# 2016 CSO SUSTAINABILITY INDEX

## FOR THE MIDDLE EAST AND NORTH AFRICA

# The 2016 Civil Society Organization Sustainability Index
## for the Middle East and North Africa

**Developed by:**
**United States Agency for International Development**

**Bureau for Democracy, Conflict, and Humanitarian Assistance**
   **Center of Excellence on Democracy, Human Rights, and Governance**

**Bureau for the Middle East**
   **Office of Technical Support**

# TABLE OF CONTENTS

# INTRODUCTION

USAID is pleased to present the fifth edition of the *Civil Society Organization (CSO) Sustainability Index for the Middle East and North Africa*, which covers developments in 2016. This edition of the Index reports on the strength and overall viability of the CSO sectors in Egypt, Iraq, Jordan, Lebanon, Morocco, Yemen, and the West Bank and Gaza.

The Index relies on the knowledge of CSO practitioners and researchers, who in each country form an expert panel to assess and rate seven interrelated dimensions of CSO sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. The panel proposes a score for each dimension, which can range from 1 (indicating a very advanced civil society sector with a high level of sustainability) to 7 (indicating a fragile, unsustainable sector with a low level of development). Dimension scores are averaged to produce an overall sustainability score. The Index groups all scores into three overarching categories—Sustainability Enhanced (scores from 1 to 3), Sustainability Evolving (3.1-5), and Sustainability Impeded (5.1-7). An editorial committee composed of technical and regional experts reviews the panel's findings, with the aim of maintaining consistent approaches and standards so as to allow cross-country comparisons. Further details about the methodology used to calculate scores and produce corresponding narrative reports are provided in Annex A.

The Index is a useful source of information for local CSOs, governments, donors, academics, and others who want to better understand and monitor key aspects of sustainability in the CSO sector. The *CSO Sustainability Index for the Middle East and North Africa* complements similar publications covering other regions, which include reports on twenty-four countries in Central and Eastern Europe and Eurasia, thirty-one countries in Sub-Saharan Africa, and seven countries in Asia. These editions of the CSO Sustainability Index bring the total number of countries surveyed to sixty-nine.

A publication of this type would not be possible without the contributions of many individuals and organizations. We are grateful to the implementing partners, who played the critical role of facilitating the expert panel meetings and writing the country reports. We would also like to thank the many CSO representatives and experts, USAID partners, and international donors who participated in the expert panels in each country. Their knowledge, perceptions, ideas, observations, and contributions are the foundation upon which the Index is based.

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# EXECUTIVE SUMMARY

The *CSO Sustainability Index for the Middle East and North Africa* evaluates the strength and viability of the CSO sectors in Egypt, Iraq, Jordan, Lebanon, Morocco, the West Bank and Gaza, and Yemen. This edition of the *Index* covers events and trends that affected CSOs in 2016.

In 2016, CSOs in the Middle East and North Africa faced a diverse set of challenges. Security continued to be an issue throughout the region as armed conflict raged in several countries, presenting both logistical and legal problems for CSOs. The region contended with the ongoing civil war in Syria and the resulting movements of refugees and internally displaced persons (IDPs), as well as concerns about security and terrorism. While the Islamic State lost considerable territory in Iraq following the government's liberation of Fallujah and Mosul, it also claimed responsibility for attacks that killed hundreds in the country and elsewhere in 2016. A fierce civil war with international involvement persisted in Yemen, exacerbating economic woes and further dividing the population in the south and north.

The region continues to be plagued by political challenges as well. Plans in the West Bank and Gaza for the first local elections in a decade were postponed, dashing hope for reconciliation between the Palestinian Authority and Hamas. In Yemen, a government in exile led by the prime minister formed in opposition to the Houthis' National Salvation Government, and conflict between the two sides persisted through the year. Following parliamentary elections with no clear majority party or coalition, Morocco went without a government for six months, until the king intervened to replace the prime minister of the winning party. Elsewhere, newly elected governments did not fulfill hopes for reform. A new parliament was elected in Egypt, fulfilling the final benchmark in the transition plan that had been announced by the military-backed government in 2013. CSOs, however, continued to face a state-led crackdown and significant constraints on their ability to raise funds and provide services. In Lebanon, a president was elected after the position lay vacant for more than two years, followed by the nomination of a prime minister and formation of a new cabinet. However, the demands of widespread Lebanese social movements—such as mass protests against the 2015 garbage crisis—remained unmet, and CSOs faced increased legal obstacles and difficulties in sustaining themselves financially.

Continued economic difficulties in the region compounded the problems caused by these security and political challenges. In Yemen, already one of the world's poorest countries, a liquidity crisis drove more people into poverty. By the year's end, nearly 18.8 million people were in need of humanitarian assistance, and the threat of widespread famine loomed. Poverty and unemployment remained widespread in the West Bank and Gaza, with more than one quarter of the population estimated to be unemployed. In Egypt, a decline in tourism, hard currency shortages, and an unfavorable exchange rate contributed to slow economic growth in 2016, while a spike in inflation increased poverty rates across the country. Growth was likewise sluggish in Morocco, where a severe drought hit the agricultural sector. In Lebanon and Jordan, large refugee populations continued to place a severe strain on resources and infrastructure.

