the panelists.

3. **Convene a meeting of the Expert Panel.** MSI requests that implementers plan to complete this meeting no later than January 10, for the 2016 exercise.

4. At the Expert Panel meeting, please **remind panelists that each indicator and dimension of the Africa CSO Sustainability Report should be scored according to relevant examples of recent or historical conditions, policies, and events in the country. They should review the previous year’s score prior to reviewing the indicators for the current year.** The rating process should take place alongside or directly following a review of the rating process and categories provided in “Ratings: A Closer Look.”

For each indicator of each dimension, allow each panel member to share his or her initial score and justification with the rest of the group. At the end of the discussion of each indicator, allow panel members to adjust their scores, if desired. Then, **eliminate the highest score and the lowest score,** and average the remaining scores together to come up with one score for each indicator. Once a final score has been reached for each indicator within a given dimension, calculate the average or arithmetic mean of these scores for a preliminary score for the dimension. Be sure to take careful notes during the discussion of each indicator, detailing the justifications for all scores, as this should serve as the basis of the written report. Please keep all scores on record, making sure that personal attribution cannot be made to individual panel members (see sample below, Figure 1). Ultimately, every score should be supported by evidence in the country report (see #8 below), and should reflect consensus among group members.

**Figure 1: Score Sheet for Panel Meeting**

<table>
<thead>
<tr>
<th>Panel Member</th>
<th>Legal Environment</th>
<th>Organizational Capacity</th>
<th>Financial Viability</th>
<th>Advocacy</th>
<th>Service Provision</th>
<th>Infrastructure</th>
<th>Public Image</th>
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</tbody>
</table>

5. **After the panel has come to a score for each dimension, compare the score for each dimension with last year’s score to ensure that the direction of change reflects developments during the year.** For example, if an improved score is proposed, this should be based on concrete positive developments during the year. On the other hand, if the situation worsened during the year, this should be reflected in a lower score.

Note that the Sustainability Index methodology recognizes that change tends to be incremental and that most dimensions of the Index will not change radically from year to year. As a result, the Editorial Committee generally only recommends a change of .1 for modest changes in a dimension. A change of .2 is considered very significant and is recommended only for major changes in a dimension. Larger differences are generally only warranted if there are radical changes in a country’s political environment that impacted CSOs.

6. **Once scores for each dimension are determined, as a final step, review the description of that dimension in “Ratings: A Closer Look.”** Discuss with the group whether the score for a country matches that rating description. For example, a score of 2.3 in organizational capacity would mean that the civil society sector is in the “Sustainability Enhanced” phase. Please read the “Sustainability Enhanced” section for Organizational Capacity in “Ratings: A Closer Look” to ensure that this accurately describes the civil society environment. If not, discuss as a group to determine a more accurate score that fits the description for that dimension.
7. Discuss each of the seven dimensions of the Index and score them in a similar manner. Once all seven dimensions have been scored, average the final dimension scores together to get the final country Index score. Be sure to include a synopsis of this discussion in the draft country report.

8. Please remind the group at this stage that reports will be reviewed by an Editorial Committee (EC) in Washington, D.C. that will provide feedback on recommended scores and possibly request adjustments in scores pending additional justification of scores.

9. Prepare a draft country report. The report should cover the calendar year 2016 (January 1, 2016, through December 31, 2016). The draft report should include an overview statement and a brief discussion of the current state of sustainability of the civil society sector with regard to each dimension. The section on each dimension should include a discussion of both accomplishments and strengths in that dimension, as well as obstacles to sustainability and weaknesses.

In the overview statement, please include an estimated number of registered and active CSOs, as well as an overview of the primary fields and geographic areas in which CSOs operate.

Please limit the submissions to a maximum of five pages in English. Please keep in mind that MSI is relying on implementers to ensure that reports are an appropriate length and are well written, as it does not have the capacity to do extensive editing.

Please include a list of the experts who served on the panel with the report. This will be for MSI’s reference only and will not be made public. Before finalizing your report, please ensure that it meets the following criteria:

(1) The score for each dimension must be within 0.3 of the score on the previous year’s report. Please refer to the instructions for an explanation of what each 0.1 score change means.

(2) All indicators for which there were changes from the previous year are addressed in the narrative section for each dimension. (If there was no change in a specific indicator, please state “there was no change in” that indicator.)

(3) The narrative description of each dimension includes sufficient specific examples from the year covered by the report.

