UNDER THE SPOTLIGHT:

A Close Look into the Established and Emerging Civil Society Actors in Moldova and the South Caucasus

© Daniel Ciubotaru

Introduction

This assessment has been produced within the scope of the European Union (EU)- funded project "Civil Society Actors as Drivers of Change in the South Caucasus and Moldova", implemented by People in Need.

The project aims to strengthen the role of civil society organizations (CSOs) as legitimate, inclusive and trusted actors advancing good governance and the democratization processes in target countries. It is rooted in a broad and inclusive definition of civil society, understood as "the set of intermediate associations which are neither the state nor extended family[ii]," and specifically targets new actors on the scene, such as social moments, grassroots civil society initiatives and emerging CSOs[1].

The assessment study was conducted in two stages: during the onset of the project between January and March of 2020 and nearly a year later, between January and April of 2021, during the active implementation phase.

It is based on both a desk review of existing research and nearly a hundred semi-structured interviews/consultations with representatives of well-established non-governmental organizations (NGOs), key local experts and researchers in the field, as well as representatives of new and emerging CSOs and grassroots initiatives in the target countries.

Beyond providing insights on the overall challenges faced by the third sector amidst the global pandemic, this assessment aims to shine more light on the status, role, and needs of the emerging civil society across Armenia, Georgia, and Moldova as well as their informal grassroots initiatives and social movements.

Based on a sample of voices from across the region, the study seeks to provide a snapshot of the factors that have shaped the sector's complexity over the last three decades and facilitate the following:

→ An up-to-date understanding of the civil society landscape, as well as its context and needs, with a specific focus on new actors, their thematic interests, organizational forms, geographic specifics, constituencies, aims and challenges.

→ An understanding of interactions between the emerging and the more established actors, as well as between civil society and local authorities and the private sector

→ A rapid review of the lessons learned from the previous efforts at civil society development and capacity building.

→ An understanding of the priority needs of the sector, as well as of areas where well-intended aid could nonetheless do some harm, and how to mitigate such risks.

→ Development of a network of potential project participants, as well as like-minded organizations, donors and mentors who can be relied on as a resource during the implementation of the project itself.

→ A better design of project components, including the facilitation of strategy development, tailored capacity building, operational support, a grant scheme for civic engagement and advocacy initiatives, support for outreach, research, exchanges and partnerships.

→ As the coronavirus crisis began during the interviewing period, this assessment also aims to provide a preliminary overview of civil society's initial response.

With the above-mentioned goals in mind, the final part of the study provides a set of concrete recommendations for private and governmental donors alike on how to strengthen their support to local civil society, improve their links to emerging groups, and help build a more resilient third sector.

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1   Oxford reference: https://www.oxfordreference.com/view/10.1093/oi/authority.20110803095614189

Methodology

Two methods were used to conduct the assessment study: a desk review of existing research, and semi-structured interviews with representatives of well-established NGOs, civil society activists, researchers and experts from across the region.

To reflect the diversity of the local civil society, geographic and thematic areas, age, gender and organizational form were taken into consideration before contacting a sample of respondents in each country.

The interviews were conducted in the various local languages, English or Russian.

With years of programs in the field, PIN's own experience and knowledge also provided a valuable foundation for the study.

Political parties and religious institutions were outside the scope of this specific project and research. However, they are an integral part of civil society and were frequently referenced in our interviews.

In Armenia, the interviews took place in March 2020 and between January and April 2021. There were 10 interviews conducted in person, in the capital city of Yerevan and two of the country's regions. An additional 10 interviews were conducted by phone with civic actors from Yerevan and three more regions. During the second phase, between November 2020 and January 2021, an additional three interviews were conducted with activists from local NGOs and one think-tank representative to gather additional feedback about the post-war situation and the impact of the COVID-19 crisis.

In Georgia, the first phase of the extensive desk review was carried out by the local team between February and March 2020 and followed by in-depth interviews with key CSO representatives between March and April 2020. In total, there were 20 semi-structured interviews conducted which engaged activists from eight regions of Georgia and the capital city of Tbilisi. Additional research and two interviews with a local activist and an academic were held online between December 2020 and April 2021 to gather updates on the situation in Georgia following the country's prolonged lockdown.

In Moldova, during the first stage of the project, from February to April 2020, 16 interviews with representatives of existing and emerging CSO initiatives were conducted – both in the regions and the capital city of Chisinau. Additionally, several activists from Transnistria were interviewed about the current situation for civil society in the breakaway republic. Roughly half of the conversations took place in person and the rest were conducted via secure platforms, such as ZOOM or Skype, and by phone. During the second phase of the project, additional research and two interviews were conducted online.

ARMENIA

Armenia Civil Society Report

Author: Anna Zamejc

National Context

The first independent civil society organizations (CSOs) started appearing in Armenia in the late eighties and early nineties, following a gradual liberalization wave in the Soviet Union and new opportunities for public associations.[2] The earthquake of 1988 that devastated large parts of the country only strengthened the need for the broader involvement of local communities. There was also a financial element: humanitarian assistance and foreign grants flowing to Armenia provided additional incentives for local stakeholders to create new organizations to channel and distribute the funding.

The emergence of CSOs was taking place against the backdrop of the escalating violence with neighboring Azerbaijan over the territory of Nagorno-Karabakh, an autonomous region under the jurisdiction of the Soviet Republic of Azerbaijan, inhabited by a majority of ethnic Armenians. The conflict, first localized to inter-ethnic scuffles, snowballed into a full-scale war between the two countries that both became independent states in 1991. With the growing need for humanitarian assistance and an influx of refugees from Azerbaijan, most of the newly created organizations focused on the delivery of aid and emergency response[3].

Throughout the nineties and early 2000s, Armenia's NGO sector experienced rapid growth and its agenda, like other post-Soviet countries in the region, was largely shaped by Western donors that played a major role in providing funding for local activists.

Following the elections of 2008, a new phenomenon appeared in the non-profit sector: issue-based activism driven by social-media savvy young people. These groups of activists tended to be unregistered, bringing together people from different walks of life, who would typically steer clear of the major political parties or formal NGOs. They focused largely on solving specific problems such as unaffordable electricity rates, rising public transportation costs, the preservation of green and urban areas, the protection of historical buildings, and more[4].

For the sake of this report, such movements are called "emerging civil society."

One of them was Occupy Mashtots Park, also known as #SaveMashtotsPark. The initiative only lasted for three months (from February to May 2012), during which it successfully saved a public park from being turned into a commercial area with boutiques.

Other examples included a 2013 movement which sought to address the problem of sudden price hikes for public transportation, the 2014 "I am against" initiative that triggered protests against pension reform, and the famous 2015 Electric Yerevan that brought together thousands of people demanding to rescind the 17% hike in electricity prices[5].

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2   Paturyan, Yevgennya Jenny (2014). Armenian Civil Society. Consolidated but Detached from the Broader Public. Retrieved online from: https://www.civicus.org/images/Civicus-Armenia-Policy-Brief.pdf

3   Ayvazyan, Karen (2018). The Space for Civil Society and Civic Activism in Armenia. Maecenata Observatorium, No. 27. Retrieved online from: https://www.maecenata.eu/wp-content/uploads/2020/09/MO-27_Ayvazyan.pdf

4   Hoellerbauer, S. (2019). Armenia and the Velvet Revolution: The Merits and Flaws of a Protest-Based Civil Society. Foreign Policy Research Institute. Retrieved online from: https://www.fpri.org/article/2019/02/armenia-and-the-velvet-revolution-the-merits-and-flaws-of-a-protest-based-civil-society/

5   Ishkanyan A., Manusyan, S. (2019). The Post-Protest Context in Armenia: Divergent Pathways for Civic Actors. Carnegie Endowment for International Peace. Retrieved online from: https://carnegieeurope.eu/2019/10/24/

Most of the civic initiatives in the early 2010s, as described above, would emerge in response to a single issue. However, their inception was also a reaction to a variety of underlying problems the country was facing, ranging from corruption and the absence of the rule of law, to undemocratic practices, an oligarchic form of capitalism common throughout the whole region, and the inability of the ruling class to solve the problems of ordinary people. As some of the issues they initially gathered around would eventually get addressed, the perception was the authorities would do little about those underlying challenges, such as corruption and the lack of the rule of law[6].

Social discontent was thus on the rise and the growing popularity of emerging civil society certainly played a key role in laying the foundation for the 2018 Velvet Revolution[7] in which anti-government street protests swept away the long-standing government of Serzh Sargsyan and opened a new chapter in Armenia's modern political history. It also had a vital impact on how the state perceived civil society, gradually stepping away from the model of having an adversarial and antagonistic relationship[8]. The revolution also made easier for new initiatives to come together and grow.

In general, the events of the revolution had major implications for non-governmental organizations as well. With the change of government in free and fair elections, some civil society activists joined the team of new Prime Minister Nikol Pashinyan, a former journalist, to support the reform process. Others joined political parties and were elected as members of parliament. It was a major opportunity to influence policy processes from the inside; though critics warned civil society risked getting effectively co-opted by the state, becoming compliant and decreasing its role as an independent watchdog[9].

Since the transition of power, there has been more opportunity for the sector to influence the government and its actions, hence policy work became more common than before. New emerging think-tanks started to appear, with the aim of delivering concrete recommendations in response to problems.

When asked whether access to the government has improved after the revolution, our interviewees pointed out that much still depended on the personalities and openness of key officials. Some ministers are more willing than others to cooperate with civil society groups.

To be sure, regardless of the challenges CSOs have more leeway to advocate their causes compared to the pre-2018 environment with the current administration.

However, the sector has still a long way to go to be classified as free. In the fall of 2020, CIVICUS, one of the largest organizations monitoring the performance of civil society across the world, put Armenia's civic space in the middle of its ranking, labelling it as „obstructed.[10]" According to one CIVICUS Monitor researcher, Armenia was going to retain its rating in the upcoming CIVICUS report mainly due to the „pushback from the government" in handling peaceful street protests and freedom of expression issues - harassment and intimidation of journalists reporting on sensitive topics and the use of defamation law to silence reporters[11].

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postprotest-context-in-armenia-divergent-pathways-for-civic-actors-pub-80143

6   Ibidem

7   Hoellerbauer, S. (2019). Armenia and the Velvet Revolution: The Merits and Flaws of a Protest-Based Civil Society. Foreign Policy Research Institute. Retrieved online from: https://www.fpri.org/article/2019/02/armenia-and-the-velvet-revolution-the-merits-and-flaws-of-a-protest-based-civil-society/

8   Ishkanyan A., Manusyan S. (2019). The Post-Protest Context in Armenia: Divergent Pathway for Civic Actors. Carnegie Europe Foundation. Retrieved online from: https://carnegieeurope.eu/2019/10/24/postprotest-context-in-armenia-divergent-pathways-for-civic-actors-pub-80143

9   Socioscope, Heinrich Boll Foundation (2018). From Shrinking Space to Post-Revolutionary Space: Reimagining the Role and Relations of Civil Society in Armenia. Retrieved online from: https://ge.boell.org/sites/default/files/socioscope-report_15.01_spread-eng.pdf

10   Civicus Monitor: Armenia (2020). Retrieved online from: https://monitor.civicus.org/country/armenia/

11   Personal interview with Sylvia Mbatar, CIVICUS Monitor researched. Conducted online on November 11, 2020.

Moreover, the events of the new 44-day Nagorno-Karabakh war, which broke out in September 2020, dramatically reshaped the regional landscape and pushed Armenia into the largest political crisis in its modern history. After the clear defeat in the war and facing an uncertain future, Armenia is feared to be reorienting itself towards Moscow, its sole security guarantor. The new political realities may in turn threaten the country's democracy and limit the space for civic activism.

One of our interviewees noted that with the new reshuffle of policy priorities and the amount of uncertainty looming ahead, civil society might have lost its chance to play an even bigger role as a driver of change during the relatively calm two-year period between the Velvet Revolution and the Nagorno-Karabakh war.

"This is one of our failures. I don't think we were assertive enough in terms of talking to the government and getting our seat at the discussion table. We failed to understand that time was flying and we had a limited window of opportunity," one CSO representative told us.

For more details on the impact of the defeat and changing geopolitical conditions, see the last sub-chapter, Armenia and Nagorno-Karabakh.

Emerging Civil Society

Following the Velvet Revolution of 2018, emerging civil society movements have not disappeared from the scene. On the contrary: with the new, more liberal environment, they found it easier to form and advocate for change. In fact, as one interviewee described, during the post-2018 period, protests – at least until the COVID-19 pandemic - have become a new normal in the country. Under previous governments, going to the street to demand rights carried significant risks of reprisal. With the post-revolution changes, protest – as an instrument of change – has been increasingly used by ordinary people, in and outside the capital city.

One example of a civil society movement that appeared in 2020 is Firdousi. When Yerevan's city administration announced plans to transform a historical neighborhood and demolish 19th-century buildings on Firdousi street to make room for modern high-rise constructions, a group of civil society activists and concerned residents got together to protest and advocate for the preservation of the area[12].

Today, the Firdousi movement still exists and has zeroed in on the rights of residents and urban revitalization in other parts of the city.

Although the COVID-19 crisis has initially curbed the right to protest, from the long-term perspective, protest remains an important tool for raising concerns and demanding action from the government, especially for ordinary people and informal groups that form around a concrete cause.

This is, however, one of the major differences between established NGOs and grassroots movements. As one of our interviewees told us, most NGOs would rather stick to less-confrontational ways to advocate for change.

"Protest as an instrument of disagreement has been used by many people, but civil society organizations prefer to work in an institutional way. It is safer because of the COVID-19 risk and also your voice doesn't disappear among other protests that are constantly taking place."

Legal Environment, Funding, and Foreign Donors

With the introduction of a piece of new CSO legislation in 2017, the sector has seen major improvements. Civil society can operate without registration and if organizations choose to get formal papers,

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12   Dovich, M. (2020). Yerevan's Firdousi Neighborhood Redevelopment Plan Draws Public Criticism, Highlights Issues of Historical Preservation. Civilnet.Am. Retrieved online from: https://www.civilnet.am/news/201475/yerevans-firdusi-neighborhood-redevelopment-plan-draws-public-criticism-highlights-issues-of-historical-preservation/

the procedure is relatively easy and takes up to 15 days.