Data on the number of registered organizations in the region, though sometimes unreliable or unavailable, reflect wide variation in the size of each country's CSO sector. Morocco's sector is the largest, with a reported 130,000 organizations in operation according to the Ministry of Interior. Government sources in Egypt provide variable reports on the number of CSOs registered under the country's NGO law—either 28,000 or 47,312, depending on the source. In Yemen, the Ministry of Social Affairs and Labor reported that there were approximately 12,000 registered organizations in 2016. Lebanon's government has not updated its data since 2015, at which time the Ministry of Interior and Municipalities reported that there were 8,311 registered CSOs. Jordan's Ministry of Social Development reported that 5,294 organizations were registered at the end of 2016. In Iraq, the federal NGO Directorate reported that there were 2,844 registered CSOs in late 2016, with an additional 2,850 registered CSOs in Iraqi Kurdistan. Government authorities in the West Bank and Gaza did not release updated numbers in 2016, but reported in late 2015 that 2,793 organizations were registered.

## Trends in Sustainability

Overall CSO sustainability in the Middle East and North Africa continued to be challenged in 2016. In all countries, scores for individual dimensions of sustainability as well as overall sustainability remained in the Sustainability Evolving and Sustainability Impeded categories. Not a single score in the region fell within the highest category, Sustainability Enhanced.

CSOs in Lebanon and the West Bank and Gaza continued to record the highest levels of sustainability in 2016, both unchanged from 2015. The legal environment for CSOs in Lebanon deteriorated slightly, but it remains the most enabling in the region, and all other dimensions of CSO sustainability continued to be more enabling than the regional average. Despite slightly weakened financial viability, CSOs in the West Bank and Gaza also maintained relatively high scores for sustainability.

Egypt's overall CSO sustainability declined in 2016—the only country in the region to experience an overall decline—and remained the lowest in the region. The environment for CSOs in Egypt deteriorated in nearly every dimension, with CSOs facing a more restrictive legal environment, reduced organizational capacity, diminished financial viability, lessened ability to provide services, and a significantly more negative public image.

Along with Egypt, Jordan and Yemen had overall sustainability scores in the Sustainability Impeded category, while Iraq, Lebanon, and the West Bank and Gaza all maintained overall sustainability scores in the Sustainability Evolving category.

Morocco was the only country in the region that reported an improved overall score in 2016, although it remained in Sustainability Evolving. Slight advancements in Morocco's legal environment for CSOs and the sector's organizational capacity, in addition to dramatic improvements in CSOs' advocacy and service provision, helped to improve its overall score.

## Navigating New Legal Obstacles

Continuing a trend seen in prior years, governments in the Middle East and North Africa imposed new legal obstacles that hindered CSOs' abilities to operate freely and independently in 2016. Government officials often framed the new constraints in the context of counterterrorism and other security-related measures.

CSOs in Egypt struggled to survive amidst an ongoing, state-led crackdown on civil society that featured legal restrictions and targeted prosecutions. Late in 2016, the parliament adopted a new, extremely restrictive NGO bill that local and international observers roundly condemned as inconsistent with Egypt's constitution and with international law. Among other things, the bill expanded government control of CSOs' registration and funding and increased penalties for violations. Separately, members of human rights groups were barred from traveling out of the country and had their assets frozen in an ongoing criminal investigation into the registration and funding of rights organizations, known as the "foreign funding case." In addition, a number of rights organizations, including a group working to advocate against torture, were arbitrarily closed. The government also continued its efforts to dissolve CSOs affiliated with the Muslim Brotherhood, which was outlawed in 2013.

CSOs in Jordan also faced new legal challenges affecting their ability to register and operate freely. The government dissolved many more organizations than in previous years—more than twice as many as in 2015—claiming that the dissolved organizations had ceased their work, repeatedly violated the law, or requested dissolution. The government also refused the registration applications of several new rights-focused organizations, and in some cases organizations were required to obtain separate security approvals from the Interior Ministry in order to register—an extra-legal requirement. Under a new administrative directive, introduced in 2015 and implemented throughout 2016, CSOs seeking to receive foreign funding must submit an extensive application form to the government providing details on the source and intended use of the foreign funds. The directive also requires that any foreign funding be used for activities that support Jordan's national

goals and priorities. Furthermore, while still pending at the end of 2016, the government began discussions around new legal measures to combat terrorism, some of which would restrict CSOs' right to free expression.

CSOs in Yemen contended with additional legal obstacles as the country's political and security situation deteriorated. Following the Houthis' takeover of the government ministry charged with regulating CSOs, registration and renewal of CSOs' licenses became subject to authorities' arbitrary determinations. One report found that over one-quarter of local CSOs were unable to renew their licenses. In addition, the Houthi-led government issued a new regulation to coordinate efforts among local CSOs and international donors that introduced new administrative hurdles to CSO funding and activity; among other things, the regulation required CSOs to obtain ministry approval before entering into an agreement with an international NGO. It also mandated that CSOs obtain prior ministry approval before carrying out certain types of activities, such as surveys.