(4) If there are no changes in a dimension, the report must state “no events or changes in this dimension.”

Do not simply copy sections from the previous year’s report.

(5) Reports must include a 1 – 2 paragraph overview of key trends in the country context that affect CSOs and their constituencies.

Deliver the draft country reports with rankings via email to Alex Nejadian (anejadian@msi-inc.com) at MSI no later than January 24, 2017 unless MSI approved a later delivery date in your work plan.

The project editor will be in contact with you following receipt of the report to discuss any outstanding questions and clarifications regarding the scoring and the report’s content.

10. Revise the report. Within 2 weeks of receiving your draft report, MSI and its partner, ICNL, will send you an edited version of your report that has been copy edited for grammar, style and content. As necessary, the editors will request that you revise the reports on the 5 criteria laid out in step 9. Please request any clarification needed as soon as possible, then submit your revised report within 2 weeks of receiving feedback from the editors.

11. In Washington, an Editorial Committee (EC) will review the scores, ratings, and draft country reports, and it will discuss any issues or concerns with the implementer. The EC consists of representatives from USAID, MSI, ICNL and at least one regional expert well versed in the issues and dynamics affecting civil society in Sub-Saharan Africa. Further description of the EC is included in the following section, “The Role of
the Editorial Committee” (see below). **If the EC determines that the panel’s scores or ratings are not adequately supported by the description provided in the country report, particularly in comparison to the scores and reports of other countries in the region, the EC may request that the description be strengthened and the score be adjusted, thereby ensuring cross-country comparability.** The implementer will be responsible for responding to all outstanding comments from the EC, as communicated by the project editor, until the report is approved and accepted by USAID. A USAID representative chairs the EC.

12. Once the 2016 Africa report is approved by USAID for distribution, MSI will send you both electronic and hard copies of the final report so you can conduct outreach activities to promote its distribution in your country. Examples of such outreach activities are: a reception, a presentation of the findings of the report, electronic distribution (e.g., listserves or websites) posting on websites. The final public reports will be made available in English and French. Please note that it is very important that outreach activities and distribution of the final report do not begin before you receive the final report confirmation.

13. MSI is very interested in using the preparation of this year’s Report to track **lessons learned** for use in improving the monitoring process in upcoming years. MSI would appreciate if implementers would record and submit observations that may increase the usefulness of this important tool to Stevens Tucker (stucker@msi-inc.com). To the extent feasible, please submit observations that cover your experiences with each step outlined above.

**The Role of the Editorial Committee**

All country reports are reviewed and discussed by the Editorial Committee (EC) composed of regional and sector experts in Washington, D.C. This committee is chaired by a USAID representative and it includes additional USAID representatives with regional expertise. The committee also includes civil society experts representing MSI and ICNL.

The Editorial Committee has three main roles. It reviews all reports, scores, and ratings to ensure that country report narratives are well written and compelling, and that they support the scores and ratings. A compelling narrative demonstrates that a score and rating is based on sufficient evidence (i.e., systematic and widespread cases or situations) and is not based on one or two individual or random cases or situations. For example, if a country has a large number of CSOs with strong financial management systems that can raise funds locally from diverse sources, there would be a compelling justification for a favorable financial viability score and rating. On the other hand, if a country has only one or two CSOs with the ability to raise funds from diverse sources, a favorable financial viability score would be less justified. The EC also ensures that the rating for each dimension meets the criteria described in “Ratings: A Closer Look,” so that scores and narratives accurately reflect the sustainability of civil society in each country. Finally, and most importantly, the EC considers a country’s scores and ratings in relation to the scores for other countries, providing a regional perspective that ensures comparability of scores across Sub-Saharan Africa and across other regions covered by the CSO Sustainability Index Report, including the Middle East- North Africa and Europe and Eurasia.

The USAID Chair of the EC has the final say on all scores and may contact an implementer directly to discuss a panel’s scores and to clarify items in the country report prior to finalizing the scores and country reports.