Although there is no specific legislation to regulate voluntary activities, CSOs do not face obstacles in engaging volunteers in their work. For many youth organizations and informal groups, it's quite an important resource.

Nearly 50% of registered CSOs are located in the capital city, Yerevan, while the other half is registered across the regions[13].

CSOs have access to a wide range of funding: from state sources to international grants, public fundraising, and private donations.

Furthermore, with the 2018 revolution that brought the administration of Nikol Pashinyan to power, a number of ministries allocated additional funds for service provision to be distributed via grant competitions to NGOs. Therefore, registered civil society organizations started to increasingly rely on financial support from the government. Grants for service provision are also available for organizations beyond the capital city that can apply to ministries for specific funding allocated to their respective regions.

There is also a large presence of foreign donors who issue grant calls on regular basis. Although local organizations appreciate the availability of funding, in interviews, some respondents worried that continuous reliance on international donors, particularly for larger organizations, led to a constituency-detached, donor-driven model of CSOs that tend to fit their programs to donors' priorities and agendas rather than staying focused on the actual local needs.

However, notwithstanding some negative consequences of foreign donors' involvement, the impact over the years has been noted as fairly positive. The donor community has played a key role in building a vibrant, fairly institutionalized civil society sector and boosted civic activism that contributed to the democratic transition. It also helped promote a number of important reforms, including anti-corruption changes, healthcare, judicial, human-rights, and governance reforms.

Finally, the flexibility of some foreign donors made a big difference for CSOs during the two crises Armenia has experienced in 2020-2021: the COVID-19 pandemic and a sudden war over Nagorno-Karabakh. As one of our respondents who worked with local CSOs described, those organizations that enjoyed more flexibility in their grants were able to better respond to the needs by quickly adjusting their programs to the changing environments and continued smooth operations.

In contrast, those who had to operate under strict budget lines, experienced significant delays and breaks in their operations and project activities.

Key Limitations

Dependency on donors

In terms of financial capacities, almost all respondents interviewed for the report indicated a lack of financial sustainability, pointing to either dependence on fixed grants or weak fundraising capacities, and limited planning.

Although representatives of local CSOs noted interest in social entrepreneurship, the provision of paid services was not seen as a common way of creating additional income - mainly due to a lack of skills and resources among the activists.

However, there have been some positive developments on the horizon over the last two years, as combining social entrepreneurship with NGO work became more popular.

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13   Margaryan T.; Hakobyan A. (2014) CSOs Engagement in Policy-Making and Monitoring of Policy Implementation: Needs and Capacities. Report retrieved online from: http://ngoc.am/wp-content/uploads/2018/09/Mapping_Armenia_ENG.pdf

Some foreign donors even encouraged and helped selected CSOs to establish social businesses which can ensure an extra source of flexible income. Examples would include selling merchandise - t-shirts, mugs, and other items. NGOs have also increasingly used online crowd-funding platforms to support their projects and ad-hoc community needs.

Limited organizational capacities

Another challenge concerns organizational capacities: civic initiatives and even some formal NGOs report difficulties in formulating their mission and long-term strategy. It is hindering their development and opportunities to apply for targeted funding.

Staffing also seems to be a major issue. Once funding from donors ends, organizations are not capable of keeping the existing team. What worsened the situation – in particular, before the COVID-19 crisis and the war over Nagorno-Karabakh - was the fact that volunteering remained at a relatively low level in Armenia. According to the 2018 World Giving Index, only 23% of respondents said they had participated in some voluntary action during the previous year.

Moreover, CSOs struggle with conducting evidence-based research and using advocacy skills to reach out to policymakers and government representatives in order to present recommendations and propose alternative policies. Some organizations report it as a challenge to conduct successful public awareness campaigns and community mobilization. There are vast differences though between Yerevan-based and region-based CSOs - with the latter having much more limited access to policymakers.

Low Level of Public Trust

Although the level of institutionalization is often praised as one of the achievements of the sector, the low level of public trust is often cited as one of its major weaknesses (Gevorgyan, 2017). According to the latest Caucasus Barometer survey[14] (2019), 26% of respondents trust NGOs in Armenia – a three percentage point improvement compared to the previous survey of 2017. At the same time, nearly the same number – 25% - expresses distrust towards NGOs.

One of the factors contributing to the high level of mistrust towards the sector is the lack of a follow-up mechanism on the issues activists are addressing (Gevorgyan, 2017). This creates a situation in which particular social problems may be successfully addressed, but the results are rarely attributed to the hard work of civil society.

But some of the blame may also lie on the sector's side. As some of our interviewees pointed out, NGOs rarely share the results of their work with the wider public. At times, they just publish long texts full of complicated terminology, without putting much effort into making their findings publicly understandable. The trend is further reinforced by the rather lower level of reporting requirements and transparency – by state and private donors alike.

There is however, a light on the horizon. As one of our respondents noted, the increased popularity of public crowd-funding campaigns brought civil society much closer to the public. With many CSOs seeking to address the growing needs during the pandemic and the Nagorno-Karabakh war, online crowd-funding for humanitarian projects helped strengthen the connection between activists and broader communities and increased the credibility of civil society.

It is important to note though that emerging civil society groups, being deeply rooted in local communities, have typically enjoyed much higher trust among the general public than established NGOs.

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14   Caucasus Research Resource Center (2019). Caucasus Barometer. Retrieved online from: https://caucasusbarometer.org/en/cb-am/TRUNGOS/

"Grassroots activists – student movements, urban and environmental groups - have a very high level of credibility and they never faced the same challenges as traditional NGOs. They are more transparent, in terms of decision making and more horizontal," explained one of our respondents.

Limited Cooperation with Peers

During the interviews in 2020, some CSOs representatives reported that there was limited cooperation and exchanging of information with peer organizations on topics of interest. As a result, they said, there was a lot of overlapping of activities simply because the organizations would not inform one another about their actions and plans. One of the often-cited reasons for this is competition for funding and donor-driven, rather than community-rooted or self-identified, agendas of some of the established CSOs.

The situation, however, looked vastly different during the war period as the country saw a massive mobilization of civil society that rushed to provide aid and necessary services for soldiers, displaced people, and war-zone reporters. One telling example included a campaign around bullet-proof vests for journalists. A few organizations got together, approached donors and organized crowd-funding to provide journalists with the necessary equipment and ensure smooth distribution. Thanks to such efficient cooperation, the problem was solved within a few weeks.

A weakening economy

Before the onset of the COVID-19 pandemic, Armenia's economy had been faring relatively well compared to the previous years. The country recorded growth averaging 6.8% during 2017-2019 and the World Bank noted Armenia's efforts at improving its business environment and macroeconomic policy[15]. However, the pandemic and the subsequent war with Azerbaijan have reversed the good trends, increasing poverty and slowing down the economy.

In terms of external challenges, one of the biggest issues CSOs have been facing are widespread unemployment and high migration levels that contribute to a growing sense of apathy among local people, especially rural youth. A weak economy could particularly affect environmental initiatives: with high levels of poverty and little opportunities for employment, people tend to focus on their daily lives rather than thinking about the implications of environmental issues on their future health and wellbeing. The only exceptions are young people who are increasingly environment-aware compared to their older peers.

To mitigate harsh economic conditions, some members of new civic initiatives that we interviewed had focused on using social entrepreneurship to generate income and spending it on various youth-oriented events in their communities. Others established a social enterprise to create new employment opportunities for residents by encouraging the development of eco-tourism.

Growing hate speech and disinformation campaigns

Respondents pointed to the issue of intolerance in the society as one of the factors increasingly affecting their work. Hate speech was reported as a problematic phenomenon that causes polarization among different social and political groups.

Disinformation was also cited as a major issue as following the revolution of 2018, CSOs have seen an increase in the number of attacks from some media outlets and online sites to discredit their work as „agents of George Soros."

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15   Country Context Overview. Armenia 2020. World Bank. Retrieved online from: https://www.worldbank.org/en/country/armenia/overview

Civil Society and Gender

The situation of women

Despite the fact that Armenia's constitution guarantees equality between sexes, the country is still considered a largely patriarchal society, where social norms and practices continue to constrain women's political and economic opportunities.

In the World Economic Forum's Global Gender Gap Report 2020, Armenia was ranked 98th out of 153 countries[16]. The main problems were reported to be within the women's political empowerment category and health and survival.

Although women were at the forefront of protests in the Velvet Revolution of 2018 and the political changes created favorable conditions for them to become more involved in politics, many female activists continue struggling to find their space in the social and political life of the society."[17]

The low level of representation of women in leadership and high administrative positions is also reinforced by stereotypes and economic factors (a lack of financial independence)[18].

In the civil society sector, according to our respondents, the number of men and women involved in campaigns and civic initiatives is either relatively balanced or dominated by women. When it comes to leadership roles though, just like in the political sphere, organizations tend to be headed by a man.

However, it is women's CSOs (such as the Women Resource Center, Women in Black, Women's Rights House) that play a leading role in the protection of women's rights, fighting against domestic violence, and in promoting women empowerment and gender equality. But there are still a lot of efforts needed to overcome the stereotypes and communicate gender issues more effectively, especially in rural communities.

One of the most encouraging examples of solidarity among women's CSOs was the fact that in 2010 seven organizations united to conduct collective actions to address domestic violence and formed a coalition "To Stop Violence against Women". Their activism played a key role in having the National Assembly of Armenia pass legislation in 2017 that finally addressed the issue of domestic violence, introducing criminal and administrative liability against those found guilty of the newly defined crime.

However, legislation gaps in the area of anti-discrimination still loom large. To date, Armenia's existing laws on hate crime and hate speech do not consider grounds other than race, nationality or religion.

The situation of LGBTI people

ILGA Europe's Rainbow Map and Index, which annually ranks 49 European countries on their respective legal and policy practices for LGBTI people, placed Armenia in 2020 among the bottom five (47th place)[19]. Local rights groups highlight incidents of bias-motivated violence and speech against members of the community, and discrimination based on sexual orientation. There are also problems with the proper investigation of homophobic violence. Despite clear recommendations from civil society to the UN Universal Periodic Review (UPR), Armenia has failed so far to implement comprehensive anti-discrimination and hate crime laws.

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16   World Economic Forum. Global Gender Gap Report 2020. Retrieved online from: http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

17   Aleksanyan, A. (2014). The Gender Dimension in Civiliarchic Democracy in Armenia. In: Gender Analysis of the Velvet Revolution in Armenia. Retrieved online from: http://www.ysu.am/files/Gender_Analyses_of_Velvet_Rev_CGLS.pdf

18   Gevorgyan, Z. (2019). Gender Roles in Armenia and Women Political Representation. Published in: „Gender Analysis of the Velvet Revolution in Armenia (2019). Center for Gender and Leadership Studies.

19   ILGA Europe, Rainbow Map, 2020. Retrieved online from: https://www.ilga-europe.org/rainboweurope/2020.

LGBT NGOs, PINK being one of the most prominent, are a vibrant part of the civil society landscape in the country, by performing regular monitoring of LGBT human rights violations, providing assistance and legal services to members of the community and advocating for needed policy changes. However, homophobic attitudes remain a large problem in the country, fueling hate-based crimes.

The Impact of Covid-19

The COVID-19 pandemic presented both a challenge and opportunity to the Armenian civil society sector. Although it took a while for CSOs to remodel their programs to fit the new restrictive conditions, many organizations, according to our respondents, used the crisis to engage new audiences and do regional outreach. With the new online format of work, the geographical limitations were no longer an obstacle.

Furthermore, many CSOs decided to shift their priorities during the pandemic and focused on tackling the effects of the crisis. NGOs, along with student movements and community-based organizations, joined the mobilization call from the government and engaged in large-scale assistance and awareness-raising programs. Volunteers delivered masks, prepared food packages and brought aid to vulnerable groups and the elders. CSOs also engaged in monitoring of government institutions on the new COVID-19 rules and their effects on prisoners, patients, school students, and other public sector institutions.

At the onset of the pandemic, a group of professional sociologists got together to create and conduct an online survey among their network members to mobilize the research community and see how it could support policymakers in formulating an adequate response to the ongoing challenges.

In rural communities, activists conducted an awareness-raising campaign about the virus and helped people meet the legal requirements during the lockdown and state of emergency laws. Others registered as volunteers at the Ministry of Health to assist health care workers and humanitarian organizations in distributing food and essential goods.

One member of a refugee-support group was actively engaged in operating a hotline for refugees and asylum-seekers, providing needed information about access to migration services, hospitals and state agencies.

Another one, from an inclusive-education initiative, has been developing online guidelines for parents, offering social stories for children and persons with disabilities while staying at home. The resources have been shared via various webpages and on social media network such as: https://guidebookforteachers.wordpress.com/.

Finally, with the government introducing new apps and policy proposals for contact tracing, CSOs engaged in a broad discussion on privacy issues. After interventions from the sector, the authorities introduced a protocol to destroy the data collected from COVID-19 mobile apps – which was an important policy demand from civil society.

Local organizations also played a major role in curbing the government's attempts to censor the media. Following the declaration of the state of emergency law in mid-March, the authorities introduced a new regulation that aimed to stop panic and banned all outlets and social media users from posting non-official information about coronavirus. But the ban, according to local CSOs, went too far and effectively prevented the media from doing their work and reporting on the pandemic.

Days later, the combination of local and international pressure forced the government to reverse the regulation.

As for the emerging civil society, the pandemic and its limitations were turned by many grassroots movements into an opportunity. As one of our respondents pointed out, at the time when protests and public gatherings were restricted, emerging civil society activists switched their focus onto their own capacity-building. They would use the extra time to study on the issues in question more deeply, build networks and expand their constituencies. Some, like the student movement, which has been traditionally based in

Yerevan, established their chapters in Gyumri, Armenia's second largest city, and in Iljevan, in the Tavush province.

Firdousi, the grassroots urban movement from Yerevan, on their part, engaged in a creative advocacy campaign to move beyond protests in seeking a solution to the city's redevelopment plans for the district. They invited urban planners from across Armenia to help them prepare alternative visions of how the Firdousi neighborhood could be modernized without sacrificing its cultural heritage. The activists also started launching their own academic journal on urban planning and invited academics to send in submissions. The journal is aimed to stimulate further discussions on Armenia's urban development trends, as well as the pros and cons of various approaches.