In Lebanon, the government's practices and policies in implementing existing laws created new challenges for CSOs. CSOs seeking to register were rejected in greater numbers than in previous years, and in many cases received no explanation from the government for the rejection. In addition, activists and members of rights groups faced legal charges for comments critical of the government.

CSOs in Iraq also contended with new legal challenges as a result of the government's implementation practices, especially with regard to registration. For example, it became increasingly common in 2016 for government ministries to require CSOs to undergo an additional registration process before they could work with a government ministry. Official legal and administrative harassment of CSOs also increased in 2016. In some cases, officials not sufficiently familiar with the CSO law imposed extralegal requirements on organizations, such as requiring formal approvals from local officials before allowing organizations to implement their activities.

## Calling for Change

Despite—or at times, in response to—the widespread incidence of new government-imposed legal hurdles, CSOs in the seven countries covered by this index were particularly outspoken in 2016. In Egypt, CSO advocacy was largely stifled by extremely oppressive environments where dissent could lead to severe repercussions. CSOs in Yemen were constrained by the ongoing conflict, although most were still able to operate to a greater degree than those in Egypt. But elsewhere across the region, organizations' advocacy efforts expanded, new coalitions formed, and access to decisionmakers increased.

CSOs' legislative efforts were especially visible in Iraq, even as the country struggled to defeat the Islamic State and contended with other security threats. Public awareness campaigns and targeted lobbying efforts by CSOs led to the government's consideration of numerous draft laws that had not initially been scheduled for hearings. As a result of CSO efforts, a draft law on antidiscrimination received a first reading in parliament, and a draft law to combat domestic violence proceeded towards a parliamentary vote at the end of 2016. CSOs also launched an advocacy campaign against a draft law that would have introduced new restrictions on individuals' freedoms of expression and assembly, and succeeded in halting the draft. Advocacy by a network of Iraqi CSOs also resulted in the government developing action plans to implement a UN resolution on women, peace, and security.

The tenuous security situation in the West Bank and Gaza, and ongoing antagonism between the two territories' governments, did not prevent CSOs from engaging in outspoken activism. While CSOs have historically had less access to federal authorities, a number of local organizations consulted on the drafting of new federal-level strategies in different sectors, including health, education, and development. CSO advocacy also played a crucial role in the resolution of a strike by teachers in the West Bank who were protesting low wages. CSOs also had notable success lobbying for the rescission of the Social Security Law and passage of an amended law, which was revised with CSO consultation.

CSOs in Jordan face legal constraints on certain types of advocacy, including lobbying, but their issue-based activism persisted nonetheless. In 2016, CSOs engaged in effective advocacy campaigns around a penal code article that allows convicted rapists to avoid punishment by marrying their victims. A CSO campaign raised public awareness around the article and urged its repeal; it also called for the rejection of related draft amendments to the penal code that would have left rape victims without adequate protections in the case of a retrial. By the end of 2016, following CSOs' efforts, officials publicly stated their intention to repeal the penal code article, and the problematic draft amendments to the code were rejected. Other visible advocacy efforts focused on media freedoms, a controversial gas deal with Israel, and women's underrepresentation in parliament. CSOs also cooperated with national authorities in the drafting of Jordan's Comprehensive National Plan for Human Rights (CNPHR), a ten-year strategy for human rights protection that was adopted in 2016.

The most visible campaign by Lebanese civil society in recent years—the 2015 YouStink campaign launched in response to a garbage crisis—resulted in little meaningful change as far as government policy or practice, but CSOs remained outspoken one year later. In 2016, CSOs led a campaign against a penal code article similar to that in Jordan, which protects perpetrators of rape if they marry their victims. Following CSO efforts, a parliamentary committee adopted a bill to abolish the penal code article. Another CSO campaign launched before Lebanon's municipal elections raised awareness about the practical difficulties faced by disabled people in trying to access polling stations. A new coalition of CSOs also formed to wage a campaign to protect public beaches in Lebanon, engaging in numerous protests and marches.

In Morocco, CSOs took advantage of newly-adopted laws on the right to petition the government and submit motions to parliament in 2016. A CSO coalition successfully advocated for the parliament to consider changes to the penal code in order to combat domestic violence. Other participatory mechanisms, including public consultations and advisory commissions with CSO participation, became increasingly common as a means for CSO engagement in policy and decisionmaking. Morocco's hosting of the 22nd session of the Conference of the Parties to the UN Convention on Climate Change (COP22) provided an additional venue for CSO advocacy, and a number of local CSOs organized mobilization and advocacy events around climate change and climate justice.

## Persisting Against the Odds

CSO sectors across the Middle East and North Africa endured in 2016, despite the fact that they operated in a uniquely complicated environment replete with security threats, political crises, and funding challenges. Numerous dimensions of CSO sustainability in 2016 reflected a sector collectively standing its ground.

Even in war-torn countries, CSOs managed to develop their organizational capacities and sectoral infrastructure. In Yemen, an increasing number of organizations had strategic plans, internal regulations, management structures, and sound financial systems. CSOs increasingly took advantage of solar electric systems to power their operations, and leveraged increased internet access to connect to their constituencies, other organizations, and donors. Yemeni CSOs also dramatically increased their knowledge around aid delivery and management, increasing their access to grants and training opportunities. A growing number of CSOs in Iraq likewise benefitted from strategic planning, and newly-implemented financial and human resource policies. Iraqi CSOs also increased their ties with their constituencies, as their efforts to provide relief and aid to populations displaced by war and the Islamic State were increasingly recognized.