Implementers are encouraged to remind panels from the outset that the EC may ask for further clarification of scores and ratings, and may modify scores and ratings where appropriate. However, by adding the step for each panel to compare its scores with “Ratings: A Closer Look” (which is essentially what the EC does), there will be less of a need for the EC to adjust scores. Ensuring that the country report narrative for each dimension adequately justifies the corresponding score will also reduce the need for the EC to make adjustments or to request clarification.
III. INSTRUCTIONS FOR EXPERT PANEL MEMBERS

I. DEFINITIONS:
Throughout the process of developing a country report for the CSO Sustainability Index (CSOSI), please use the following definitions:

**Civil Society Organization (CSO):** Civil society organizations are defined “broadly as any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice. Both member-serving and public-serving organizations are included. Embraced within this definition, therefore, are private, not-for-profit health providers, schools, advocacy groups, social service agencies, anti-poverty groups, development agencies, professional associations, community-based organizations, unions, religious bodies, recreation organizations, cultural institutions, and many more.”

**CSO Independence:** In many countries, government, political parties, and private companies establish and support CSOs. However, the CSOSI includes only organizations and groups that are self-governing, with a distinct legal and/or functional identity. CSOs typically include informal non-registered groups, but to be included in the CSOSI they must possess the structure and continuity to be distinguished from a single gathering of individuals and from personal or family relationships.

II. PROCESS:
The following steps should be followed to assemble a country report for the CSOSI.

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Step 1: After the CSOI Implementing Partner (IP) selects panel members, which much be approved by MSI, the IP should meet with selected panelists to explain the process, review the scoring methodology, and provide the previous years’ country report. Selected panelists should then use the following steps to guide them through the individual rating process. This should occur in advance of the Expert Panel Meeting. The steps that follow will then be repeated during the CSO Expert Panel meeting, where panel members will discuss their initial scores, and the evidence for these scores, and determine by consensus the final scores for each of the indicators and dimensions.

Step 2: Selected panelists review the prior years’ country report, taking note of each dimension score and the narrative supporting it. For the current edition of the country report, every dimension score must be within 0.3 above or below the dimension scores in the previous year’s report, and the narrative must explain how the situation has changed to justify the change in dimension score. For example, if the dimension score was 4.3 the previous year, the current dimension score must not be above 4.6, or below 4.0. In all cases the shift in score, regardless of the increment, must be fully supported by the accompanying report narrative.

Step 3: Please rate each of the seven dimensions and each of the indicators within each dimension on the following scale from 1 to 7, with a score of 1 indicating a very advanced civil society sector with a high level of sustainability, and a score of 7 indicating a fragile, unsustainable sector with a low level of development (see Annex 1, CSOSI Dimensions and Indicators Score Sheet). Fractional scores to one decimal place are encouraged.

Step 4: When rating each indicator, please remember to consider each one carefully and make note of any specific, country-relevant examples of recent or historical conditions, policies, or events that you used as a basis for determining this score. Please remember you are only focusing on the year that is being assessed in the report.

Step 5: When you have rated all of the indicators within one of the seven dimensions, calculate the average of these scores to arrive at an overall score for that dimension. Record the indicator scores and overall score in the space provided on the CSOSI Dimensions and Indicators Score Sheet (Annex 1).

Step 6: Review the country report from the previous year and compare the dimension score against the score you derived for the dimension. Make sure that the change from the previous year is within 0.3 and is justified by changes in the situation of CSOs within that dimension. Review the information in Section III about score changes and adjust dimension scores as necessary.

Step 7: Once the overall score for a dimension has been determined, as a final step, review the description of that dimension in “Ratings: A Closer Look” to ensure that this accurately describes the environment (Annex 2). For example, a score of 2.3 in Organizational Capacity would mean that the civil society sector is in the “Sustainability Enhanced” phase. In the Expert Panel Meeting, if after reviewing “Ratings: A Closer Look” it is determined that the score does not accurately depict the description, work together to determine a more accurate score that better fits the description for that dimension. This is a very important step of the process which, if not done correctly, often leads to the adjustment of scores by the Expert Panel as well as the Editorial Committee.

Step 8: Once you have scores for each dimension, average these seven scores together to arrive at an overall country rating and document all scores and supporting information.

Step 9: Once the panelists have gone through this process individually, the process will be repeated by the entire Expert Panel. The CSOSI IP will convene and facilitate this Expert Panel Meeting. The CSOSI IP will record all scores as well as discussion. NOTE: The IP will eliminate the highest score and the lowest score, and average the remaining scores together to come up with one score for each indicator. Once a final score has been reached for each indicator within a given dimension, the average of these scores will be taken as the score for the dimension.

ANNEX A  255
It is extremely important that the discussion includes specific examples and information that can be used to justify the Expert Panel scores. Please note that the Editorial Committee will request additional information if the scores are not supported by the report narrative. If adequate information is not provided, the Editorial Committee has the right to adjust the scores accordingly.