"It was not a usual toolkit for such movements, but it certainly helped to strengthen their position," one of our respondents noted, adding that the crisis, contrary to the expectations, has paradoxically helped many grassroots grow more resourceful and resilient.

Since the fall of 2020, the military conflict with Azerbaijan and its outcome have overshadowed the COVID-19 crisis in terms of public awareness. Few restrictions remain in place, and at the time of writing, the epidemiological situation seems to be relatively stable. However, Armenia remains vulnerable to further pandemic waves, as its vaccination campaign is only just starting, and precautions such as mask wearing and social distancing have not become normalized. Longer term social and human rights implications of the twin crises of 2020, as well as their effect on the future trajectory of civil society, still remain to be seen.

Armenia and the Nagorno-Karabakh Conflict

Although Armenia has lived in the shadow of a frozen conflict for nearly three decades, the situation remained relatively stable, with the exception of occasional skirmishes along the contact line and more serious crises in 2016 and July of 2020. It was not until the fall of 2020, when a full-scale war over Nagorno-Karabakh and its surrounding territories broke out anew.

Azerbaijan, which on September 27th launched a military operation to win back territories lost in the first Karabakh war (1988-1994), quickly advanced in fighting. The war triggered a massive mobilization of volunteers and NGOs that overnight forgot about the COVID-19 crisis, dropped their regular work, and engaged into large-scale humanitarian assistance to tens of thousands of refugees fleeing the Karabakh region and the provinces around it. As one of our interviewees stressed, without the civil society's mobilization, it would have been much more difficult for the state to tackle the unfolding emergency.

The 44-day war was only stopped by a Moscow-brokered ceasefire on November 10, 2020 after Azerbaijani troops retook the city of Shusha and were just a few kilometers away from the administrative center the Nagorno-Karabakh region. With large territorial losses and clear defeat in the war, Armenia found itself in a deep political crisis. The government of Prime Minister Nikol Pashinyan was accused of premature capitulation and was on the verge of collapse. Armenia's young democracy was threatened as the military conflict interrupted the country's democratization and reform processes[20].

"There is an emotional disappointment that the war happened during a moment when we were hopeful about the democratization reforms. It broke our enthusiasm and hope for a better future. But overall, it is not as bad as it may look from outside. Everyone is deeply depressed about what happened, but we all made the decision to get back to our daily affairs. I don't see anyone packing up and leaving Armenia," one of the activists told us in an interview in the post-war period.

However, with the external threats aside, Armenian CSOs are also increasingly facing criticism from

20   Delcoure, L. (January 2021). The Future of Democracy and State Building in Post-Conflict Armenia. Carnegie Europe. Retrieved online from: https://carnegieeurope.eu/2021/01/19/future-of-democracy-and-state-building-in-postconflict-armenia-pub-83650

within the country.

As some civil society activists were symbolically affiliated with the prime minister and helped bring him to power through the 2018 Velvet Revolution, the sector bore the brunt of public criticism following the lost war. Some opposition commentators and media outlets pointed fingers at „Soros-funded CSOs," along with the „Western-oriented Pashinyan" which, according to them, were to blame for spoiling the country's relations with Russia, Armenia's only ally, and led the country to an abyss. Critics saw Russia's idle reaction in the first weeks of the war as a punishment for Armenia's reorientation towards the West and believed that pro-reform forces, including civil society organizations, were responsible for that shift. In a manifestation of this attitude, Armenia's Open Society Foundation office was attacked by protesters on November 10, following the signing of the ceasefire declaration[21].

Overall, the war, just like the recent COVID-19 crisis, made the local civil society once again reshuffle its priorities. With a lot of displaced people in need of assistance and access to services, some organizations switched their attention to aid provision, capacity-building and monitoring of the rights of those who fled the Karabakh region and surrounding provinces. Others focused on the situation of war veterans who were needed psycho-social support.

As one of our respondents noted, many CSOs also attempt to reorient the current finger pointing discourse in Armenia from who is responsible for the war and why into a more issue-based discussion on the country's future policies in the new geopolitical setting.

When it comes to relations with their Azerbaijani peers and the prospects for peacebuilding, the war has abruptly ended person-to-person contacts. Although the peacebuilding exchange remained weak in recent years, today it barely exists beyond online platforms. Armenian civil society is making dialogue with its Azerbaijan counterparts contingent on solving the prisoners of war issue and demands first the return of Armenian soldiers and civilians captured during the hot phase of the conflict.

Although a fragile peace is now prevailing between the two countries, prospects for immediate deeper regional cooperation are thin as the ceasefire agreement left many political issues unsolved and subject to further negotiations. Furthermore, the new geopolitical configuration in the region, which elevated the role of Turkey, also reopened some deep wounds in Armenia's collective memory and evoked new fears about safety for its own people. Now, if the country is being forced to make a choice between strengthening its ties with Moscow or rapprochement with Ankara, our respondents commented, the country's leadership will undoubtedly embrace the first.

Therefore, as it is increasingly seen by many analysts as the only guarantor of safety for Armenia, Russia is likely to increase its influence on the country and its future direction. That may not bode well for civil society in the long run. Regardless of whether PM Pashinyan will stay in power or not following the snap election slated for the summer of 2021, the democratization processes may lose priority to a security policy, negatively affecting fundamental freedoms and the space for civic activism.

In general, civil society activists have fears of a future in which autocratic tendencies will make a comeback. However, as one of our interviewees pointed out, local CSOs are used to working in harsher conditions and are bracing up to weather any upcoming political flare-up.

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21   Protesters Attacked the Office of Soros's Foundation in the Center of Yerevan (2020). Interfax. Retrieved online from: https://www.interfax.ru/world/736506

GEORGIA

Georgia Civil Society Report

Author: Tomas Komm

National context

The emergence of Georgia's modern civil society can be traced back to late 1980s when the new Soviet leader Mikhail Gorbachev introduced the policies of perestroika and glasnost. The first movements were formed during that time and focused on environmental, cultural and national causes, challenging large Soviet projects and the overall principles of the Soviet unity. One of them later culminated in a nation-wide movement demanding independence from the Soviet Union and the removal of Russian soldiers from Georgian territory. The distinction between politically motivated and non-political groups was however blurred.[22] One of our respondents highlighted that the later movements were especially politically motivated and organized in a top down manner rather than from the bottom up and their public perception was later burdened by information about Soviet influence in those movements.

The early 90s in Georgia were marked by civil war after the ousting of the president Zviad Gamsakhurdia and ethnic conflicts in the regions of South Ossetia (1991-1992) and Abkhazia (1992-1993) which produced political instability, economic and social crises and left Georgia with two breakaway republics. The development of civil society in the nineties was from the beginning supported by European and American donor organisations and foundations. As one of our respondents pointed out, the dominant motivation for establishing a registered NGO during that time was the possibility of obtaining foreign funding. Moreover, for a registered organization, it was easier to engage in policy dialogue or lobbying – which for some was an important reason for creating an NGO.

The number of registered CSOs therefore started to grow in the early 1990s and reached several thousands. Organisations focused on a range of issues from the quality of democracy to media freedom or minority rights. Professional NGOs, dependent largely on foreign funding, started to be the main representatives of civil society. "For their part, active people and groups in the Georgian society gained access to new resources for their initiatives. NGOs which were established at that time mainly depended on financial aid from Western foundations. They became the main form in which civil society existed: this can be described as "the NGO-ization of civil society".[23]

During this era, donor representatives and staff of NGOs received access to significant financial resources. Amidst widespread unemployment and economic uncertainties, that gave them considerable power and status. Some of them had been even rumoured to extract personal benefits from the situation. While the scale of the problem was dwarfed by government corruption and cases of fraud connected to privatization during the same period, the perception of NGOs putting their financial gains first and the needs of the community second has persisted after many years even despite strict financial controls and audits which were implemented in the aid sector since the 2000s.

The so-called Rose Revolution in 2003 was triggered by widespread protests over disputed election results and resulted in an important change of direction for Georgia. A new president, Mikheil Saakashvili, replaced Eduard Shevardnadze, who had been in office since 1995. The country strengthened its pro-Western international policy, focused on strong anticorruption effort and the transformation of public services, law enforcement and implemented free-market reforms. Many members of the new government after the Rose Revolution came from the non-governmental sector. Furthermore, "Kmara" ("Enough") – a youth resistance movement – played an important role in the protests prior to and during the Rose Revolution,

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22   Caucasus Institute for Peace Democracy and Development (2005). Civil society development in Georgia: achievements and challenges.

23   Ibid.

launching a heavy critique of the Shevardnadze regime. The fact that some civil society representatives joined the government might have weakened the sector, one of the respondents said, as "*there was no strong civil society left to act as a watchdog of government policies*". Donors also tended to support the new Georgian government directly.[24] Another impact the Rose Revolution had on civil society was the rise of more leftist and green oriented movements, which can be attributed to the pro-business and liberal policies of Saakashvili's government.

Mikheil Saakashvili's attempts to restore Georgia's control over the breakaway regions, coupled with a strong pro-Western foreign policy, soon put the country on a collision course with Russia. The war of 2008 led to Russia's recognition of the self-proclaimed South Ossetian and Abkhaz republics, further pulling them away from Tbilisi's control.

During the several days long war, hundreds of people were killed and tens of thousands were displaced. Alleged violations of humanitarian law perpetuated by both sides were documented[25] and Russia was found responsible for human right violations.[26] After 13 years, Georgia's relations with Russia remain tense and the territorial conflicts remain unresolved.

The last years of Saakashvili's rule were characterized by growing authoritarian tendencies and the rise of kleptocracy linked to his political party.[27] Donors' support at that time shifted back to civil society again, which also meant an influx of new professionals into the sector.[28]

The 2012 parliamentary elections marked the end of the Saakashvili era, when power was, for the first time in Georgia's history, peacefully transferred to the victorious Georgian Dream coalition. Georgian civil society played its role in the process, providing important support during the pre-and post-election processes, such as voter education, election monitoring, etc.[29] At the same time, constitutional changes moved the country from being a presidential to a parliamentary democracy.[30] In 2018, Salome Zourabichvili became the Georgian president as the first woman in the country's history elected to that position.

After the new millennia, from the rule of Saakashvili's government up to nowadays, the civil society sector experienced a surge of new actors in the form of grassroots civil society initiatives.[31] The new groups demanded environmental protection, social rights or drug liberalization, highlighting gender related topics or LGBTQ rights. One of the most popular initiatives was the White Noise Movement[32] which advocated for a reform in drug policy, or the recent locally-led widespread protests against the Namakhvani dam led by the "Guardians of the Valley"[33]. Often volunteer based, non-institutionalized or community rooted, they opened a new chapter in the development of civil society in Georgia.

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24   Asian Development Bank (2020). Civil society brief Georgia. Retrieved online from: https://www.adb.org/sites/default/files/publication/678381/civil-society-brief-georgia.pdf

25   Human Rights Watch (2009). Up In Flames. Humanitarian Law Violations and Civilian Victims in the Conflict over South Ossetia. Retrieved online from: https://www.hrw.org/sites/default/files/reports/georgia0109web.pdf

26   Strasbourg court rules Russia has "direct control" over Abkhazia and South Ossetia (2021).
Euractiv. Retrieved online from: https://www.euractiv.com/section/europe-s-east/news/strasbourg-court-rules-russia-has-direct-control-over-abkhazia-south-ossetia/

27   The rise and fall of Mikheil Saakashvili (2018). Politico. Retrieved online from: https://www.politico.eu/article/the-rise-and-fall-of-mikheil-saakashvili/

28   Asian Development Bank (2020). Civil society brief Georgia. Retrieved online from: https://www.adb.org/sites/default/files/publication/678381/civil-society-brief-georgia.pdf

29   Ibid.

30   East West Management Institute (2019). Assessment of the civil society sector in Georgia.

31   Ishkanian, A. (2014) Engineered Civil Society: the impact of 20 years of democracy promotion on civil society development in the former Soviet countries. London School of Economics.

32   Fighting back against Georgia´s war on drugs (2016). open Democracy. Retrieved online from: https://www.opendemocracy.net/en/odr/fighting-back-against-georgia-s-war-on-drugs/

33   The 170+ Protest to Shut Down the Namakhvani HPP (2021). Georgia today. Retrieved online from: https://georgiatoday.ge/the-170-day-protest-to-shut-down-the-namakhvani-hpp/

However, the "liberal" civil society found a competitor in the far-right groups that were trying to channel public discontent into hatred toward communities such as immigrants, LGBTQ, ethnic minorities or others. Far rights circles may also be behind some of the attacks on CSOs and the CSO sector, referring to them as "agents of foreign influence". Far-right narratives have also gained legitimacy in Georgian society, due to the tacit support of the Georgian Orthodox Church.[34] "The younger generation of far-right activists are choosing to style themselves after like-minded groups in the United States and Europe. One of them, named after the far-right Alternative for Germany, was established after observing the success of far-right movements in the West, many of which were able to gain prominence with the use of social media. They remain in direct contact with several far-right groups in Europe, which support one another and share anti-liberal and anti-globalist views despite widely divergent visions on how to restructure their respective societies."[35]

In terms of the external factors affecting Georgian civil society, despite positive steps in democracy and state building taken after the Rose Revolution, the country experienced setbacks and during the last years, the quality of the democracy has been stagnating.[36] Compared to other states in the region, Georgia could be distinguished by its more effective governance, including its anti-corruption policies, however weaknesses remain in terms of government accountability and the rule of law, which are some of the areas that have caused widespread protests and government backlash in recent years.

According to the Freedom in the World index, Georgia is considered partly free,[37] and the CIVICUS group, which tracks civil society across the globe, calls Georgia's civic space narrowed[38]. The World Bank recently re-classified the country as upper-middle income economy,[39] however, poverty is still widespread as 20% of population is living under the absolute poverty line,[40] and a similar amount of people is unemployed.[41] The true figures are higher, as small landholders are counted as farmers, and not the rural unemployed. Poverty was mentioned by respondents as a factor limiting the growth of civil society.

With a population of almost 4.5 million people, Georgia is home to numerous ethnic minorities, such as the ethnic Azeri or Armenian communities. Many of them face language barriers as they often do not speak Georgian, which weakens their participation in governance.[42] The ethnic minorities therefore remain widely "out of political space" in Georgia.