In nearly all the countries represented in the *Index*, CSOs continued to provide a consistent level and variety of services, despite the aforementioned security and political risks. In Egypt, the severity of legal restrictions and sharp decline in foreign and domestic funding caused CSO service provision to decline significantly. But elsewhere, CSOs maintained a high level of service provision. In Yemen, numerous organizations responded to the devastation of war and growing number of IDPs by shifting their activities towards the provision of humanitarian aid, including food, clothes, and school supplies. CSOs in Iraq engaged in a range of service activities, likewise focused on relief and support services for IDPs but also aimed at training to build the capacity of human rights defenders, journalists, and government officials. In Lebanon, CSOs responded much more

quickly than the government to the burgeoning population of Syrian refugees, and local organizations continued to implement their own programs to respond to the needs of refugee communities. CSOs in Jordan and in the West Bank and Gaza continued to provide a wide range of services, including aid in health, education, housing, and job training. In Morocco, service provision dramatically increased with an influx of government funding to support CSO service delivery to vulnerable groups.

As CSOs persisted in serving their constituencies and enhancing their organizations, their relationship with the public, the government, and the private sector improved or stayed the same across nearly all countries. Only in Egypt did widespread negative media coverage of CSOs contribute to a decline in the sector's popularity and public support. CSOs in Jordan enjoyed a more positive relationship with government officials, some of whom publicly recognized CSOs' role in providing social services. In Lebanon, CSOs likewise benefited from the government's public support, and from significant, positive media coverage of CSO advocacy campaigns. Media, including social media, also spread positive and extensive messaging about CSOs' work providing humanitarian aid to refugees in Jordan and Lebanon. In Morocco and the West Bank and Gaza, the public remained appreciative of CSOs' role and the services that they provide.

# Conclusion

CSOs faced serious obstacles, but still managed to achieve significant progress in 2016. Most notably in Egypt but also across the region, governments imposed new legal hurdles that restricted the operating space for civil society. At the same time, CSOs remained outspoken on behalf of their constituencies and in the interest of human rights. Despite the dramatic challenges posed by an unstable and insecure region, CSOs made great strides in strengthening their organizations, continuing to assist the public in myriad ways, and in many cases enhancing their relationship with the public they serve.

The following country and territory reports provide a more detailed look at the CSO sectors in Egypt, Iraq, Jordan, Lebanon, Morocco, Yemen, and the West Bank and Gaza. We hope that the information contained herein is helpful for local organizations, governments, donors, researchers, and others who seek to advance independent and sustained CSO sectors.

# 2016 CSO SUSTAINABILITY RATINGS

| Country | CSO Sustainability | Legal Environment | Organizational Capacity | Financial Viability | Advocacy | Service Provision | Infrastructure | Public Image |
|---|---|---|---|---|---|---|---|---|
| **2016 Middle East and North Africa** | | | | | | | | |
| Egypt | 5.5 | 6.5 | 5.5 | 5.8 | 5.5 | 4.9 | 4.2 | 5.9 |
| Iraq | 4.8 | 4.5 | 4.9 | 5.4 | 3.7 | 4.6 | 5.2 | 5.1 |
| Jordan | 5.1 | 5.4 | 5.4 | 5.2 | 5.1 | 4.7 | 5.0 | 4.6 |
| Lebanon | 3.9 | 4.0 | 4.0 | 4.8 | 3.6 | 3.4 | 3.8 | 3.9 |
| Morocco | 4.6 | 4.6 | 5.1 | 5.6 | 3.8 | 4.5 | 4.9 | 4.3 |
| West Bank-Gaza | 4.3 | 5.0 | 4.0 | 5.0 | 4.3 | 3.7 | 4.0 | 4.2 |
| Yemen | 5.1 | 5.2 | 5.2 | 5.7 | 4.9 | 4.8 | 5.1 | 4.7 |

# COUNTRY REPORTS

# EGYPT



## CSO SUSTAINABILITY: 5.5

In January 2016, Egypt elected a new parliament, fulfilling the third and final benchmark in the country's "road map," the transition plan announced by the military-backed government in 2013. The newly elected democratic body did not herald supportive, enabling changes to the environment for civil society in Egypt, however. On the contrary, CSOs in Egypt faced an increasingly challenging environment in 2016. In late 2016, parliament approved a new bill to replace Law 84 of 2002 on Associations and Foundations (Law 84), a notoriously restrictive, Mubarak-era law that governs associations and foundations, collectively referred to as NGOs in Egypt. Rather than easing the restrictions found in Law 84, the 2016 NGO bill is considered by many to be the most restrictive civil society
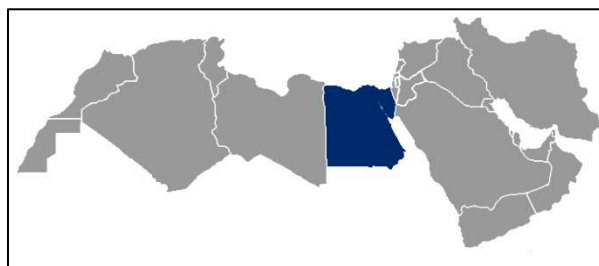
legislation seen yet in Egypt. While the bill had not been ratified by the president by the end of the year, its passage posed a major threat to the establishment, operation, and independence of organizations.[1]