III. SCORING

Scoring Scale

The CSOSI uses a seven-point scale, with 1 representing the highest and 7 the lowest level of sustainability. These levels are clustered into three general stages: Sustainability Enhanced (1 to 3), Sustainability Evolving (3.1 to 5), and Sustainability Impeded (5.1 to 7). The following broad guidelines can be used in determining scores for individual indicators and dimensions:

1. The civil society sector’s sustainability is enhanced significantly by practices/policies in this area. While the reforms or developments that are needed may not yet be achieved, the local CSO community recognizes the need for them and has a plan and the ability to pursue them itself.

2. The civil society sector’s sustainability is enhanced by practices/policies in this area. The local CSO community demonstrates a commitment to pursuing reforms and developing its professionalism in this area.

3. The civil society sector’s sustainability somewhat enhanced by practices/policies in this area, or its commitment to developing the aspect in question is significant.

4. The civil society sector’s sustainability minimally affected by practices/policies in this area. Progress may be hampered by a stagnant economy, a passive government, a disinterested media, or a community of good-willed but inexperienced activists.

5. The civil society sector’s sustainability somewhat impeded by practices/policies in this area. Progress may be hampered by a contracting economy, an authoritarian leader and centralized government, a controlled or reactionary media, or a low level of capacity, will, or interest on the part of the CSO community.

6. The civil society sector’s sustainability impeded by practices/policies in this area. A hostile environment and low capacity and public support may prevent the growth of the CSO sector.

7. The civil society sector’s sustainability significantly impeded by practices/policies in this area, generally as a result of an authoritarian government that aggressively opposes the development of independent CSOs.

For more specific information about the meaning of ratings for individual dimensions, please refer to “Ratings: A Closer Look” (below).

Score Changes from Previous Year

Because most change in the CSO sector is incremental, changes in dimension scores from the previous year must be within a range of 0.1 to 0.3 above or below the dimension score in the previous year. Changes in dimension scores from the previous year have the following significance:

0.1 Moderate change

0.2 Significant change

0.3 Cataclysmic and often unexpected change
Please note that all changes in scores must be supported by a country report narrative that includes examples and information that illuminates the trend being observed (increase or decrease).

IV. DIMENSIONS AND INDICATORS

I. Legal Environment

--- Registration. Is there a favorable law on CSO registration? In practice, are CSOs easily able to register and operate?

--- Operation. Is the internal management, scope of permissible activities, financial reporting, and/or dissolution of CSOs well detailed in current legislation? Does clear legal terminology preclude unwanted state control over CSOs? Is the law implemented in accordance with its terms? Are CSOs protected from the possibility of the State dissolving a CSO for political/arbitrary reasons?

--- Administrative Impediments and State Harassment. Are CSOs and their representatives allowed to operate freely within the law? Are they free from harassment by the central government, local governments, and tax police? Can they freely address matters of public debate and express criticism?

--- Local Legal Capacity. Are there local lawyers who are trained in and familiar with CSO law? Is legal advice available to CSOs in the capital city and in secondary cities?

--- Taxation. Do CSOs receive any sort of tax exemption or deduction on income from grants, endowments, fees, or economic activity? Do individual or corporate donors receive tax deductions?

--- Earned Income. Does legislation exist that allows CSOs to earn income from the provision of goods and services? Are CSOs allowed legally to compete for government contracts/procurements at the local and central levels?

II. Organizational Capacity

--- Constituency Building. Do CSOs clearly identify and actively seek to build local constituencies for their initiatives? Are they successful in these endeavors?

--- Strategic Planning. Do CSOs have clearly defined missions to which they adhere? Do CSOs have clearly defined strategic plans and incorporate strategic planning techniques in their decision-making processes?

--- Internal Management Structure. Is there a clearly defined management structure within CSOs, including a recognized division of responsibilities between the Board of Directors and staff members? Does the Board actively engage in the governance of the CSO? Do the Boards of Directors operate in an open and transparent manner, allowing contributors and supporters to verify appropriate use of funds?

--- CSO Staffing. Are CSOs able to maintain permanent, paid staff in CSOs? Do CSOs have adequate human resources practices for staff, including contracts, job descriptions, payroll and personnel policies? Are potential volunteers sufficiently recruited and engaged? Do CSOs utilize professional services such as accountants, IT managers or lawyers?