During the COVID-19 pandemic, Georgia implemented strict restrictions in comparison to other countries in the region, minimizing the mortality rate during the first phases of the pandemic, however causing significant impact on the livelihoods of the people as the closures and restrictions shut down the important tourism industry.[43]

34   Freedom House (2020). Special report: A New Eurasian Far Right Rising: Reflections on Ukraine, Georgia, and Armenia. Retrieved online from: https://freedomhouse.org/sites/default/files/2020-02/FarRightEurasia_FINAL_.pdf

35   Ibid.

36   East West Management Institute (2019). Assessment of the civil society sector in Georgia.

37   Freedom House (2021). Freedom in the World 2021. Retrieved online from: https://freedomhouse.org/countries/freedom-world/scores

38   CIVICUS monitor: Georgia 2020. Retrived online from: https://monitor.civicus.org/country/georgia/

39   New country classification by income level: 2019-2020 (2019) World Bank. Retrieved online from: https://blogs.worldbank.org/opendata/new-country-classifications-income-level-2019-2020

40   National Statistics Office of Georgia (2019). Living Conditions. Retrieved online from: https://www.geostat.ge/en/modules/categories/192/living-conditions

41   National Statistics Office of Georgia (2020). Employment and Unemployment. Retrieved online from: https://www.geostat.ge/en/modules/categories/683/Employment-Unemployment

42   Asian Development Bank (2011). Civil Society Briefs: Georgia.

43   UN Georgia (2020). Building Back Better in Georgia. Retrieved online from: https://unsdg.un.org/sites/default/files/2020-09/GEO_Socioeconomic-Response-Plan_2020.pdf

Emerging Civil Society

The emerging civil society actors started to appear after the beginning of the new millennia and during the Saakashvili era. They were described by one respondent: *"These groups are mostly ordinary people using social media. They are really motivated people who care about the issues which they raise"*. Another respondent expanded: *"Activists care about the issues and want to make changes. No matter if they have a budget or not, if they have supporters or not, they care and act"*. Generally, the emerging civil society actors were described as accountable and responsible, using innovative methods of fundraising, with good communication strategies, using social media and often an "outside the box" approach. Their campaigns were perceived as "*based on a natural response to immediate needs*".

On the other hand, the initiatives were perceived as often being connected to the dominant personalities of their founders and members, lacking financial and organisational sustainability, financial and human resources, their members were described as lacking project management skills (such as reporting, accounting, financial management or budgeting skills) or the necessary language skills (English). The ability to participate in policy dialogue and the ability to manage internal conflict were also mentioned as common weaknesses of these initiatives. Even though the initiatives were seen as open for collaboration and learning.

The new initiatives therefore distinguished themselves from traditional NGOs in their organic and flexible ways of operating, their vehemence or connection with communities, which is their clear added value in advocating and promoting issues they raise. On the other hand, they are often lacking the skills necessary to successfully obtain and manage larger amounts of funding from institutional donors or to comply with their administrative requirements, which might be disqualifying in eyes of some of them. Some initiatives, especially those sympathetic with the political left, might be even reluctant to obtain international funding. For donors, supporting such actors brings obvious fruits, however, as described on respondent "also *bears the risk of failing which they must bear*".

Legal Environment, Funding, and Foreign Donors

The Georgian Constitution guarantees the fundamental freedoms such as freedom of association, and the civil society is further regulated by the Civil code and other laws. Civil society organisations exist in a legal form of non-entrepreneurial (non-commercial) entities and there are no formal territorial or operational limitations for the existence and functioning of civil society. According to the latest CSO meter, there are over 29,000 registered CSOs, however only some 1,000 are active.[44] The CSOs in Georgia include registered NGOs, as well as research institutions, labour unions, faith-based associations, professional associations or chambers of commerce. But many community groups, activists or social movements function without having a formal registration.[45]

CSOs in Georgia receive funding predominantly from foreign institutional donors. According to the EU CSO Roadmap in Georgia 63% of CSOs (interviewed in the survey) receive institutional funding from foreign donors, 31% from government agencies, 22% from individual donations and 17% report that they are receiving funding from the private sector. Some 37% of CSOs report that they are receiving funds from their economic activities.[46] The CSO meter, however, states that up to 95% of CSOs rely on foreign donors.[47] The majority of funding from foreign donors is provided by the European Union and United States.

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44   CSO meter (2020). Georgia country update. Retrieved online from: https://csometer.info/countries/georgia

45   Asian Development Bank (2020). Civil society brief Georgia. Retrieved online from: https://www.adb.org/sites/default/files/publication/678381/civil-society-brief-georgia.pdf

46   Eastern Partnership civil society facility. EU CSO roadmap 2014-2017 key achievements. Retrieved online from: https://www.euneighbours.eu/en/east/stay-informed/publications/eu-cso-roadmap-2014-2017-georgia-key-achievements

47   CSO meter (2020). Georgia country update. Retrieved online from: https://csometer.info/countries/georgia

Although, there were government funding mechanisms developed in recent years, they are insufficient and some CSOs are reluctant to accept funds from the government due to the fear that they may jeopardize their independence. CSOs also do not receive incentives, for example in a form of tax reductions and are in this field treated similar to businesses. [48]

Key Limitations

The following assessment of the limitations faced by local civil society is based on desk research and 20 interviews with civil society actors and academics in Georgia which have been conducted from February to April 2020 (18 interviews) and in May 2021 (2 additional interviews to update the findings).

Donor dependency

As the figures from the EU CSO Roadmap (see above) shows, the CSO sector in Georgia is heavily dependent on funding from foreign institutional donors. The donor dependency constitutes a major challenge for Georgian CSO sector, which is further affecting various aspects of practical operation of majority of civil society organisations in Georgia starting from the relations and connection of CSOs with communities, comprising of CSOs financial sustainability and ending with the overall level of public trust in the CSO sector.

The support from donors is predominantly project-based with limited support to the institutional development of CSOs and their own capacity building. According to the assessment, only a few organisations have been able to develop long-term services and build lasting relations with beneficiaries and local communities. Many organisations are not paying enough attention to it.

Under such circumstances, donors often function as stage managers, highlighting certain problems, topics, needs or geographical areas perceived as a priority, based on their own analysis, rather than by the analysis of CSOs themselves. This creates a disconnection from the needs on the ground and as a result thematic or geographical disproportion in the CSOs activity even though the actual needs in the uncovered areas might be high. Many CSOs are also forced to constantly move from one thematic area to another in response to changes in donor priorities. The CSO ability to identify a problem and come up with their own solution, which is strongly connected to their presence in communities, is largely undeveloped.

Furthermore, the support from donors is concentrated in major cities and centres, which complicates the situation for regionally based CSOs, where less funding opportunities exist. Respondents mentioned that in some regions, such as Racha-Lechkhumi, Poti in Samegrelo or Guria, there are almost no civil society initiatives present at all (such a perception can be attributed as well to the limited visibility of those initiatives). From the interviews conducted, there were also reportedly a high amount of uncovered needs in some geographic areas (for example in areas of Pankisi, Kakheti, parts of Adjara, Racha-Lechkhumi or Guria), in areas settled by ethnic minorities or in particular topics such as homelessness, domestic abuse or sexual violence or LGBTQ rights.

Limited funding mechanisms with no diversity

The funding opportunities are limited and not diversified enough. As mentioned above, the thematic and geographic dispersion of donor support is disproportionate and the funding is concentrated predominantly in the major cities, such as Tbilisi. Together with the fact that there is very limited or sometimes almost no funding at all at the municipal level, it constitutes an important factor which curbs the diversification of the CSO sector. There is insufficient support especially for social movements and grassroots

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48   Asian Development Bank (2020). Civil society brief Georgia. Retrieved online from: https://www.adb.org/sites/default/files/publication/678381/civil-society-brief-georgia.pdf

initiatives, which are often not formally registered entities.

Respondents were also referring to the fact that the communication between donors and CSOs is predominantly one-way with no sufficient attention given to the feedback from the side of the CSOs. Donors are, according to respondents, prioritizing advocacy activities, whereas the amount of funding spent for community development as well as funding for specific services has been decreasing.

According to our assessment, CSOs perceive, they do not have enough information about available funding possibilities (possible grants or calls for proposals), some respondents specifically mentioned that CSOs do not know about funding possibilities even though some are present. This might be attributed either to limited outreach efforts about the available opportunities or potentially to a language barrier.

Limited capacities and human resources

Problems with financial sustainability, funding gaps and donor's changing priorities (which affects the topics CSOs are focusing on) often result in professional burnout and decreased motivation among NGO staff, who are deciding to move to another sector in search of a more sustainable livelihood opportunity and a more decent wage.

For CSOs, it means an outflow of qualified staff, and results in a lack of sectoral expertise and institutional knowledge, as well as the perceived lack of skills in areas such as fundraising, proposal writing, project cycle management, financial management or reporting. In some cases, experts in different fields have to simultaneously be fundraisers or managers and act in many other roles. The lack of skills is therefore also connected to the absence of an adequate management structure, which would enable staff to specialize or better deal with this inefficient HR management.

According to our respondents, only few successful CSOs in Tbilisi are able to bridge the gaps in funding to successfully retain their staff. Small CSOs constantly find themselves on the edge of survival, facing existential threads for their staff which further contributes to professional burnout. As a result, the majority of CSOs in the regions are one-person organisations whose viability is directly linked with their founders. Even though required boards are formally created, only few of these boards actively participate in decision making. The culture of volunteerism is underdeveloped, when only one third of CSOs report having volunteers.[49]

Different needs were described in terms of the type of support required for emerging CSOs and civil society activists. These actors were described as being able to successfully mobilize the public, focusing on protests and street actions, while also being viewed as lacking the capacity or expertise to engage in policy dialogue, to transfer their demands into concrete policies or to prepare concrete suggestions for required changes. According to the respondents, emerging civil society actors and activists do not have sufficient information about how the local or central government works or about the competencies of authorities and institutions and lack the needed skills in advocacy and communication to effectively communicate their messages to different audiences, which limits the effectiveness of their actions.

Limited trust and cooperation

Trust towards NGOs in Georgian society is relatively low. A survey by the Georgian Civil Society Sustainability Initiative showed that 28% of Georgians trust NGOs, whereas some 18% stated that they distrust them. NGOs ranked among the least trusted institutions in the survey. On the contrary, the most trusted authorities were religious institutions (83% trust) and army (79% trust). All of the major

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49   CIVICUS (2010). An Assessment of Georgian Civil Society. Report of the CIVICUS Civil Society Index. Retrieved online from: https://www.civicus.org/downloads/CSI/Georgia.pdf

political institutions, political parties or for example the European Union[50] were ranked better than NGOs. A similar trend was confirmed by respondents. Based on the reactions on their campaigns, NGOs are often viewed as "pursuing their own interests" or even as having "a political or foreign agenda". This perception might be connected with the history of the development of civil society in Georgia, as citizens do not perceive NGOs as representing their needs. It also further complicates community mobilization by CSOs. Almost all respondents stated visibility and communication as a challenge for CSOs and as an area where more energy, effort, resources and skills are needed. On the other hand, several positive examples of community mobilisation using channels such as art, humour or culture were mentioned.

Several respondents stated that the lack of effective coordination mechanisms and even a lack of communication, cooperation or mutual trust exist among CSOs, as a lot of CSOs view each other as competitors. Cooperation in a strategic way, according to the opinion of some of the respondents, is not perceived as a need. Networks and coalitions are often seen as donor driven and not sustainable. Especially the exchange between traditional CSOs and new initiatives is limited due to their different backgrounds and level of experience. However, disagreements exist even among CSOs focusing on the same topic. Cooperation between CSOs and business is limited.

Civil society and Gender

The situation of women

Women are generally more represented in civil society, media, and academia in Georgia, especially in the mid-level managerial positions.[51] One of our respondents stated that after completing their studies women are more likely to decide to go to NGO field, whereas men incline to enter the private sector. The EU CSO roadmap findings further confirms this and shows that 64% of the total number of employees in CSO sector are women, 84% of board members are women and 75% of volunteers are women. The respondent interviews showed that women also form a majority of the supporters and individual donors of initiatives and are therefore a clear driver of NGO sector.

This stands in stark contrast with women representation in politics. When, even though currently the presidential office is held by a woman, only 15% of MPs are women[52] and the women to men ratio is exceptionally low even at the level of mayors.[53] However, a recent piece of UNDP research showed that both women and men in Georgia have become more favourable towards gender equality in recent years.[54]

The general fact that the whole sector is closely connected with women can be an important contributing factor to the challenges for the non-governmental sector stated above such as the lack of coverage, community mobilisation or low visibility. In Georgian culture, stereotypes against women are still prevalent, as woman tend to be perceived as natural caregivers and women's voices often tend to be discounted. There is a probability that non-governmental sector and woman stereotypes can mutually reinforce each other.

The situation of LGBTI people

Georgia ranked 30th among the 49 European countries in the Rainbow map of ILGA-Europe[55] and expe-

50   Georgian Civil Society sustainability Initiative (2018). Attitutes of the Population of Georgia towards Civil society Organisations, European Integration and Business Entities. Retrieved online from: https://csogeorgia.org/storage/app/uploads/public/5cd/c9b/bce/5cdc9bbce0dca111121129.pdf

51   East West Management Institute (2019). Assessment of the civil society sector in Georgia.

52   The Parliament of Georgia. The Women in Parliament. Retrieved online from: http://www.parliament.ge/ge/parlamentarebi/qalebi-parlamentshi-23

53   Eastern European center for Multiparty Development (2018). Gender equality assessment among political parties of Georgia. Retrieved online from: http://eecmd.org/wp-content/uploads/2018/12/Gender-Ranking-of-PPs_EECMD_2018.pdf

54   UNDP. UNFPA (2020) Men, Women and Gender relations in Georgia: Public Perceptions and Attitudes. Retrieved online from: https://www.ge.undp.org/content/georgia/en/home/presscenter/pressreleases/2020/gender-survey.html

55   ILGA Europe, Rainbow Map, 2020. Retrieved online from: https://rainbow-europe.org/#8634/0/0

rienced some progress in recent years especially in the area of the legal environment (the adoption of an anti-discrimination law). The progress is however attributed predominantly to the ambitions of complying with the European standards as a result of Georgia's aspirations to join the EU, rather than the government's efforts to eliminate the discrimination of LGBTI people in practice.[56] The public attitude towards the LGBTI community remains distinctly negative[57] and LGBTI people are targets of discrimination, hate speech and violence. [58]

The impact of COVID 19

Due to the strong regulatory approach of the government during the COVID-19 pandemic outbreak, the CSOs we interviewed did not have to try to substitute the role of the state, but rather focused on filling the gaps which appeared around the government's response.