In addition, CSOs working on human rights and political reform issues continued to contend with criminal investigations into their organizations' funding. Many of their leaders were banned from travel and had their assets frozen, while others were arrested and interrogated. Freedom of expression likewise suffered. In 2016, Egypt ranked third in the world for its imprisonment of journalists, according to the Committee to Protect Journalists, and was one of five countries accounting for over two-thirds of the imprisoned journalists worldwide. A restrictive 2013 law on protests



CSO Sustainability in Egypt

remained in place, though in 2016 the Supreme Constitutional Court struck down the provision that gave the Minister of Interior unfettered authority to ban protests or change their course.
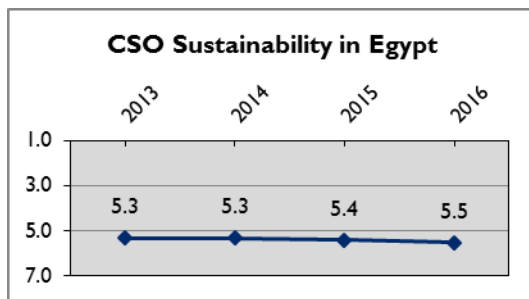
According to the website of Egypt's Ministry of Social Solidarity (MoSS), as of October 2016, the total number of NGOs registered under Law 84 was 28,000. However, a MoSS report issued around the same time states that there are 47,312 NGOs. The number of NGOs registered in 2016 also varies, depending on the source; according to the official gazette of Egypt, the total number of NGOs newly registered in 2016 was 367. However, the 2016 Annual Report by the MoSS indicated 823 NGOs registered during 2016, while the Ministry's website indicated a total of only 129 newly registered NGOs. Some CSOs take organizational forms other than NGOs in order to avoid having to register under the restrictive Law 84; instead these non-Law 84 CSOs register under other laws as civil companies, law firms, and independent trade unions, which also allow them to engage in civic and public interest activities.

The overall sustainability of the CSO sector as measured by the *Civil Society Organization Sustainability Index* declined from 2015 to 2016. Along with deterioration of the legal environment and increasingly repressive government practices, continued limitations with regard to funding sources and a weakening in organizational capacity across the sector contributed to the decline in the overall score. CSOs were also increasingly constrained in their provision of services, and faced worsening relations with the government and an increasingly negative image among the public.

## LEGAL ENVIRONMENT: 6.5



Legal Environment in Egypt
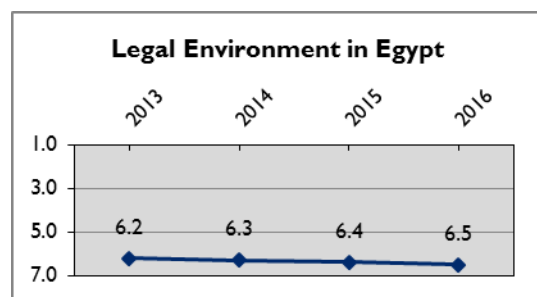
Egypt's restrictive legal environment for CSOs deteriorated further in 2016, as the government stepped up legal and extralegal harassment of CSOs working on rights issues and dissolved numerous organizations. The legal environment impeded many CSOs' operations and created challenges for organizations across the sector.

NGOs continue to be governed by the restrictive Law 84. The law grants MoSS unlimited discretion and authority over NGOs, reflecting state distrust of civic engagement. It uses ambiguous terms such as national unity, public order, and public morals to delineate NGOs' permissible objectives and activities. In brief, it imposes unwarranted restrictions on the free and independent establishment and operations of NGOs, both local and foreign, and includes excessive penalties for violating the law. Non-

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[1] The new NGO Law was passed by Parliament in November 2016 but not signed by the president until May 2017. Law 84 remained in effect throughout 2016.

Law 84 CSOs, which as noted above take other legal forms, remained under the shadow of a 2014 MoSS notice that all civic entities doing "civic work" were required to register under Law 84.

Notably, Egypt's 2014 Constitution provides broad guarantees for the freedoms of association, peaceful assembly, and opinion and expression. However, there were no attempts to improve the legal and regulatory environment for NGOs either by introducing changes to Law 84 to reflect and conform with favorable constitutional provisions or replacing Law 84 with more enabling legislation.

Conversely, in late 2016, the parliament introduced and rapidly approved a new, extremely restrictive NGO bill. Local and international experts and rights groups denounced the new bill as inconsistent with both the 2014 Constitution and international obligations regarding freedom of association. The new bill introduced new limitations beyond those found in Law 84, such as restrictions on domestic fundraising by NGOs, while eliminating the tax benefits that NGOs enjoy under Law 84. The bill also gave a legal role to security and intelligence officials in deciding on the registration of NGOs and their ability to access domestic and foreign funding. Under the bill, violations would result in very harsh penalties, ranging from one to five years' imprisonment in addition to fines ranging from 50,000 Egyptian Pounds (approximately $3,125) to one million Egyptian Pounds (approximately $62,500).

