

CIVIL SOCIETY IN ACTION – PROMOTING SUB-REGIONAL COOPERATION BETWEEN CSOS AS A WAY FORWARD?

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Introduction

Eastern Mediterranean states are facing numerous domestic challenges to their democratic institutions. The region is highly heterogeneous in terms of these challenges. But there are also common ones, including empowering civil society organisations (CSOs), legitimising the work of human rights organisations, combating radicalism, ensuring freedom of expression, enhancing tolerance and equality, and strengthening the foundations of democracy.

Developments in the Eastern Mediterranean are of critical concern to the European Union (EU) as they have a direct impact on European stability: starting with the Greek government debt crisis in 2007-2008, and more recently with the unfolding of the Syrian refugee crisis since 2011, this sub-region has gradually increased its weight in European domestic politics. Political, security and economic developments in the region have had an impact on the elections in EU member states and contributed to the rise of populist political parties in the European political landscape. There is therefore a huge pressure on the EU to tackle problems emanating from the sub-region. The EU has already established CSOs in the region as partners in addressing these issues: in 2016, the Global Strategy for the European Union's Foreign and Security Policy recognised the partnership between the EU and CSOs as a key principle. Moreover, Civil Society Forum Neighbourhood South was launched in 2013, and its format has improved to give a more managerial role to CSOs through the inclusion of the South advisory group of Southern CSOs and a team of civil society experts in the organisation of this forum.

Against this background, this policy brief has a two-fold objective: first, to study the common challenges to pro-democracy CSOs in the Eastern Mediterranean; and, second, within the context of these challenges, to assess EU support for pro-democracy CSOs within its Euro-Mediterranean institutional and policy agenda. The article's main conclusion is that EU support to build a sub-regional network of pro-democracy CSOs can help re-

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open the shrinking space for civil society in the Eastern Mediterranean and enhance democracy.

Old and New Types of Civil Societies and their Role in Addressing Common Challenges to Democratic Institutions

Civil society is the global term for the “third sector” of society, as distinguished from the public and private sectors. It includes non-profit organisations, professional, religious and charitable associations, trade unions, informal networks and social movements, but also protest movements or solidarity networks. Although civil society includes numerous and diverse organisations, the purpose of this article is to focus on one specific segment of civil society: pro-democracy CSOs that aim to advance liberal democratic values, including the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of people belonging to minorities. It therefore excludes CSOs that use democracy to accomplish their illiberal or undemocratic agenda, exclude other groups, are sectarian, separatist, or religiously fundamentalist, and are violently “uncivil”.

In recent years we have witnessed the emergence of new social movements in the Eastern Mediterranean. The sub-region has particularly witnessed this trend, not least with a number of protest movements and revolutions that have shaken the region since 2011. There is a considerable debate on what’s “old” and what’s “new” in civil societies. But the new CSOs differ from the traditional ones, particularly in terms of new forms of organisations and engagements. They include new civic initiatives and new activism, such as the No Assemblies initiative in Turkey (in Turkish, Hayır Meclisleri), which were formed on social media during the run-up to the constitutional referendum in 2017. These new CSOs are characterised by lack of formal membership, professional capacities and leadership structures and newer forms of activism (activism that promotes social change through community and solidarity building, with non-formalised forms of activism such as digital activism or grassroots urban platforms). Their added value is in their accessibility to wider groups, and relatively better ability to function in countries with a restrictive civil society environment. The promotion of social change through community and solidarity building serves as a tool to promote active citizenship and, in turn, has the potential to provide alternative new channels of influence for advocacy campaigns. On the other hand, unlike traditional CSOs, they fall short of the capacity to build formal networks or partnerships due to their loose forms of organisations. Therefore, traditional CSOs still maintain a strong relevance in fostering the democratic agenda. Deepening cooperation between “new” and “old” CSOs would be mutually beneficial and complementary in view of their diverging advantages.

Either in its traditional or new form, civil society’s role in contributing to democracy is to act as an intermediary between the individual and the state. Civil society fosters

democracy in numerous ways: it provides checks on government and state institutions and assists in improving the quality and legitimacy of democratic institutions. Therefore, CSOs have, on the one hand, a confrontational role and, on the other, they connect individuals with the state.