Even though the outbreak of the pandemic generally posed a challenge for the civil society as such, it also unlocked opportunities for a civil society response through bottom-up solidarity-based movements or crowd-funding approaches also involving private sector actors.[59] During the initial phase, some of the more established NGOs faced the challenge of adjusting their ongoing programs and planned activities to the new and uncertain situation. Many sought donor approval to adapt their projects and to get involved in the early COVID response. In many cases the common first responders were therefore informal or less formal grassroots actors who self-organized on a voluntary basis and collected donations from the public to support the most vulnerable people affected by the crisis. Campaigns focusing on help for elderly people (such as "Help elderly", a Facebook platform providing food, medicine and other necessities), socially vulnerable groups (focusing on provision of internet connection and IT equipment for children living in remote villages) or for ethnic minorities (such as support with translation for ethnic Azeris in Kvemo Kartli) were swiftly created across the country. In a short amount of time these initiatives managed to mobilize significant resources from the local population as well as from big businesses. Some were even overwhelmed by the response they received.

The initiatives were not only focusing on the provision of humanitarian needs, some of them such as the "Shame movement" focused on government accountability during the covid-related restrictions. In this area fruitful cooperation was created with established NGOs.[60]

COVID-19 halted the meetings between people and the usage of public spaces, which is vital for civil society. Even though many activities went online, as one of our respondent stated. *"You can express your opinion online, but it doesn't have as much impact as street demonstrations or large gatherings"*. This solemn fact will have an impact on civil society. As new techniques to influence public policy will have to be used and developed.

There is also an economic crisis looming in Georgia due to rising unemployment. A longer-term economic crisis might weaken civil society and its ability to mobilize people. But on the other hand, the current mobilization and protests around the Namakhvani dam are showing that it is possible to mobilize people even under these circumstances, when the case is strong.

56   Aghdgomelashvili, E. (2016). From Prejudice to Equality: Study of Societal Attitudes, Knowledge and Information Regarding the LGBT Community and their Rights in Georgia. Retrieved online from: https://www.re-searchgate.net/publication/305687857_From_Prejudice_to_Equality_Study_of_Societal_Attitudes_Knowledge_and_Information_Regarding_the_LGBT_Community_and_their_Rights_in_Georgia

57   Ibid.

58   WISG. ILGA-Europe (2021). Discrimination on the basis of sexual orientation and gender identity in Georgia. Universal Periodic Review (UPR) Georgia. Retrieved online from: https://wisg.org/Data/docs/news/WISG%20and%20ILGA-Europe_%20joint%20UPR%20submission_Georgia_Jan%202021.pdf

59   Panchulidze E., Tsikaschvili M. (2020) Georgia's Fight Against the Coronavirus: Fusing State and Societal Resilience. Carnegie Europe. Retrieved online from: https://carnegieeurope.eu/2020/12/07/georgia-s-fight-against-coronavirus-fusing-state-and-societal-resilience-pub-83145

60   Ibid.

MOLDOVA

#PROTEST PERMANENT

Moldova Civil Society Report

Authors: Tomas Komm, Elena Terzi, Anna Zamejc

National Context

Even though some forms of the civic associations during the Soviet era (such as associations of women, labor unions, environmental groups and others) enjoyed certain amount of limited independence from the state and the communist party, the modern civil society in Moldova began to emerge after the collapse of the Soviet Union and the establishment of the independent Republic of Moldova.

The first NGOs established during the early 90s, supported predominantly by Western public and private donors, mainly focused on topics such as monitoring of fundamental freedoms and political processes or the economic transition. Most of them were concentrated in the capital and established by educated professionals who were able to speak foreign languages (primarily English).

Perhaps due to their access to financial resources and higher salaries during a time of widespread unemployment and economic hardship in the 90s, a negative perception of NGOs and their staff - who were sometimes seen as "elitist" or "out of touch" with the rest of the country - developed among some parts of the society. Despite significant efforts to change this, according to our respondents, this perception has remained among certain strata of the society up to the present.

Another important actor that reappeared on the scene in the 90s were religious organizations. Since the collapse of the Soviet Union and state-backed atheism, the whole region has experienced a revival in religious identification and observance. As an institution with deeper roots, the Moldovan Orthodox Church enjoys the trust of 70% of Moldovans (in comparison, only 22% trust CSOs).[61] Virtually all Moldova's leading politicians have curried favor with the Church to some extent. However, despite its significance, religion remains less important to Moldovans' identity than in Georgia or Armenia[62].

Since the 1992 conflict, there was a clear division between civil society development in the breakaway region of Transnistria and in the rest of the Republic of Moldova. The contacts between CSOs on the two banks of Dniester River were very limited, and the civil society sector in both environments have remained significantly different until today. For that reason, a separate section has been included that is dedicated to civil society in the Transnistrian region.

While the 90s were characterized by political pluralism and institutional weakness, the period from 2001 to 2009 was dominated by the Party of Communists, which consolidated political and economic power and controlled state institutions. During this period, Moldovan CSOs enjoyed relative freedom, even though the state approach to civil society was generally rather suspicious.

An important milestone affecting the CSO environment and mindset of many activists occurred in 2009, when widespread public protests against the election results led to a political crisis, during which the Party of Communists was replaced by a nominally pro-European coalition. The new direction raised the hopes of many, but they gradually turned into bitter disappointment and disillusion that culminated in the so called "theft of the century", a revealed money laundering scheme which cost the Moldovan banking system and taxpayers over one billion USD. As some of the politicians who benefitted from this and other corruption schemes declared themselves liberal and pro-European, this has significantly damaged public trust in these concepts.

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61   Public Policy Institute (2021). Barometer of Public Opinion. Retrieved online from: http://bop.ipp.md/

62   Pew Research Center (2018). Eastern and Western Europeans Differ on Importance of Religion, Views of Minorities, and Key Social Issues. Retrieved online from: https://www.pewforum.org/2018/10/29/eastern-and-western-europeans-differ-on-importance-of-religion-views-of-minorities-and-key-social-issues/

Another important factor contributing to the overall image of CSOs was the fact that after 2009 some civil society representatives entered the government institutions.

"*Many civil society representatives decided to join the government structures with the intention to change the institutions, however, the institutions changed them. And CSOs started to be seen as part of the political game by the wider society. Parties also started to create satellite NGOs echoing their narratives*" – described one respondent.

The mentioned "satellite NGOs" are not only party-affiliated think tanks (that sometimes claim to "represent civil society"), but in some cases are also charities and foundations.[63] According to a *Promo-LEX* study, four political parties used affiliated charitable foundations to improve their image - carrying out at least 131 public acts of charity in 2017.[64]

In recent years, some of Moldova's political leaders also attempted to limit the space for local civil society by proposing unfavorable legislative changes and launching verbal attacks against its leaders.[65]

The most recent attack came from the ruling Party of Socialists' MP Bogdan Tirdea, who published an 800-page book "Civil Society in the Republic of Moldova: Sponsors. NGOcracy. Cultural Wars". The author mixes real sources (publicly available financial reports of the most visible NGOs) with broad speculations to claim that NGOs are "instruments of control and influence of other states through their leaders who actually work for particular donors, very often against the national interests...", "became an octopus that infiltrated into all the branches of power, the mass media and scientific sphere..." and "are all connected to a specific political party and candidate..."

Furthermore, some of Moldova's top politicians are open about their affiliation with the so-called "illiberal civil society". These socially conservative groups and popular movements in some ways mirror liberal NGOs and think tanks, but are oriented towards limiting rather than widening human rights and political pluralism.[66] These groups became especially visible around EU-required legislation and reforms concerning gender equality and non-discrimination on the grounds of sexual orientation, such as the 2014 Anti-Discrimination Law.

Russia plays an essential role in this backlash by promoting a "traditional values" agenda through its political, religious and media institutions. However, illiberal attitudes have strong local roots on both sides of Moldova's identity divide and are exploited by, rather than imported from Russia. There are other international actors, such as the U.S. religious right, that are also playing a similar role.[67]

Moldova is often defined by foreign observers as a divided society struggling to choose between a "pro-Russian" and a "pro-European" path. However, while the fault lines in Moldovan society are real and significant, they do not neatly fit this narrative. They are also often exaggerated and used by the ruling elites of both factions to preserve a political system that concentrates their hold on power and access to resources and 'rents'.[68]

According to our respondents, established Moldovan NGOs struggle with the image of being a "player for one of the sides" in this game, rather than an independent force for change. This can perhaps be traced back to their role in the disastrous governing performance by the nominally pro-European coalitions after 2009. In addition, their funding sources, work to support Moldova's European integration

63   Andrei Cebotari. OrheiLandromat: Political charities. Retrieved online from: https://cpr.md/orheilandromat-caritate-politica/
64   Promo-LEX (2018). Raport finantarea partidelor poltice în Republica Moldova. Retrieved online from: https://promolex.md/wp-content/uploads/2018/10/Raport_finantarea-partidelor_semestrul-I-2018.-RO.pdf
65   CSO meter (2019). Assessing the Civil Society Environment in Eastern Partnership Countries. Moldova. Retrieved online from: https://csometer.info/sites/default/files/2020-11/CSO-Meter-Country-Report-Moldova-ENG_0.pdf
66   The Foreign Policy Centre (2018). The rise of illiberal civil society in the former Soviet Union? Retrieved online from: https://fpc.org.uk/wp-content/uploads/2018/07/The-rise-of-illiberal-civil-society-in-the-former-Soviet-Union.pdf
67   Ibid.
68   Ibid.

agenda and combat disinformation, liberal leanings on social and cultural issues make NGOs vulnerable to an illiberal backlash. Being perceived as either partisan or "foreign agents" (a term used in Russia and by pro-Russian politicians to stigmatize and restrict civil society activity) has limited the appeal of NGOs to the less enthusiastically pro-Western part of the population and their ability to contribute to Moldova' shared civic identity and solidarity.

The matter of identity sets Moldova apart from the other countries covered in this report. It has neither experienced the process of nation-forming in the 19th century, nor yet developed a supranational civic identity. In Moldova's past are centuries of political dependence on the Turkish Empire (from the 16th century to 1812), the Russian Empire (1812-1918) and the Soviet Union (1940-1991), only briefly interrupted by the 22 years when it was part of the Romanian state.

While its lands, excluding Transnistria, were historically part of the Principality of Moldova, its people did not fully experience the state- and nation-forming processes that shaped today's Romania.

Since gaining independence, the people of Moldova remain torn between a Romanian identity (which is problematic for Moldova's ethnic minorities, constituting nearly 20% of the population) and the idea of Moldovenism (which was promoted by the Russian Empire and the Soviet Union, and is still used by Moscow to justify its influence in the country).[69]

A modern civic identity based on citizenship rather than ethnicity has not yet taken root. While Moldova's struggles with mass emigration, weak social capital, polarizing and self-interested political leadership are not unique in the region, many consider the identity issue to be a contributing factor.[70]

Additional important factors affecting the overall civil society environment are poverty and migration. Despite some progress in recent years, according to the World Bank, there are still some 23% of Moldovans that live below the poverty line.[71] The struggle to ensure their own and their families' livelihoods significantly affects their ability to dedicate time to community issues or to public problems. This is especially pronounced in rural areas, as the time people can devote to activism or volunteer work is limited and social trust outside of family and traditional networks is low. The connected issue of mass exodus for jobs may affect as many as 40% of working-age Moldovans; it is among the countries with the highest rate of population decline globally. For many Moldovans, the sense of attachment to the young state is nebulous and emigration presents a more tangible path to a better life than getting involved in civic and political activity.[72]

Emerging Civil Society

One source of optimism for a thriving civil society space in Moldova is the emergence of new civil society actors, such as various grassroots initiatives, social movements and informal groups of activists. On the surface, such initiatives are sparked by very specific local issues, for example, public spaces being taken over, often illegally, by private interests.

At the same time, some observers see these civic initiatives as "an expression of anger of many ordinary citizens towards the prevailing corruption, economic inequality, oligarchic capitalism, the lack of the rule of law and the absence of accountability, transparency and participation in decision making"[73].

69   Kamil Całus (2016). The Unfinished state, 25 years of independent Moldova. Retrieved online from: https://core.ac.uk/download/pdf/76842669.pdf

70   Institute for European Policies and Reforms, Institut für Europäische Politik, Institute for Strategic Initiatives (2018). Strengthening Social Cohesion and a Common Identity in the Republic of Moldova. Retrieved online from: http://iep-berlin.de/wp-content/uploads/2018/02/Social-Cohesion-and-Common-Identity-EN.pdf

71   World Bank. Poverty headcount ratio at national poverty lines (% of population). Moldova. Retrieved online from: https://data.worldbank.org/indicator/SI.POV.NAHC?locations=MD

72   Kamil Całus (2016). The Unfinished state, 25 years of independent Moldova. Retrieved online from: https://core.ac.uk/download/pdf/76842669.pdf

73   Ishkanian, A. (2014) Engineered Civil Society: the impact of 20 years of democracy promotion on civil society

One activist expresses this frustration in this way: "*Of all the components of a full democracy - social de-mocracy (which ensures the rights and social protection of citizens), participatory democracy (in which citizens participate in the decision-making process), liberal democracy (in which individual and collec-tive rights are guaranteed equally, not as a function of proximity to power) or popular one (in which the people, not self-appointed groups such as technocrats or oligarchs, hold and exercise power in the po-litical community) - the Moldovan political system has retained and implements, in its own strange way, only one - electoral democracy.*"[74] On a practical level, grassroots civil society responds to issues that affect people across identity and geopolitical divides. In Chisinau, the most visible themes of grassroots activism are public spaces, illegal constructions and demolitions, transparency of local budgeting and de-cision making, public transport, consumer rights, school meals, waste management, public procurement or the response to COVID-19. This work has allowed activists across Moldova's social divides to tempo-rarily put their differences aside and to focus on a stronger set of shared interest and values.