--- Constituency building: Attempts by CSOs to get individual citizens or groups of citizens personally involved in their activities, and to ensure that their activities represent the needs and interests of these citizens.
Technical Advancement. Do CSOs' resources generally allow for modernized basic office equipment (relatively new computers and software, cell phones, functional fax machines/scanners, Internet access, etc.)?

III. Financial Viability

Local Support. Do CSOs raise a significant percentage of their funding from local sources? Are CSOs able to draw upon a core of volunteer and non-monetary support from their communities and constituencies? Are there local sources of philanthropy?

Diversification. Do CSOs typically have multiple/diverse sources of funding? Do most CSOs have enough resources to remain viable for the short-term future?

Financial Management Systems. Are there sound financial management systems in place? Do CSOs typically operate in a transparent manner, including independent financial audits and the publication of annual reports with financial statements?

Fundraising. Have many CSOs cultivated a loyal core of financial supporters? Do CSOs engage in any sort of membership outreach and philanthropy development programs?

Earned Income. Do revenues from services, products, or rent from assets supplement the income of CSOs? Do government and/or local business contract with CSOs for services? Do membership-based organizations collect dues?

IV. Advocacy

Cooperation with Local and Federal Government. Are there direct lines of communication between CSOs and policy makers? Do CSOs and government representatives work on any projects together?

Policy Advocacy Initiatives. Have CSOs formed issue-based coalitions and conducted broad-based advocacy campaigns? Have these campaigns been effective at the local level and/or national level at increasing awareness or support for various causes? (Please provide examples, if relevant.)

Lobbying Efforts. Are there mechanisms and relationships for CSOs to participate in the various levels of government decision-making processes? Are CSOs comfortable with the concept of lobbying? Have there been any lobbying successes at the local or national level that led to the enactment or amendment of legislation? (Please provide examples, if relevant.)

Local Advocacy for Legal Reform. Is there awareness in the wider CSO community of how a favorable legal and regulatory framework can enhance CSO effectiveness and sustainability? Is there a local CSO advocacy effort to promote legal reforms that will benefit CSOs, local philanthropy, etc.?

V. Service Provision

Range of Goods and Services. Do CSOs provide services in a variety of fields, including basic social services (such as health, education, relief, housing, water or energy) and other areas (such as economic development, environmental protection, or governance and empowerment)? Overall, is the sector's "product line" diversified?

Community Responsiveness. Do the goods and services that CSOs provide reflect the needs and priorities of their constituents and communities?

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7 Advocacy: Attempts by CSOs to shape the public agenda, public opinion and/or legislation.
8 Lobbying: Attempts by CSOs to directly influence the legislative process.
Constituencies and Clientele. Are those goods and services that go beyond basic social needs provided to a constituency broader than CSOs’ own memberships? Are some products, such as publications, workshops or expert analysis, marketed to other CSOs, academia, churches or government?

Cost Recovery. When CSOs provide goods and services, do they recover any of their costs by charging fees, etc.? Do they have knowledge of the market demand -- and the ability of distinct constituencies to pay -- for those products?

Government Recognition and Support. Does the government, at the national and/or local level, recognize the value that CSOs can add in the provision and monitoring of basic social services? Do they provide grants or contracts to CSOs to enable them to provide such services?

VI. Infrastructure

Intermediary Support Organizations (ISOs) and CSO Resource Centers. Are there ISOs, CSO resource centers, or other means for CSOs to access relevant information, technology, training and technical assistance throughout the country? Do ISOs and CSO resource centers meet the needs of local CSOs? Do ISOs and resource centers earn some of their operating revenue from earned income (such as fees for service) and other locally generated sources? (Please describe the kinds of services provided by these organizations in your country report.)

Local Grant Making Organizations. Do local community foundations and/or ISOs provide grants, from either locally raised funds or by re-granting international donor funds, to address locally identified needs and projects?

CSO Coalitions. Do CSOs share information with each other? Is there a network in place that facilitates such information sharing? Is there an organization or committee through which the sector promotes its interests?

Training. Are there capable local CSO management trainers? Is basic CSO management training available in the capital city and in secondary cities? Is more advanced specialized training available in areas such as strategic management, accounting, financial management, fundraising, volunteer management, and board development? Do trainings meet the needs of local CSOs? Are training materials available in local languages?