Contrary to typical procedure, once parliament approved the NGO bill, it did not automatically proceed to President Abdel Fattah El-Sisi for his ratification. While the Constitution provides that the president has a period of thirty days to either ratify an approved bill or send it back to parliament for further discussion, the NGO bill passed by the parliament had not been sent to the president by the end of the year. Parliamentarians cited the length of the law and a backlog in approved laws as the reasons for delay; however, political considerations may also have played a role given the extensive domestic and international criticism that the bill generated. As a result, as of the end of 2016, the new NGO bill had not been made law.

Meanwhile, the establishment of NGOs in Egypt continued to follow the restrictive provisions and cumbersome procedures of Law 84. The law obligates MoSS to accept or reject a registration request within sixty days from receiving all the necessary documents; otherwise the application is considered accepted. In some instances, however, MoSS returns applications on the grounds that they are not complete, in an effort to circumvent the sixty-day time limit. Many NGOs wait for more than six months to receive approval. Some are denied on national security grounds.

The number of NGOs dissolved in 2016 also varies across official sources, and ranges from eighty-two (the official Egyptian Gazette) to 810 (MoSS 2016 Achievement Report). Authorities also closed non-Law 84 CSOs. In January 2016, the government announced that it had disbanded 1,125 groups allegedly linked to the outlawed Muslim Brotherhood organization. In February, the Cairo governorate issued an administrative closure order against the El Nadeem Center for the Rehabilitation of Victims of Violence and Torture on the grounds that the organization had violated the terms of its license, but provided no further details. El Nadeem fought the legality of the first closure order, and other, subsequent closure attempts, through the end of the year. In 2016, a number of targeted organizations filed lawsuits to challenge their disbanding.

Government harassment of CSOs, including legal challenges and other coercive actions, continued in 2016 – particularly against non-Law 84 CSOs. Leaders of numerous rights groups were barred from leaving the country and had their personal and organizational bank accounts frozen in a criminal investigation into the registration and funding of rights organizations, referred to as Case No. 173 or the "foreign funding case." Several organizations were affected by the travel ban and asset freezes, and an unknown number of human rights workers and activists fled Egypt during the year as a result of the government's moves against rights organizations. On December 7, authorities arrested the founder of the Center for Egyptian Women's Legal Assistance; she was later charged with undermining national security and establishing an illegal entity engaging in NGO work. Also in December, authorities closed down two branches of the charity-funded Al Karama

library, established by the founder of ANHRI, with no legal documents or justification. Efforts to dismantle organizations affiliated with the Muslim Brotherhood also continued.

In 2016, authorities also continued to prosecute civil society actors under provisions of Egypt's Penal Code including Article 78, which was amended in 2014. Article 78 of the amended Code imposes extremely harsh penalties including life in prison for receiving foreign funds to support activities that the government deems harmful to national security. The vague language of Article 78 has had a chilling effect on CSOs' activities, as well; many CSOs supported by foreign donors fear that the law will be used against them for carrying out legitimate, peaceful activities that are not favorable with the government.

There were no changes in the laws or regulations governing taxation and earned income of NGOs in 2016. Under Law 84, NGOs do not pay taxes on funds and grants from abroad or on imported materials that are required for their activities, such as office equipment. They enjoy tax and fee exemptions on contracts, powers of attorney, publications, and records. NGOs may earn income from the provision of goods and services or holding of events such as galas, expositions, or sports games. Corporations and individuals receive tax exemptions for donations to NGOs not to exceed 10 percent of the donor's net annual income. CSOs not registered under Law 84 are subject to a tax ranging from 20 to 25 percent on any profits, however, and do not enjoy the advantages available to Law 84 registered NGOs.

Law 84 provides that the President, MoSS, or General Federation of NGOs may designate certain NGOs as "public benefit associations," which the Ministry may engage to carry out certain activities, projects, or programs. MoSS has contracted with public benefit NGOs to manage MoSS-affiliated entities such as shelters and orphanages, for instance. A number of other government ministries and local administrative entities also partner or contract with NGOs to implement initiatives.

In 2016, legal assistance for CSOs became less readily available and pro bono legal assistance – commonplace after 2009 – almost nonexistent. A core group of lawyers who have received specific training in the area of CSO law does continue to provide assistance to CSOs through their private practices. However, in the context of the government's crackdown, this support is not necessarily sufficient or effective.

## ORGANIZATIONAL CAPACITY: 5.5

The overall organizational capacity of CSOs declined in 2016. This decline stemmed largely from the deterioration in the capacity of non-Law 84 CSOs, some of which scaled down their operations and reduced staff in response to government harassment. By contrast, the organizational capacity of Law 84 NGOs – especially larger ones– remained more or less unchanged.