Grassroots movements have the potential to mobilize ordinary Moldovans and apply in practice, rather than just declare, the principles of participatory democracy, solidarity, holding those in power account-able, and defending citizens' rights from abuses by corrupt institutions and oligarchs through direct ac-tion. This could complement decades of work by established NGOs to advocate for necessary legislation and institutions, give them real meaning at the local level, and bring about tangible change.

In Chisinau, this is already happening. An individual forms of activism began emerging in early 2000s and coalescing into movements in the 2010s.[75] Early activists (for example, those around Hyde Park and Curaj. tv) were loud, confrontational, and attracted attention of the media and public to issues that were familiar to many, but not talked about. They had little to no funding, were often detained by police for protesting or filming civil rights violations, and had almost nothing in common with "established" civil society.

As the "pioneers" matured, a new generation of activists joined the scene in the early 2010s. They proved to be more tech-savvy and more strategic – rather than just responding to ad hoc calls and messages about rights violations, they began the systematic monitoring of actions by public authorities (for exam-ple, the destruction of protected historical buildings and sales of public land), developed more profes-sional approaches, and began attracting additional people and resources.

At this stage, several promising initiatives failed due to a lack of practical experience of working as a team and a lack of stable resources.

While the first two waves of urban activism had few people working on multiple topics, the third gener-ation focused on very specific, clearly defined issues, studying them in great depth, explaining them in clear language, and attracting more supporters and allies via social media and live meetings.

Many of these younger activists had an NGO background and either quit their jobs or took on grassroots causes in their free time. While for some, the NGO experience was too limiting, they maintained contact and made effective use of this experience and the relationships they formed. Since the mid-2010s coop-eration, coalitions and platforms became more prominent, and more established CSOs started getting involved. One example of this is the Urban Civic Network, a horizontal network of urban activists, initia-tives and CSOs that emerged in 2015.

Leveraging their professional skills, support from ordinary citizens, networks and coalitions, urban activ-ists were able to get several issues added to the public agenda in advance of the 2018 mayoral elections in Chisinau. Both mayoral candidates who reached the second round signed the declaration proposed by activists, with commitments related to transparent public procurement and expenditure, free access to city hall, access to information, and a permanent platform for an open dialogue between the authorities, civil society and the private sector, as well as a code of ethics for elections.

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development in the former Soviet countries. London School of Economics.

74   Platzforma (2021). Democrația "noastră" și democrația "voastră" măsurate cu aceeași riglă. Retrived online from: https://www.platzforma.md/arhive/389735

75   Ibid.

The election results were overturned by the courts in a controversial ruling, sparking a wave of protests. Occupy Guguta, Chisinau's best known grassroots movement, emerged during this period. It was named after the former Guguta café, a historic building in Chisinau's central park that one Moldova's oligarch had been trying to replace with a high-rise hotel, and activists have been trying to save it for nearly a decade. For a period of time, it became the site of a permanent protest for democracy and human rights, where people met to discuss hot topics, prepare creative protest actions, practice drumming and draw passersby into their circle.

A great deal has changed in Moldova since 2018. The issues that originally sparked the movement are in the past, new ones have emerged. The sustainability of a movement is different from that of an NGO - it rests in the power of its ideas and the empowerment of the individuals engaged in it. The movement itself can go dormant, splinter and re-emerge, spin off into new CSOs, media outlets, social businesses or political parties. Movements can dissolve into all sectors of society and influence them, and do not have to necessarily exist as long-term organizations. As the ideas behind them are quite durable, they can re-ignite new generations of activists as a source of inspiration.

While the Chisinau-based movements are the most visible, grassroots initiatives for democracy and human rights are also present throughout the regions. Our respondents described such initiatives as usually driven by an enthusiastic leader or group of leaders who are supported by a group of volunteers. Such strong dependence on leaders represents a certain amount of risk for these initiatives, as their leaders might lose enthusiasm and energy, change focus (active people are often engaged in many issues), or decide to leave the country. A new type of actor - initiatives without leaders, with a horizontal structure, where decisions depend on mutual agreement – were noted as well. Both types of initiatives enjoy good relations with communities (as well as with local authorities, as sometimes activists took part and did well in local elections, becoming local authorities themselves) and are active and highly visible on social media.

Legal Environment and Funding

Freedom of association in "other socio-political organizations" (the term used by the Moldovan Constitution) is guaranteed by the Moldovan Constitution. The Civil Code further differentiates between 3 types of organizations: associations, private institutions and foundations.

The vast majority of CSOs exist in the form of an association.[76] According to the CSO meter, there are 12,000 civil society organizations in Moldova[77] and about half of them are active.[78] The most frequent areas of CSO work are education, culture and work with youth. CSO activity is mainly concentrated in the capital, as over 60% of CSOs are located in Chisinau.[79]

The CSO sector in Moldova is highly dependent on foreign funding.[80] The largest international donor is the European Union, followed by USAID, the United Nations Development Program and other UN agencies.[81] According to CSO Meter, 75 percent of surveyed organizations reported that they received foreign funding in 2017-2018. Other reported sources of income included donations from individuals (36 percent), 2% income tax designation mechanism (41 percent), membership fees (30 percent), state funding

76   USAID (2016). CSO Sustainability Index for Central and Eastern Europe and Eurasia, Chapter on Moldova.

77   Ibid.

78   EU Roadmap for Engagement with Civil Society in republic of Moldova 2018-2020.

79   Ibid.

80   USAID, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance (2020). 2019 Civil society organisation sustaibability index. Moldova. Retrieved online from: https://management.md/wp-content/uploads/2020/09/CSO-Sustainability-Index-2019.pdf

81   Neicovcen, S., Vidaicu, D., Cioaric V. (2016). Fundraising by Moldovan Civil Society Organizations from Domestic Sources: Opportunities and Perspectives. Retrieved online from: https://ecnl.org/sites/default/files/files/R69-Studiu-Colectare-de-fonduri-final_ENG_FINAL.pdf

(20 percent), corporate support (20 percent), and economic activities (21 percent).[82]

In recent years there were, on the one hand, proposed legislative changes (a draft law restricting foreign funding of CSOs) which would, if accepted, diminish the space for civil society. On the other hand, there have been generally positive improvements in the CSOs environment, such as the adoption of the "2 % law" (allowing citizens to direct 2 % of their income tax to CSOs), a law on social entrepreneurship, as well as changes in the legal framework of volunteering. However, the 2% law has not brought about significant change so far, as it favors organizations with a large membership, and its utility for smaller CSOs is limited. A large proportion of this funding tends to flow to organizations with direct links to state authorities or large private companies, so it seems employers have been able to influence their employees to direct 2 percent of their taxes to their affiliated CSOs.[83]

The new Law on non-commercial organizations was adopted in 2020. According to a Promo-LEX analysis, „it simplifies the registration procedure, eliminates association restrictions for public servants, foreign citizens and business entities, and eliminates registration fees. It introduces a flexible system of internal organization, the possibility to design its own structure and management bodies, sets fair play rules for state funding of CSOs and includes new provisions regarding the status of public utility"[84]. The adoption of the law was accompanied by polarizing and unsubstantiated claims by some politicians that it "would allow CSOs supported by external funding to get involved in political activity, and thus undermine national interests"[85].

Key Limitations

The following assessment of limitation faced by the civil society in Moldova in based on desk research and 18 interviews with civil society actors conducted from February to April 2020 (16 interviews) and in February 2021 (2 interviews).

Donor dependency

As mentioned earlier, Moldovan CSOs are increasingly searching for a away to diversify their funding sources, but still remain dependent on donors for the bulk of their funding.[86] The effects of donor dependency were described by one of our respondents: "*Many CSOs from the right bank* (of the Dniester River) *just try to take advantage of funding and do business... For them it is important just to apply for grants, not to change anything. Most people, organizations are active only if they have grants*".

The origins of this dependency were described by another respondent: *"When donors initially started coming to Moldova, they came to an environment in which civic actors had the initiative, had the will to do the work but they did not have any idea how to build a civil society in a developing country, how to build reforms. As the result, the donors built the agenda themselves. NGOs got addicted to this donor-driven scheme."*

Donor dependency also affects the accountability of CSOs. Even though many donor programs support engagement and representation of constituents as the primary purpose of CSOs' work, this funding model implies primary accountability to donors rather than to communities. The reason for this is clear:

82   CSO meter (2019). Republica Moldova. Retrieved online from: https://csometer.info/sites/default/files/2020-11/CSO-Meter-Country-Report-Moldova-ROM.pdf

83   USAID, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance (2020). 2019 Civil society organisation sustaibability index. Moldova. Retrieved online from: https://management.md/wp-content/uploads/2020/09/CSO-Sustainability-Index-2019.pdf

84   CSO meter (2020). Republic of Moldova country update. Retrieved online from: https://csometer.info/sites/default/files/2021-01/Moldova%20Report%20CSO%20Meter%202020%20EN%20final.pdf

85   Ibid.

86   Ibid.

donor funding is ultimately provided by foreign taxpayers, who need reassurance that it is being used transparently, efficiently and effectively. However, the time, energy and resources of CSO staff are limited and often consumed by the extensive funding requirements, so little is left for community building and/or deepening relations with their constituents. It also leads to CSOs speaking in "project language" and targeting their communication to donor audiences. As a result, CSOs are often seen as disconnected from communities, their reality and needs, which further contributes to the overall low level of trust in the CSO sector.

A related feature of this dependency is that small grants accessible to smaller local CSOs are usually intended for specific projects and do not sufficiently cover CSO operations or allow them to invest in their organizational development. Short-term project-based interventions do not provide organizations with the necessary stability which would enable them to make long term plans, grow their expertise and develop their community base. The scarcity of core funding was also mentioned as a limiting factor by the respondents representing more established, capital based CSOs.

However, the situation is slowly changing and according to the CSO Sustainability Index, the financial viability of Moldovan CSOs gradually improved between 2016 and 2019.[87] Some donors are supporting CSO efforts to develop crowdfunding campaigns, social enterprises and private sector outreach. The effects of COVID-19 crisis on the situation in 2020 remain to be seen, but our respondents noted increasing uncertainty on the one hand, but also the success of grassroots actions in response to the pandemic and opportunities for community-based groups to attract new members and supporters, on the other.

Limited support to emerging actors

The overall amount of funding available for emerging civil society actors is limited, as existing funding mechanisms are not flexible enough and do not match these groups' unique capacities, strengths and weaknesses. "*The donor community do not have mechanisms to channel funds directly to such groups as movements, non-formal or grassroots initiatives. They operate program based and less needs based,*" said one of our respondents.

The funding for emerging civil society actors is further constrained by the fact that they are often not officially registered, and Moldova's legislation does not offer low-tax or tax-exempt modalities for transferring funds to individuals (rather than legal entities) to realize non-profit, public interest projects. For crowdfunding, many resort to using foreign platforms and bank accounts. In order to receive institutional funding, informal initiatives either have to find a trusted NGOs that will handle the funds for them or register as an NGO themselves.

The decision to register is not an easy one, as it comes with government mandated reporting obligations that might be burdensome for volunteer-based groups with no paid staff or regular income to cover the services of an accountant. Almost by default, groups that receive donor funding need to quickly professionalize. As a result, it may be difficult for them to stay true to their (grass)roots and core strengths: being seen as independent actors and thus being able to mobilize the community, engage with the authorities both critically and constructively (depending on the situation), and quickly respond to needs, opportunities and threats as they arise. Instead, their energy has to shift to securing enough funds to maintain a professional team and fulfill the necessary government and donor requirements. The focus of their work may shift away from their original purpose to become more aligned with the donor priorities.

Respondents also shared a perception that available funding does not allow grassroots initiatives to grow – to focus on planning, organizational development or sustainable fundraising, which is connected with the low limits set for "operational costs" in projects.

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87   USAID, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance (2020). 2019 Civil society organisation sustaibability index. Moldova. Retrieved online from: https://management.md/wp-content/uploads/2020/09/CSO-Sustainability-Index-2019.pdf

Or if it does, it is often "pushing" them to become NGOs, which might not be the path they would like to choose. Projects are often very short term (several months) which leaves organizations and their members/staff often with "blank" periods without funding or income.

Some donors require excessive bureaucracy and the support is focused on the capital, while funding opportunities outside Chisinau remain scarce. While donors increasingly try to prioritize work in the regions, they are still rarely willing to modify their application, reporting and grant administration requirements that are intended to reduce the donor's risk and are geared towards more established NGOs. On the other hand, respondents mentioned several flexible donors who understand the grassroots groups' potential and needs, and offer more flexible, less burdensome funding focused on supporting core functions and innovative solutions.

Regional differences

The majority of Moldovan CSOs are registered and operate in Chisinau. Capital-based organizations also tend to be much bigger than their regional counterparts. While there are well established CSOs operating in regional centers (Balti, Cahul, Comrat), many rural CSOs are one-person organizations.

According to several respondents, earlier attempts by donors and larger CSOs to support civil society in the regions tended to offer active people and groups a standard set of trainings based on a generic capacity development framework. It paid a lot of attention to financial sustainability, the ability to apply for grants, manage projects, retain staff, and thus enable local CSOs to survive and work on longer-term goals. While this was well-intended, one of the effects is that many smaller local CSOs tend to use identical phrases to describe their work, have very similar organizational structures, statutes and thematic focus.

CSOs in the regions tend to work closely with local public authorities and focus on issues such as local development, economic empowerment, youth, women and social services. They may be viewed positively by the community for their ability to bring resources into regions and areas that are insufficiently funded by the public budget. However, their project-based funding is quite limited and short-term in nature. They have a limited ability to act as independent watchdogs, take critical positions towards the authorities, and/or push for systemic changes that would challenge local vested interests and benefit the community.

Due to the tight-knit nature of local, mostly rural communities and pressure to conform, it is also more difficult for local CSOs to raise new issues that might trigger a backlash from traditional authorities, such as the rights of marginalized groups and feminist topics. Some organizations and activists do it, but it often takes a powerful personal story, empowering experiences (often outside the community), and considerable courage to do so.

Donors' attention to the regions has grown in recent years and more diverse funding opportunities are available. Due to complexity of donor requirements, there is often a CSO from Chisinau or one of the regional centers serving as an intermediary for sub-granting and capacity development programs for smaller local CSOs.[88] While the wording of these programs emphasizes tailored and participatory approaches, several of our respondents claim that "this is not always sincere", and that a one-size-fits-all, top-down approach is still more common in reality.