Intersectoral Partnerships. Are there examples of CSOs working in partnership, either formally or informally, with local business, government, and the media to achieve common objectives? Is there awareness among the various sectors of the possibilities for and advantages of such partnerships?

VII. Public Image

Media Coverage. Do CSOs enjoy positive media coverage at the local and national levels? Is a distinction made between public service announcements and corporate advertising? Do the media provide positive analysis of the role CSOs play in civil society?

Public Perception of CSOs. Does the general public have a positive perception of CSOs? Does the public understand the concept of a CSO? Is the public supportive of CSO activity overall?

Government/Business Perception of CSOs. Do the business sector and local and central government officials have a positive perception of CSOs? Do they rely on CSOs as a community resource, or as a source of expertise and credible information?

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9 Intermediary support organization (ISO): A place where CSOs can access training and technical support. ISOs may also provide grants.

CSO resource center: A place where CSOs can access information and communications technology.
Public Relations. Do CSOs publicize their activities or promote their public image? Have CSOs developed relationships with journalists to encourage positive coverage?

Self-Regulation. Have CSOs adopted a code of ethics or tried to demonstrate transparency in their operations? Do leading CSOs publish annual reports?

V. RATINGS: A CLOSER LOOK

The following sections go into greater depth about the characteristics in each of the seven dimensions of the sector's development. These characteristics and stages are drawn from empirical observations of the sector's development in the region, rather than a causal theory of development. Given the decentralized nature of civil society CSO sectors, many contradictory developments may be taking place simultaneously. Therefore, the characteristics of the seven dimensions are not considered as seven distinct steps of development. Instead, these characteristics are clustered into three basic stages: Sustainability Enhanced, Sustainability Evolving, and Sustainability Impeded. The Sustainability Enhanced stage, the highest level of sustainability and development, corresponds to a score between 1 and 3 points; the Sustainability Evolving stage corresponds to a score between 3.1 and 5 points; and the lowest level of development, the Sustainability Impeded stage, corresponds to a score of 5.1 to 7 points on the scale.

LEGAL ENVIRONMENT

Sustainability Enhanced (1-3): The legislative and regulatory framework makes special provisions for the needs of CSOs or gives not-for-profit organizations special advantages such as: significant tax deductions for business or individual contributions, significant tax exemptions for CSOs, open competition among CSOs to provide government-funded services, etc. Legal reform efforts at this point are primarily a local CSO advocacy effort to reform or fine-tune taxation laws, procurement processes, etc. Local and comparative expertise on the CSO legal framework exists, and legal services and materials are available.

Sustainability Evolving (3.1-5): CSOs have little trouble registering and do not suffer from state harassment. They are permitted to engage in a broad range of activities, although taxation provisions, procurement procedures, etc. may inhibit CSO operations and development. Programs seek to reform or clarify existing CSO legislation, to allow CSOs to engage in revenue raising and commercial activities, to allow national or local governments to privatize the provision of selected government services, to address basic tax and fiscal issues for CSOs, etc. The local CSO community understands the need to coalesce and advocate for legal reforms benefiting the CSO sector as a whole. A core of local lawyers begins to specialize in CSO law by providing legal services to local CSOs, advising the CSO community on needed legal reforms, crafting draft legislation, etc.

Sustainability Impeded (5.1-7): The legal environment severely restricts the ability of CSOs to register and/or operate, either through the absence of legal provisions, the confusing or restrictive nature of legal provisions (and/or their implementation), or government hostility towards and harassment of CSOs.

ORGANIZATIONAL CAPACITY

Sustainability Enhanced (1-3): Several transparently governed and capably managed CSOs exist across a variety of sectors. A majority of organizations have clearly defined mission statements, and many CSOs utilize strategic planning techniques. Boards of directors exist, and there is a clear distinction between the responsibilities of board members and staff. CSOs have permanent well-trained staff, and volunteers are widely utilized. Most CSOs have relatively modern equipment that allows them to do their work efficiently. Leading CSOs have successfully developed strong local constituencies.

Sustainability Evolving (3.1-5): Individual CSOs demonstrate enhanced capacity to govern themselves and organize their work. Some individual CSOs maintain full-time staff members and boast an orderly division of labor between board members and staff. CSOs have access to basic office equipment, including computers and
fax machines. While these efforts may not have reached fruition yet, leading CSOs understand the need and are making an effort to develop local constituencies.