In an enabling political and legal environment, pro-democracy civil societies would act as the best partners for governments in enacting effective policies that will enhance the responsiveness, legitimacy and, hence, stability of the political system.

Environment for Civil Society Action in the Eastern Mediterranean

Under different national contexts in Eastern Mediterranean countries, the legal and practical conditions for CSOs vary greatly. Some states in the sub-region introduce restrictions that limit the functioning or financing of CSOs, while others provide a more favourable environment. Egypt and Palestine (the West Bank) are noted as “not free” according to the Freedom in the World 2017 index (26 and 28, respectively, where 0 = worst and 100 = best). Turkey and Lebanon follow as “partly free” (38 and 44, respectively). The self-proclaimed Turkish Republic of Northern Cyprus, Israel, Greece and Cyprus are noted as “free” (80, 80, 84 and 94, respectively) (Freedom House, 2017).

The space for pro-democracy CSOs is highly restrictive in the countries where both the legislative body and the security forces work to delegitimise independent CSOs. Besides legislative initiatives, such as the introduction of the NGO law in Egypt in May 2017 (European External Action Service, 2017), and the attempts to establish control mechanisms on CSOs by the Palestinian authorities (i.e. NGO Affairs Commission), regular arrests, detention and interrogations of pro-democracy actors are common practices. In Turkey, an unprecedented level of pressure has undermined the space for civil society since the introduction of the state of emergency rule in July 2016 onwards (Freedom House, 2017). Arrests, unlawful detentions and purges have become common practice against dissidents, and Lebanese pro-democracy CSOs suffer from restrictions and ill-treatment by security forces (Freedom House, 2017).

Greece and Cyprus, in contrast, offer a good yet still imperfect environment for CSOs. In Greece, these organisations suffer from a negative public image due to the links of some of them with political parties (Sotiropoulos, 2013). In Cyprus, pro-democratic CSOs experience limited participation in policy-making procedures due to the lack of understanding of their activities among policy-making circles (Expert Council on NGO Law of the Council of Europe’s Conference of INGOS, Cyprus NGO Initiative on Law Reform, Office of the Commissioner of Volunteerism and NGOs, 2015). Israel has an active civil society and guarantees civil liberties for most of its population, although the working environment for CSOs has deteriorated (Freedom in the World, 2018). The political discourse marginalises those it perceives as its opponents, and there are indirect

attempts to intimidate these CSOs (i.e. foreign agent bill) (Young, 2016). Such attempts weaken efforts by CSOs to capture public interest as well as their access to resources (Head of EU Missions in Tel Aviv, 2015).

The sub-region is also heterogeneous in terms of the levels of professionalism, experience and civil activism of CSOs. Israel and Turkey have large numbers of highly active and professional pro-democracy CSOs. Israel is home to several influential CSOs that also enjoy space to influence policy-making. Turkey, despite its historically restrictive and uncertain environment for CSOs, has a vibrant civil society organisation scene. Although many Turkish CSOs remain unregistered and informal, the lack of legal status generally has not been a factor that has impacted their functioning. Yet many Turkish CSOs have kept a distance from politically sensitive issues. In Greece, however, traditionally civil society has not developed in terms of its skills and capacities, and it did not grow into professional structures. Following the crisis, there has been a revival of Greek civil society, with the emergence of a number of independent organisations. Nevertheless, their work focuses mostly on providing basic services (“Volunteerism sees significant rise during crisis in Greece”, 2013).

At the same time, new pro-democracy CSOs merit a particular focus in the sub-region due to the role they played in the revolutions and protest movements that have been taking place since 2011. In a region mostly characterised by a shrinking space for CSOs, these new groups provide an alternative activism. Yet, as mentioned before, they suffer from numerous shortcomings. Therefore, strengthening cooperation among new and traditional CSOs through building a sub-regional network could boost their potential to reach out to policy-makers.