Chisinau-based groups are more diverse, more independent, and tackle a much broader array of issues, but some of the above limitations apply to them as well. One of our respondents referred to capital-based NGOs working with smaller CSOs or rural communities as appearing "arrogant" and "out of touch", reflecting Moldova's urban-rural divide and the weak level of trust across it.

Another major limitation for local CSOs is the failure of decentralization reform, which has been shelved

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88   Examples: https://www.eu4civilsociety.md/, https://www.dezvolt.md/despre-proiect.

for years. Moldovan local authorities have limited financial autonomy and public services (social, environmental, educational, investment in local developments) are highly centralized, which limits the potential impact of any grassroots groups or NGOs in the regions on financial flows and local policies that matter. Political leaders of all colors have been reluctant to let go of the centralized administrative resource that can be mobilized at election time with promises of more funds to regions that vote "the right way", and threats to public sector employees (over a third of Moldova's labor force) that vote "the wrong way". Thus, prospects for this crucial reform remain dim.

Skills and competencies

The donor dependency scheme is also affecting the capacities of organizations in the CSO sector. Due to the fact that CSOs often do not have strong relations with communities, they are not able – or they are even not motivated enough – to identify problems communities are facing, analyze them and come up with their own solutions. "*The civic actors did not have the capacity for identifying problems they could be solving or the capacity to identify the solutions they could be bringing around. Instead, they were driven by the donor's demand*" one respondent put it.

Interviews, however, indicated, that is not just capacity building that is needed in response. As another respondent mentioned: "*Donors indeed were successful in giving some actors good skills: in advocating, managing projects, fundraising, proposal writing. Those skills are in place.*" It is rather a different approach to building up the capacity that is needed: "*But they (CSOs) do not need just skills. But when we speak about competences we speak about a combination of knowledge, skills and behavior, or attitude…We do not just (need to) teach them how to fish. But when we do competence development, we teach them how to analyze where the river goes, where it is better to fish.*"

Low level of trust

According to the CSO meter 2020, 29% of Moldovans trust CSOs. It is significantly lower number than for example trust in church (65%), however slightly more than in political parties (21%). The low level of trust for CSOs might have several causes: the donor dependency and the fact the whole sector was built after Moldovan independence with the help of foreign donors, the low level of attention CSOs are paying to community engagement or the entanglement of some CSOs into politics during recent years. However, also another possible cause was described by respondents "*the topics are adopted by CSOs from abroad, however, they are not adapted to the local contex*t" which further supports the image of CSOs as "*agents of European civilization*". It is also mostly Chisinau-based CSOs who are communicating to people in the regions, who are not always able to take into account local characteristics and needs.

Civil society and Gender

The Situation of Women

In Moldova, 2 out of 3 members of the civil society sector are women.[89] According to the interviews, women are also more involved in volunteering. However, this has not always meant that local women's authentic voices and issues were prominent in the CSO agenda.

Initially, civil society work in the area of women's rights was guided by foreign donors and informed by the vision and experiences of Western women's movements, on which the local level research and

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89   Eastern Partnership Civil Society Facility (2018). Statistical Analysis on the Civil Society Sector in the Republic of Moldova: Infographics. Retrieved online from: https://eapcivilsociety.eu/news/project-news/statistical-analysis-on-the-civil-society-sector-in-the-republic-of-moldova-infographics.html

advocacy were based. However, the experience, position and struggles of women during communism were very different from those of their Western counterparts. This led to a disconnection between how the donors saw Moldovan women and how these women saw themselves. In some ways, civil society's the first attempts to promote women's rights were a new take on the Soviet era's top-down approach to women's issues.

Civil society advocacy did have tangible effects – for example, it played a role in the adoption of the Law on Ensuring Equality in 2012 and the establishment of The Council for Preventing and Eliminating Discrimination and Ensuring Equality. The Council now plays and important role in shaping institutional practice and public debate on equality and gender related issues.

In the 2010s, Moldova had some overall improvements such as advanced legislation (a significant achievement of established civil society) and various programs targeting the effects of gender inequality, such as domestic violence, scarcity of economic opportunities, or weak political representation. However, there was no movement for women's rights rooted in society, a rift between legislation and the reality on the ground, and few attempts to address the root causes of inequality, such as sexist stereotypes and restrictive gender roles.

The first post-independence grassroots feminist initiative emerged in Chisinau in 2015. Several of its founders studied social sciences abroad and were able to draw on and critique both the Western and Eastern European traditions.

They found that "most people were wary of the word 'feminism' and associated the word with importing 'Western values' into the Eastern European context".[90] The Feminist Initiatives Group created spaces where local women's voices could be heard and feminist topics could be discussed as meaningful, locally relevant concepts that reflect everyday life. It organized discussion groups, book and film clubs, public lectures and debates. It also brought those voices out into public spaces, through Women's rights marches, performances, intense social media discussions, and eventually a TV show moderated by the group's leaders. Its members and allies were a diverse group of activists, independent artists, researchers and journalists, and their initiatives and struggles often intersected with those of the LGBT community. It never applied for any grants and was largely self-funded, but did rely on support from human rights CSOs for space, equipment and materials.

Initially, the group was shunned by established civil society – women's rights NGOs did not join the first March 8th marches and distanced themselves from the word "feminism". Over time, the group earned prominence through a combination of factual debates rooted in modern social sciences, creative protests and their ability to provide a sharp critique. It influenced public discourse and the way liberal media, influencers, civil society, and even some politicians approach gender.

Six years on, many of the original leaders have since left Moldova or withdrawn from activism due to fatigue, the Facebook group "Feminism Moldova" remains active with daily community posts and debates. The Women's Rights March has become quite mainstream and is well attended by activists, donors and even some politicians.

The Situation of LGBTI

The Rainbow map of ILGA Europe measuring the human rights situation of LGBTI community ranks Moldova at the 38th position among 49 European countries.[91] Despite progress in tackling discrimination in recent years, in very traditional elements of Moldovan society, the LGBTI community remains the least accepted of all minorities.[92] Even though this community enjoys some legal protection against dis-

90   Brusa F. (2017). Between institutions and movements, the challenges of Moldovan feminism. https://www.balcanicaucaso.org/eng/Areas/Moldova/Between-institutions-and-movements-the-challenges-of-Moldovan-feminism-177614
91   ILGA Europe, Rainbow Map, 2020. Retrieved online from: https://rainbow-europe.org/#8648/0/0
92   Council for Preventing and Eliminating Discrimination and Ensuring Equality, European Union, European Council,

crimination, the public perceptions remains negative and the Genderdoc-M, one of the most important and oldest NGOs focusing on LGBTI rights, reports various cases of violence, harassment or hate speech against the LGBTI community.[93]

Due to its community roots and the precarious nature of its activism, Genderdoc-M has been one of the first established CSOs to support Chisinau's grassroots initiatives and movements. Its prominent campaigns, such as the 2016 Fără Frică (Without Fear) campaign, emphasized local ownership of human rights activism, of its ideas, language, issues, messages and proposals.

The campaign did not begin by addressing LGBTI issues right away, but instead kicked things off with a series of videos featuring well-known artists and media personalities, and later also LGBTI people speaking about their personal fears and what they would be able to do if the fear disappeared. It offered the audience a common interaction context with LGBTI people, and aimed to change perceptions by speaking of things that unite us, that are felt and experienced by all. The campaign was quite memorable for its visual imagery. It also marked the first time LGBTI allies became visible in the public space and combined with other actions led to significant changes in the way the liberal media, influencers, civil society, and even some politicians approach LGBTI issues.

The Impact of COVID 19

During the first wave of the COVID 19 pandemic, many CSO initiatives were involved in the crisis response.

"Civil society took over most of the state's functions in managing the pandemic and its effects. Initiatives and groups were quickly created that acted immediately, unconditionally and voluntarily to provide an immediate response to a need."

As was the case in other countries in the region, the coronavirus crisis in Moldova led to the mobilization of local communities. Many people who had not been previously involved in civic initiatives decided to join the efforts to bring the crisis under control.

A survey conducted in Moldova by People in Need in February 2021 among 46 CSOs showed that one third of them was affected strongly, and the remaining two thirds moderately. Similarly, one third of CSOs had to lay off employees due to the pandemic. Apart from constraints such as the disruption of activities and various difficulties in helping their beneficiaries and abovementioned layoff of human capital, CSOs also reported decreased salaries, increased levels of stress or increased amounts of work.

Respondents' answers (both conducted in 2020 and in early 2021) indicated that there might be a longer-term impact for NGOs which are dependent on foreign funding, as there are concerns it might be curbed as a result of economic slowdown in donor countries. In case of serious limitations of funding, it might represent even an existential threat for some NGOs. On the other hand, respondents were of the opinion that activism and the emerging civil society actors will not be that much affected as the topics they are focusing on will remain and in some cases might be even exacerbated, or new needs, topics or gaps in government policies might appear. As the crisis already created a wave of solidarity among people, some respondents thought it might mean a turning point for the whole CSO sector. "It could be a turning point that donors' priorities will be revised and they will offer more funding to grassroots initiatives that work directly with communities and neighborhoods". It could be as well opportunity to stimulate the cooperation between NGOs and emerging civil society actors: "(it could be) an opportunity to find common ground, to involve more people and to prove the real meaning of civic engagement and grassroots initiatives."

UNDP (2018). Studiu. Privind percepțiile și atitudinile față de egalitate în Republica Moldova. Retrieved online from: http://egalitate.md/wp-content/uploads/2016/04/Studiu-privind-percep--iile.pdf

93   GENDERDOC-M. (2019). Report on the Situation of LGBT people´s rights in the Republic of Moldova. Retrieved online from: https://www.gdm.md/en/content/report-lgbt-peoples-rights-moldova

Spotlight on the Transnistrian region

General Background

Transnistria, a narrow stretch of land situated mostly on the East bank of the Dniester river, functions as a de-facto independent state though it is internationally recognized as part of the Republic of Moldova[94].

The conflict over the territory dates back to the end of the Soviet Union when the creation of an independent Moldovan state led to a military conflict between pro-Russian local separatists in the Transnistrian region and Moldovan security forces. In 1992, with the help of Moscow, a negotiated ceasefire ended the clashes, but cemented the split between the two sides. The separatists established a quasi-independent structure which has continued to function until today. With a population of some 500.000 people, the de-facto republic is not recognized by any state, including Russia – though it remains firmly under the influence of the Kremlin.

Unlike the conflicts in South Ossetia, Abkhazia, and Nagorno-Karabakh, the Transnistria dispute is largely frozen. However, the relations between Moldova and the local de-facto authorities remain tense and Chisinau has no judicial and political control over Tiraspol. Diplomatic efforts to resolve the conflict have continued over the last years, but without any significant progress.

The first independent[95] organizations in Transnistria started emerging during the early and mid-nineties, bringing to the region novel concepts and ideas. One of these organizations was OSORT, which is dedicated to providing support and services to disabled children. Another one, Pilligrim, was among the first groups to introduce informal education, youth exchanges with Russia and Ukraine, workshops and trainings. It quickly started attracting students and helped new leaders and organizations to emerge that, at a later stage, would establish their own groups.

Pilligrim's success, however, soon turned against it: in 2001, it came under increased pressure and physical attacks by security forces, resulting in its leaders being forced to flee abroad and the organization shutting down.

During the late 90s and early 2000s, the newly founded CSOs grew due to an influx of donor money and increasingly added human rights issues, legal analysis, and more study visits to their agendas. Their popularity, especially among students, quickly attracted the attention of local security services.

Meanwhile, despite the increasingly tight system of control and ever-present security services, civil society started consolidating and professionalizing their activities. However, there was a hefty price to pay: most of them had to co-operate with the de-facto authorities in order to be allowed to continue their operations. In the mid and late 2000s, each organization tried to find their niche (sometimes, in accordance with their donors' priority issues), defined goals and vision. Also, new topics were on the rise: in addition to engaging in issues such as health-care issues, informal education initiatives, and promoting ecology, Transnistrian organizations started increasingly looking into the complex issue of human trafficking and domestic violence.

The spread of the Internet also played an important role for boosting the potential of the local civil society sector. Amidst the restrictive political system, digital connectivity helped locals to break through the

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94   Disclaimer: While referring to the Transnistrian authorities, ministries or any local institutions, we mean it as de-facto authorities, ministries, institutions etc. The breakaway territory is not recognized as an independent state.

95   Independent from the de-facto authorities, organically grown

information blockade, search for new trends, and establish new partnerships.

However, most independent organizations still struggle with how to navigate within the hostile environment of Transnistria. In the local Ministry of Security, there is even a special section devoted to controlling the work of non-governmental organizations.

Furthermore, the ongoing threats and harassment of civil society activists by the de-facto authorities, along with the increasingly restrictive legislation that they need to abide by, remains some of the biggest obstacles to the development of the sector.

The Complex Nature of Transnistria's Civil Society Sector

Although, at the first glance, Transnistria's civil society sector may seem quite vibrant and functioning (despite the restrictive legislation that is explained in the next sub-chapter), it is worth nothing that many of the currently active NGOs in the breakaway republic are not independent.

Most of them work in close cooperation with the de-facto authorities and perceive the informal sector more as a mechanism for receiving foreign grants rather than one for performing monitoring and watchdog functions. They are supported by the de-facto authorities themselves who encourage the flow of foreign funding to the region – as a type of development assistance. At the same time, the work of organizations and activists involved in politically sensitive topics, like freedom of speech, freedom of assembly, is extremely limited.

As a result of such an environment, there is little public control over the actions of the de-facto authorities and limited information on ongoing rights violations, leading to a greater level of impunity. The situation is only further aggravated by the complete lack of independent media in the region.

Legal Status of NGOs

Registration of NGOs in Transnistria is carried out by the State Registration and Notary Service, which is governed by the de-facto Constitution, laws, and by-laws of the Transnistrian Moldavian Republic.

Although there are no legal restrictions on registration, representatives of independent civil society complain that it has become increasingly difficult to receive a formal status.

Furthermore, cooperation between NGOs, the government and government-funded structures (including kindergartens, schools, universities, and even hospitals) in the implementation of project activities financed from abroad is possible only under the condition that the project is recognized as a "program of technical assistance" by the Technical and Humanitarian Assistance Coordinating Council (hereinafter the Coordinating Council).