Larger organizations engaged in service provision and philanthropy continued in 2016 to build especially strong

**Organizational Capacity in Egypt**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | 5.4 | 5.4 | 5.4 | 5.5 |
| 5.0 | | | | |
| 7.0 | | | | |

local constituencies, as they generally had more financial resources to devote to providing services and thereby engaging supporters. Among the leading organizations with strong local constituencies and organizational capacity are the Egyptian Food Bank, Misr El Kheir, the Egyptian Businessmen's Association, and the Coptic Evangelical Organization for Social Services (CEOSS). Building local constituencies remains a challenge for smaller and medium-sized organizations, primarily due to their weak financial resources.

Strategic planning has become somewhat more common in recent years, particularly as a result of donors' encouragement, but continues to pose a major challenge for most CSOs. A number of factors, including economic and political instability, funding uncertainty, and government interference in CSOs' internal matters, discourage CSOs from planning for the future. Law 84, which allows NGOs to register with a set of unrelated
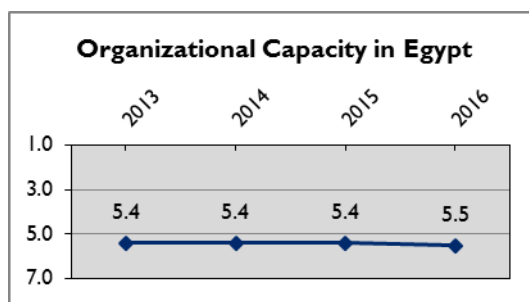
purposes, may also contribute to NGOs' lack of clear visions. Larger organizations are more likely to have well-defined missions and strategic plans, though the extent to which they adhere to them varies. Smaller and medium-sized NGOs often struggle to formulate these elements at all.

Most CSOs continue to struggle with democratic internal governance regardless of whether they have developed internal management structures. A CSO's board of directors and its general assembly generally do not participate extensively in the organization's governance, though the chairperson of the board often plays a lead role. This is especially true for small and medium-sized NGOs, which represent more than 80 percent of all Law 84 NGOs. Few CSOs have institutionalized themselves as true, democratic organizations whose governance extends beyond the personal leadership of their founders or a small group of board members.

Acquiring and retaining long-term professional staff continues to be a challenge for CSOs in Egypt, again with the exception of a handful of large NGOs. Organizational income, including grants and funds generated from activities, is insufficient for most CSOs to retain long-term staff. Many organizations depend instead on project-based or sometimes part-time employees.

Volunteerism across the sector declined in 2016 as Egypt's economy continued to struggle, although some CSOs are still able to mobilize large numbers of volunteers. According to the Law 84-registered charity Resala, in 2016 the organization engaged 300,000 volunteers in a range of charitable projects, from building schools and homes for orphans to providing aid to the elderly, the poor, and people with disabilities. Some CSOs draw on religious sentiments to encourage volunteering, particularly when the activities entail welfare services to the poor. Misr El Kheir, for instance, engaged 200 volunteers in November in a project to provide food boxes to poor individuals before the winter. Some grassroots CSOs carry out volunteer outreach and training programs. In addition, there are a number of online initiatives such as Jiwar, NGO Jobs, and Sharek that provide information about volunteer opportunities.

Organizations generally have access to modernized office infrastructure. While the sophistication of equipment is often linked to the size and financial stability of the organization, with larger organizations being better-equipped, smaller CSOs with substantial funding were also able to build up their basic infrastructure in 2016. Even very small, non-donor endowed CSOs usually have basic computers, cell phones, and Internet access, but they have limited ability to upgrade their equipment.

## FINANCIAL VIABILITY: 5.8



**Financial Viability in Egypt**

| 2013 | 2014 | 2015 | 2016 |
|------|------|------|------|
| 5.6 | 5.6 | 5.7 | 5.8 |
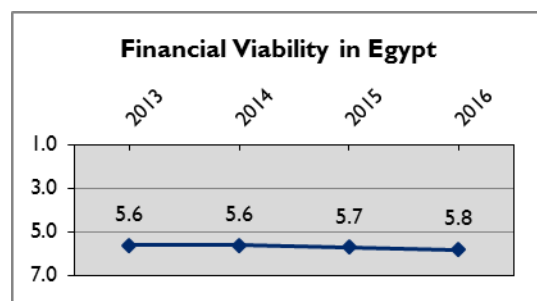
CSOs' financial viability deteriorated in 2016, as funding shortages forced many CSOs to scale back on activities and in some instances, temporarily go inactive or shut down. Most CSOs struggle to diversify their funding pools. In many instances, funding opportunities and support depend on the type of activities in which a CSO is engaged.

Organizations working in charitable services, relief efforts, and other development-oriented activities generally have a greater ability to raise domestic funds. NGOs registered under Law 84 earn some income from membership dues. However, these amounts are usually meager, and not necessarily paid by all members. Other CSOs generally do not collect members' dues. Earned income from providing services or products is also generally marginal, as services are usually provided to the poor who cannot afford to pay much and the resulting income is insufficient to run programs or pay employees.

Local philanthropy is hindered somewhat by the weak economy. However, religiously-motivated charity – zakat and sadaqa in Islam and alms in Christianity – remains common. Large faith-based NGOs continue to account for the majority of charitable fund recipients. Major fundraising events are also limited to larger NGOs;

medium-size and smaller NGOs do not have the dedicated staff or resources to compete with larger organizations for funds and usually depend on ad hoc giving through personal connections.