**Sustainability Impeded (5.1-7):** CSOs are essentially "one-man shows," completely dependent upon the personality of one or two major figures. They often split apart due to personality clashes. CSOs lack a clearly defined sense of mission. At this stage, CSOs reflect little or no understanding of strategic planning or program formulation. Organizations rarely have a board of directors, by-laws, staff, or more than a handful of active members. CSOs have no understanding of the value or need of developing local constituencies for their work.

**FINANCIAL VIABILITY**

**Sustainability Enhanced (1-3):** A critical mass of CSOs have sound financial management systems in place, including independent audits and the publication of annual reports with financial statements, to win potential donors' confidence. CSOs raise a significant percentage of their funding from local sources, including government, corporate and individual philanthropy, and earned income. Most CSOs have multiple sources of funding, which allow them to remain viable in the short term. A growing economy makes growth in domestic giving possible.

**Sustainability Evolving (3.1-5):** CSOs pioneer different approaches to financial independence and viability. While still largely dependent on foreign donors, individual CSOs experiment with raising revenues through providing services, winning contracts and grants from municipalities and ministries to provide services, or attempting to attract dues-paying members or domestic donors. However, a depressed local economy may hamper efforts to raise funds from local sources. Training programs address financial management issues and CSOs begin to understand the importance of transparency and accountability from a fundraising perspective, although they may be unable to fully implement transparency measures.

**Sustainability Impeded (5.1-7):** New CSOs survive from grant to grant and/or depend financially on one foreign sponsor. While many CSOs are created in the hopes of receiving funding, most are largely inactive after attempts to win foreign donor funding fail. Local sources of funding are virtually nonexistent, in part due to a depressed local economy. CSOs have no financial management systems and do not understand the need for financial transparency or accountability.

**ADVOCACY**

**Sustainability Enhanced (1-3):** The CSO sector demonstrates the ability and capacity to respond to changing needs, issues and interests of the community and country. As CSOs secure their institutional and political base, they begin to 1) form coalitions to pursue issues of common interest, including CSO legislation; 2) monitor and lobby political parties; and 3) monitor and lobby legislatures and executive bodies. CSOs demonstrate the ability to mobilize citizens and other organizations to respond to changing needs, issues, and interests. CSOs at this stage of development will review their strategies, and possess an ability to adapt and respond to challenges by sector. A prime motivator for cooperation is self-interest: CSOs may form alliances around shared issues confronting them as nonprofit, nongovernmental organizations.

**Sustainability Evolving (3.1-5):** Narrowly defined advocacy organizations emerge and become politically active in response to specific issues. Organizations at the evolving level of development may often present their concerns to inappropriate levels of government (local instead of national and vice versa). Weakness of the legislative branch might be revealed or incorrectly assumed, as activists choose to meet with executive branch officials instead ("where the power truly lies"). Beginnings of alternative policy analysis are found at universities and think tanks. Information sharing and networking within the CSO sector to inform and advocate its needs within the government begins to develop.

**Sustainability Impeded (5.1-7):** Broad umbrella movements, composed of activists concerned with a variety of sectors, and united in their opposition to the Government fall apart or disappear. Some countries at this stage have not even experienced any initial burst of activism. Economic concerns are predominant for most citizens. Passivity, cynicism or fear exist within the general public. CSO activists are afraid to engage in dialogue
with the government, feel inadequate to offer their views and/or do not believe the government will listen to their recommendations. CSOs do not understand the role that they can play in public policy or do not understand the concept of public policy.

**SERVICE PROVISION**

**Sustainability Enhanced (1-3):** Many CSOs provide a wide range of goods and services, which reflect community and/or local donor priorities. Many CSOs deliver products beyond basic social services in such sectors as economic development, environmental protection or democratic governance. CSOs in several sectors have developed a sufficiently strong knowledge of the market demand for their services, the ability of government to contract for the delivery of such services or other sources of funding including private donations, grants and fees, where allowed by law. A number of CSOs find it possible to cross-subsidize those goods and services for which full cost recovery is not viable with income earned from more lucrative goods and services, or with funds raised from other sources. Government bodies, primarily at the local level, recognize the abilities of CSOs and provide grants or contracts to enable them to provide various services.