If such a status is granted, the NGO and its project fall under the control of the government and the appropriate security forces. In practice, it means that a specific government office gets immediately assigned as responsible for overseeing the project's implementation. It creates a paradoxical situation: on the one hand, the office will "assist" in the implementation of the project, and, on the other hand, it will expect the NGO to submit a report on its implementation. In practice, it means that nothing that includes a human-rights component or touches upon a sensitive topic will be given a green light for implementation.

NGO Legislation

One key factor that limits civil society space in Transnistria is the local law governing the activities of NGOs.

Adopted in 2018, the de-facto NGO legislation in Transnistria copies Russia's notorious "foreign agent" law. In practice, however, it is even more restrictive as it forbids local non-profit organizations that receive foreign donations to engage in "political activity" under the threat of liquidation.

Ever since its introduction, Transnistrian de-facto authorities have used it as an instrument to exercise pressure on local CSOs and to further curb the freedom of speech and freedom of peaceful assembly in the region. Under the legislation, any public debate, discussion or advocacy action touching upon social issues can be interpreted as political activity and become a motive for shutting down the CSO organizing such an event.

One of the organizations targeted for violating the new rules was Apriori, Transnistria's only human-rights NGO, which was officially accused of "engaging in political activities with foreign funding."

In fact, all Apriori was "guilty" of was organizing an exhibition on local media and holding an open lecture about Transnistria's political system. Being on the verge of the shutdown, the NGO eventually came out of it largely unscathed, mainly due to active behind-the-scenes engagement from European embassies and international organizations. The case also illustrated how important it is for international actors to stand up for local civil society when they come under pressure.

On the other hand, there is no guarantee that Apriori will continue to be safe in the future. A reoccurrence of the "violation" within the next six months, according to the legislation, could potentially result in penalties and/or a complete shutdown of the NGO in question.

Therefore, the legislation is a useful tool in the hands of the de-facto authorities to "discipline" those who are seen as "too independent," while sending a warning signal to other organizations.

Key Limitations for CSOs

NGO Legislation

Among the main challenges facing CSOs working in Transnistria is the NGO legislation which was adopted in 2018. On top of endangering any local NGO receiving foreign funding, it also encourages a suspicious attitude towards European and American donors and, as a result, is hindering the civil society's development potential and progress on goals.

The new regulations also add to an overall sense of uncertainty, as an NGO can be – as of now - suddenly shut down.

Lack of Independent Courts

The court system in Transnistria is not independent, resulting in the absence of an effective means of protection of the rights and freedoms in Transnistria, which also has an impact on NGOs and their work. Apriori currently advocates for the creation of a mechanism that would guarantee all the inhabitants of the region, regardless of what passport they hold, access to an internationally recognized court system as such as the European Court of Human Rights

Availability of Funding and Donors' requirements

Few resources are available to organizations registered in Transnistria or initiative groups based in the region. Local fundraising exists in a basic and limited form, mainly through social media. The breakaway republic is a relatively poor region and this is one of the reasons public fundraising cannot really work. The main lifeline to local community organizations are therefore grant-support projects.

However, the technicalities of receiving assistance from abroad only add to the problem: most projects require an approval from a special government commission.

When it comes to support from foreign donors, application and reporting procedures are often times too complicated for newer organizations – and the majority of Transnistrian civil society groups consists of less experienced stakeholders.

It contributes to the lack of opportunities to receive institutional funding that would allow organizations to enter into a period of stability necessary for institutional development and to keep full-time staff. Consequently, very few organizations have a long-term strategy and a clear understanding of their goals.

Pressure from Local Security Services

When it comes to choosing topics to work on, many activists try to focus on low-key issues so that they don't attract the attention of security services or the government. Matters that could be seen as largely political are avoided out of fear for repercussions from the side of the de-facto authorities.

Migration

More and more civil society activists have decided to leave Transnistria – either for economic reasons or because of the increasing pressure from the side of the de-facto authorities. Many decide to stay silent – even while staying in a third country – out of fear that government officials may target the family members that they left behind.

Low quality of the available capacity-building programs

The lack of effective capacity-building trainings for local civil society activists also constitutes a serious challenge. Training content offered by donors may duplicate and prove repetitive over time and may not be well-matched to the needs of the local civil society. Programs are largely tailored to counterparts from Moldova rather than adjusted for local, more difficult conditions faced by Transnistrian activists.

Overall, for strengthening the civil society sector in Transnistria, there is a strong need for donors to identify some organizations to work with long-term – by providing them with mentorship, tailoring capacity-building to their needs, and putting an ample focus on institutional development.

Impact of the COVID-19 Crisis

The COVID-19 pandemic has affected Moldova as a whole, but it has had a particularly negative impact across the breakaway republic. In March 2020, for the first time since the ceasefire of 1992, the de-facto border of Transnistria was shut down (officially as part of the pandemic response policy) and the restrictions to enter or exit the region have remained in place throughout early spring.

The unilateral decision has had some serious implications for ordinary people, but in particular, local civil society, as it left few ways of escaping the region in case there was a danger or threat – not an uncommon need for human rights defenders or journalists engaged in sensitive work.

Furthermore, the border closure has increased the impunity of the de-facto authorities. During the lockdown, security services have also paid increased attention to the activities of the NGO sector and many people involved in civil society work were summoned for lengthy interrogations about their cooperation with foreign institutions, sources of funding, and links to prosecuted activists.

What worsened the situation of local civil society, in particular, was the adoption in March the "2020-2026 Strategy for Combating Extremism", which was followed with a series of detentions and acts of persecution against activists. Modelled after Russia's anti-extremism law, the strategy became a useful tool for the de-facto authorities to target their critics.

In one of the most revealing cases, officials accused Larisa Calic, an activist in her early twenties, who had earlier published a book containing interviews with former Transnistria de-facto army conscripts, with charges of public incitement to extremism. She was forced to flee the region in order to avoid detention.

The de-facto authorities threatened the entire staff of three other CSOs in connection with Larisa's case and summoned them for interrogation. Moreover, the activist's lawyer never got access to the official files in her case.

The strategy was also used against two other political activists who were accused of promoting extremism on social media and attempts to organize a demonstration. One of those, Alexandr Samonii, was forced into exile, and the other, Genadii Chorba, is being held by security services in detention.

Furthermore, criminal charges for insulting the "authorities" were even pressed against some ordinary people who criticized the leadership on social media.

Finally, many human rights violations are likely to go unnoticed during the pandemic. People who were illegally detained and arrested have had less of a chance of receiving help or any kind of attention from relevant local and international actors due to the restriction of freedom of movement and the pre-occupation with the effects of the pandemic.

However, there is also one positive implication of the COVID-19 crisis that is worth mentioning. The pandemic gave rise to a new volunteer movement – though mostly controlled by the de-facto authorities, it filled an important niche in the sector. Though, the respondents pointed out that some institutional and financial support will surely be needed in the future to preserve it.

Last but not least, due to the growing uncertainty and disinformation about the virus, the COVID-19 pandemic also showed the appetite among local population for reliable, independent media, where people could find trustworthy information.

Conclusion

This assessment study has shown that, across a politically and economically diverse region, civil society in Moldova, Georgia and Armenia has much more in common than might be expected.

In its modern form, the third sector was created only a few decades ago with support from foreign donors, who were often the key driving force behind its formation.

However, the process had its side effects, too. The sector, represented by NGOs as traditional actors, became dependent of donors' support and as a result, the primary accountability of organisations in many cases switched from the communities they were working with to donors.

The assessment found that in many cases the relations with communities are weak as CSOs are not able to prioritize strengthening ties with local neighbourhoods.

In many cases, organizations do not have sufficient room to focus on their own development and on pursuing their own mission as they are forced to constantly switch their plans to secure short-term project-based funding to survive. Their area of expertise and internal capacities are being affected by the search for the needed funding, due to having to adjust their strategy to the donors' priorities.

Despite having first-hand experience from the field, CSOs have frequently given up on bringing their own analysis of the situation and solutions on the table and often rely solely on donors´ assessment. Donors therefore set the agenda by highlighting certain topics and problems, whereas the rest remains hidden and uncovered.

To make matters even more complicated, regions and capitals often constitute two different worlds in terms of the operational space and the general situation of civil society. Moreover, considerably more women than men are involved in the sector, and there is a probability that non-governmental sector and gender stereotypes can mutually reinforce each other.

All of those factors influence public perception and attitudes towards CSOs which are increasingly seen as disconnected from local communities and their problems. As a result, the public rarely identifies with even the major achievements of CSOs, such as legislative changes and court victories that advance human rights and participatory democracy at the institutional level.

This work is often rooted in desk research and expertise rather than a participatory, bottom-up process, and much of it takes place in conference rooms, far removed from a typical household. Thus, the sector can be perceived, fairly or unfairly as part of a foreign or elitist agenda, rather than an expression of the communities' authentic needs and aspirations.

At the same time, over the last few years, new civil society actors have started emerging, equipped with exactly the tools that the established actors may be lacking: they are based on volunteerism, rooted in the local communities, often without a formal structure or experience, but burning with passion for change or driven by a response to acute needs. They constitute grassroots initiatives or social movements and are bringing new energy to the civic space.

For donors, this presents a certain dilemma: How to harness this energy and maintain its uniqueness? How to support their sustainability and avoid creating a dependency? How to bring out the best in the traditional NGOs and these new actors and stimulate their cooperation and mutual learning?

New actors require a different approach. Rather than focus solely on developing internal structures and institutionalizing, they may need to first gain practical experience of community organizing through trial

and error, and build trust. Before harnessing their reporting or project management skills, they could first define their ideas and purpose, develop clear goals, and learn to put them to practice in the real world, step by step.

To further strengthen local civil society, donors may also need to rethink their strategy towards established actors.

Among our recommendations, we suggest putting a greater emphasis on working in the regions, establishing different tiers of financing based on a beneficiary's experience, considering more institutional and long-term support. Donors are also encouraged to support relations of CSOs with their communities, and offer tailored capacity-building programs.

In fact, some major and small donors alike are already moving towards this direction.

The benefits of such changes are clear: the creation of a vibrant and diverse civil society which is rooted in local communities, self-confident and resilient, while also being able to drive positive change and weather crises.

The COVID-19 crisis comes with its own particular challenges but it also offers opportunities to rethink the old ways and build back better.

Recommendations

For donors:

→ Step out of your bubble: To help create a vibrant and diversified civil society, lower the barriers of entry and support local CSOs in regions away from the capital cities and new, emerging civil society actors. A diversification of the pool of stakeholders can help bring about a fresh stream of ideas and programs. Therefore donors are advised to launch calls that would also give a chance to less known and recognized groups.

→ Recognize that real social impact might require several attempts and failures before reaching a result. Do not give up on cooperation with principled, engaged and proactive local actors if they are not successful on their first attempt. This will help foster an environment that allows for social innovation alongside tried and tested methods.

→ Maintain a dialogue with CSOs and emerging civil society actors and offer them enough space to communicate their own locally-driven needs assessments. Diversify the range of civil society actors with whom you can consult.

→ In order to evaluate the state of and conditions for civil society, look beyond registration numbers and official statistics and focus on operational space. Monitor the limitations to independent work and the amount of pressure exerted by state structures and officials against local activists, civic movements, and organizations.

→ Consider establishing different funding tiers that would correspond to the size and amount of experience of local organizations. For grassroots and emerging movements, consider flexible funding mechanisms with smaller grant amounts, simplified administration, and focus on their development and learning. For larger and more experienced NGOs, offer bigger grants where standard eligibility, grant administration and reporting mechanisms can be applied.

→ Effective support of new civil society actors requires a tailored approach. We urge donors to lower the entry requirements (years of experience and previously managed projects), to use local languages while announcing grant opportunities, and maintain close communication with beneficiaries during the project implementation. When applicable and safe, use social media channels to advertise grant calls.

→ To help to develop sustainable CSO environment, pay a reasonable level of attention to organisational development of CSOs and focus on providing longer-term (more than one-year) funding. Consider core funding mechanisms.

→ Ensure there is a space in your funding mechanisms for justified costs related to organisational development (including the salaries of key staff and qualified experts).

→ Allow sufficient budget flexibility so that the CSOs you fund can better meet evolving needs and adapt to a changing context.

→ Consider allocating a sufficient budget to support CSOs with needs assessment activities and building relationships with local communities.

→ Consider adjusting reporting requirements to focus more on impact rather than on implementing projects strictly in line with the initial budget and planned activities.

→ Maintain a balance of funding between supporting advocacy, the service provision and community development activities.

→ In order to improve the level of trust within the society towards CSOs and to build the overall resilience of the sector, prioritize supporting CSOs in improving their community engagement and strategic communication.

→ Support locally driven capacity building programmes tailored to the needs of local civil society and concrete organisations (comprising of long-term mentorships), rather than employing a one-size-fits-all approach. (Select trainers who are from the region or have a deep, up-to-date knowledge of the realities of the region).

For CSOs:

→ As established NGOs, focus on engagement with grassroots activists and emerging civil society actors and consider joint advocacy campaigns.

→ Advocate for the creation of more local funding opportunities.

→ Consider different funding alternatives to ensure financial sustainability (including available local sources, crowdfunding, and social entrepreneurship)

→ Invest in your teams, include more people from the team in decision making, focus on nurturing a perception than CSO is a team of motivated people as well as an institution.

→ Be proactive in sharing your analysis of local issues with donors as well as with peer organizations within the sector.

→ Maintain a spirit of willingness to learn. Constant change, complexity and uncertainty are becoming a global norm – a culture of learning, continuous adaptation to change and innovative solutions are no longer a luxury, but a basic condition of successful operations for CSOs.

→ Embrace and promote the use of crowdfunding platforms by your beneficiaries. Beyond constituting an important addition to their budgets, it can serve as a trust-building mechanism between activists and the society at large.

→ Today's civil society in many countries is rapidly aging. While building on the experience and ideas of senior staff, consider policies to promote engagement with young people within local organizations and movements. Younger activists help to drive innovation and bring fresh ideas into the sector. Mentorship programs could potentially support transfer of institutional memory and experience between generations of activists and build continuity between them.

Courtesy photo. Occupy Goguta, Chisinau. October 2018
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Funded by the
European Union

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