EU-Civil Society Dialogue in the New Euro-Mediterranean Agenda

EU support for civil society has undergone important changes in recent years. Recent developments in EU civil society support parallel the changes in the deteriorating environment for CSOs. The European Instrument for Democracy and Human Rights (EIDHR) was adapted to this new environment and started to provide smaller, flexible grants for its democracy support programmes. A major improvement was the creation of the European Endowment for Democracy (EED) in 2013, an independent organisation that provides fast and flexible support for new pro-democracy actors and organisations within the EU neighbourhood. Since 2015, support for partners in “neighbours of EU neighbours”, including Turkey, has also been announced. The changes in civil society support programmes and funds also correspond to the nature of the new forms of CSOs that lack formal capacities and legal entity.

The reviewed European Neighbourhood Policy (ENP) pursues enhanced cooperation with CSOs through a deeper engagement with them in the design, implementation and

evaluation of EU priorities. It also adopts a more bottom-to-top approach in pushing ahead for reforms, as it establishes CSOs as “an integral part of the partnership,” empowering them to guide the EU engagement in the region.

Nevertheless, the support for pro-democratic CSOs lacks political backing. The key focus of the reviewed ENP is the “stabilisation” of its neighbourhood in political, economic and security terms. Unlike “stability”, stabilisation is understood as a continuing process and a constant attempt to enhance the resilience of societies to respond to emerging challenges. In parallel, the dialogue on security has become a vital component of EU-Southern Mediterranean relations. The reviewed ENP proposes three main sectors as joint priorities for cooperation: 1) economic development, including economic and social rights; 2) security dimension; and 3) migration and mobility. In theory, this should create new sectors of cooperation between the EU and CSOs in the region. In practice, however, the priorities are still addressed in cooperation with the governments without meaningful CSO engagement, not least due to lack of political leadership by the EU.

While the reviewed ENP expresses commitment to engage in a more structured dialogue with all partners, the EU-CSO dialogue for the Southern Neighbourhood has so far failed to move to a more institutionalised format, which would be similar to the one that is in place for the Eastern Partnership.

Enhancing sub-regional cooperation is already one of the aims of the EU, as cited in partnership priorities defined with some Southern Mediterranean partner countries and in the reviewed ENP: “the EU will support sub-regional cooperation as appropriate in the Eastern Mediterranean, the Maghreb and the Southern Caucasus” (European Commission, 2015). Such sub-regional cooperation, especially regarding promotion of people-to-people contact, has yet to be materialised.

Strengthening sub-regional cooperation between CSOs would contribute to enhancing democratic governance. An increased collaboration among old and new types of pro-democracy CSOs may lead to strengthening their capacities and outreach and, as a consequence, increase their role as agents of checks and balances.

Conclusion and Recommendations

The EU has established CSOs as partners in addressing the challenges to democratic institutions in its neighbourhood. Cooperation among pro-democracy CSOs may prove complementary in their existing efforts in addressing domestic challenges.

Against the democratic backlash in part of the region, and considering the needs of the new forms of pro-democracy CSOs, these new initiatives should be further supported due to their relatively better ability to function in restrictive legal and political environments,

as well as their advocacy and accountability capacities. Sub-regional collaboration among the traditional and new forms of CSOs should be promoted, as it may prove particularly beneficial in view of their diverging advantages. Such engagement may energise and provide an opening for the pro-democracy civil societies in the sub-region.

Moreover, in a region marked with a long history of divisions, civil societies provide connective tissue where relations have been frayed. The informal space created by CSO engagement can serve as a process that will reinforce relations between civil societies.

The EU is well placed for enhancing cooperation between CSOs in this sub-region through relevant instruments. Creating a network of CSOs in the Eastern Mediterranean would further strengthen the EU's role in tackling the root causes of the challenges in the Euro-Mediterranean region.

Key recommendations for designing this network process should thus be as follows:

1. CSOs should be effectively granted the status of leading partners in this process as they are expected to guide and monitor EU initiatives.
2. Instruments provided by the EU should be flexible, and easily accessible to “peripheral”, grassroots, new forms of pro-democracy CSOs to ensure best effectiveness.
3. Instruments should be available in an inclusive manner to avoid regional isolation, including actors that are part of regional dynamics in the countries neighbouring the sub-region.
4. Common challenges require a deeper engagement from various stakeholders in academic institutions, think tanks, CSOs, and other relevant actors. This initiative should therefore also include science diplomacy, with project activities and fellowship programmes among these actors in the sub-region to facilitate exchange and work on domestic challenges to democratic institutions.

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