**Sustainability Evolving (3.1-5):** The contribution of CSOs to covering the gap in social services is recognized by government, although this is only rarely accompanied by funding in the form of grants or contracts. CSOs recognize the need to charge fees for services and other products—such as publications and workshops—but even where legally allowed, such fees seldom cover their costs. While CSO-provided goods and services respond to community needs, needs are generally identified by foreign donors, or by CSOs in an unsystematic manner. The constituency for CSO expertise, reports and documents begins to expand beyond their own members and the poor to include other CSOs, academia, churches, and government.

**Sustainability Impeded (5.1-7):** A limited number of CSOs are capable of providing basic social services—such as health, education, relief, or housing—although at a low level of sophistication. Those that do provide such services receive few if any government subsidies or contracts. CSOs that produce publications, technical services or research do so only for their own members or donors. There are rarely attempts to charge fees for goods and services.

**INFRASTRUCTURE**

**Sustainability Enhanced (1-3):** CSO intermediary support organizations (ISOs) and/or CSO resource centers are active in all areas of the country and provide advanced training, informational services, legal support and advice, and philanthropic development activities. Efforts are underway to establish and endow community foundations, indigenous grant-making institutions, and/or organizations to coordinate local fundraising. A professional cadre of local experts, consultants and trainers in nonprofit management exists. CSOs recognize the value of training, although the lack of financial resources may remain a constraint to accessing locally provided training. Topics of available training cover: legal and tax issues for CSOs, accounting and bookkeeping, communication skills, volunteer management, media and public relations skills, sponsorship and fundraising. CSOs work together and share information through networks and coalitions. CSOs are beginning to develop intersectoral partnerships with business, government, and the media to achieve common objectives.

**Sustainability Evolving (3.1-5):** ISOs and resource centers are active in major population centers, and provide services such as distributing grants, publishing newsletters, maintaining a membership database, running a library of CSO literature, and providing basic training and consulting services. Other umbrella organizations and networks are beginning to be formed to facilitate networking and coordinate activities of groups of CSOs. Local trainers have the capacity to provide basic organizational training. Donors' fora are formed to coordinate the financial support of international donors, and to develop local corporate philanthropic activities. The value of intersectoral partnerships has not yet been realized.

**Sustainability Impeded (5.1-7):** There are few, if any, active ISOs or resource centers, networks and umbrella organizations. Those that do operate work primarily in the capital city and provide limited services such as access to computer equipment, faxes, e-mail and meeting space. Local training and CSO development capacity is extremely limited and undeveloped. Primarily programs of international donors provide training and
technical assistance. There is no coordinated effort to develop philanthropic traditions, improve fundraising or establish community foundations. CSO efforts to work together are limited by a perception of competition for foreign donor support and mistrust of other organizations.

PUBLIC IMAGE

Sustainability Enhanced (1-3): This stage is characterized by growing public knowledge of and trust in CSOs, and increased rates of volunteerism. CSOs coalesce to mount campaigns to increase public trust. Widespread examples of good working relationships between CSOs and national and local governments exist, and can result in public-private initiatives or CSO advisory committees for city councils and ministries. Media covers the work of CSOs, and CSOs approach media and public relations in a professional manner. Increased accountability, transparency, and self-regulation exist within the CSO sector, including existence of a generally accepted code of ethics or a code of conduct.

Sustainability Evolving (3.1-5): The media does not tend to cover CSOs because it considers them weak and ineffective, or irrelevant. Individual CSOs realize the need to educate the public, to become more transparent, and to seek out opportunities for media coverage, but do not have the skills to do so. As a result, the general population has little understanding of the role of CSOs in society. Individual local governments demonstrate strong working relationships with their local CSOs, as evidenced by their participation in advisory committees, consultations, public-private initiatives, and the funding of an occasional grant, but this is not yet widespread.

Sustainability Impeded (5.1-7): The public and/or government are uninformed or suspicious of CSOs as institutions. Most of the population does not understand the concept of "nongovernmental" or "nonprofit," including government officials, business leaders and journalists. Media coverage may be hostile, due to suspicion of a free but uninformed media, or due to the hostility of an authoritarian government-controlled media. Charges of treason may be issued against CSOs. Due to a hostile atmosphere caused by an authoritarian government, if individuals or businesses donate to CSOs at all, they do so anonymously.
## ANNEX B: STATISTICAL DATA FOR SUB-SAHRAN AFRICA

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>CSO Sustainability</th>
<th>Legal Environment</th>
<th>Organizational Capacity</th>
<th>Financial Viability</th>
<th>Advocacy</th>
<th>Service Provision</th>
<th>Infrastructure</th>
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