Corporate social responsibility (CSR) funds continue to be a source of support to CSOs, but its extent compared to other funding sources is unclear. In 2016, Vodafone, Orange Telecommunication, the Commercial International Bank, and Banque Misr all provided funding to NGOs, either directly or through foundations they established. Recipients are generally large organizations working in areas of health, education, people with disabilities, and youth employment, including the Egyptian Food Bank, Misr El Kheir Foundation, El Orman Association, Resala, and CEOSS.

Law 84 requires NGOs to obtain prior approval from the MoSS before they may receive funds from outside Egypt. In many instances, MoSS declines to approve foreign funding requests from NGOs. Some NGOs choose to litigate these decisions, however, and often receive favorable rulings in court. For example, in February 2016, a court ruled against a MoSS decision rejecting the New Women's Foundation's request to receive a foreign-funded grant. While a legal victory, such rulings are not always practically helpful, as they are sometimes issued too late in the process and the donor's funds – often tied to a particular fiscal year – are no longer available. MoSS continues to restrict funding from specific sources, including the U.S.-based National Endowment for Democracy. In 2016, MoSS reissued a decree warning NGOs against dealing with either entity. MoSS reports stated that 273 foreign donors provided a total amount of 2.6 million Egyptian Pounds (approximately $162,500) to 247 NGOs in 2016, though reports from specific donors suggest that the amount provided was much higher. According to the General Federation for NGOs, foreign donors providing support to NGOs included the UNDP, the European Union, and the Ford Foundation.

CSOs not registered under Law 84 do not need to seek MoSS approval to receive foreign grants. However, they do not necessarily have better access to these funds as a result. As noted above, Egypt's Penal Code provisions on foreign funding authorize extremely harsh penalties for receiving foreign funding for activities that the government deems harmful to national security. Likewise, the prosecution and harassment of many foreign-funded rights organizations as part of the foreign funding case has dissuaded many organizations from engaging with foreign donors.

The government occasionally provides funding directly to NGOs in the form of grants or contracts. For instance, the NGO Support Fund, managed by the Minister of Social Solidarity, provides direct support to NGOs. The Fund comprises different sources including funds of disbanded organizations, revenues from registering NGOs, and funds provided from the government budget. No public information is available on the level of funding provided through this mechanism or the kinds of projects it supports.

The government also engages NGOs to implement a number of donor-funded programs. For example, the World Bank provides Takafool and Karama with 7.3 billion Egyptian Pounds (approximately $456 million), allowing them to provide support to some 2.2 million families; the UAE funds the program Be'eedak, which works in fifteen governorates to provide skills and employability training to one million youth. The Egyptian government monitors the implementation of such projects.

In general, CSOs do not consistently practice transparent financial management. Some NGOs do not publish their budgets, while others publish inaccurate figures. Article 21 of Law 84 requires NGOs to maintain financial records and to employ auditors if their revenues or expenditures exceed 20,000 Egyptian Pounds (approximately $1,242). However, complying with these requirements proves difficult for many organizations due to financial constraints. Accordingly, it is common for NGOs to seek practical assistance from MoSS staff to help with accounting and balancing their books. Only a few CSOs systematically publish annual financial or activity reports.

## ADVOCACY: 5.5

CSO advocacy remained impeded but nonetheless active in 2016. While pressure by the government generally eroded CSOs' capacity to lead advocacy campaigns, particularly those related to rights, organizations remained outspoken about issues of public concern.
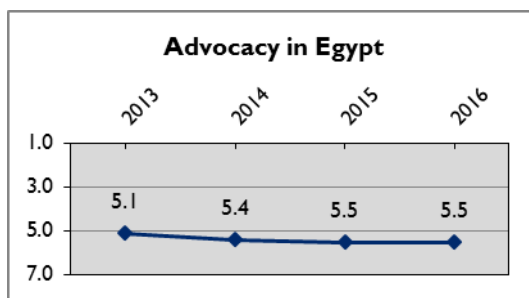


In general, the government only engages in dialogue with Law 84-registered NGOs. Even in these cases, however, engagement tends to focus on program implementation rather than policy discussions. In a rare exception, the National Council for Childhood and Motherhood (NCCM), the National Council for Women (NCW), and the Ministry of Environment engage with NGOs to guide their policy orientation. By contrast, CSOs had almost no opportunity to consult on the draft NGO law passed by parliament, other than a single hearing which included a limited number of NGOs and regional federations.

NGOs and non-Law 84 CSOs focused on rights issues tend to have stronger advocacy skills and capacity, and formed issue-based campaigns and coalitions in 2016. Rights-focused organizations, along with a number of political parties, were persistently vocal regarding the draft NGO law, for instance, issuing statements condemning the draft, and calling on the president to reject it. CARE carried out a campaign with grassroots NGOs to raise awareness about sexual harassment. A number of human rights CSOs led a campaign against a border demarcation agreement signed in April 2016 that transferred two formerly Egyptian islands to Saudi Arabian control. The islands campaign was a positive example of an effective lobbying strategy and rights groups' willingness to be outspoken despite state harassment.

## SERVICE PROVISION: 4.9
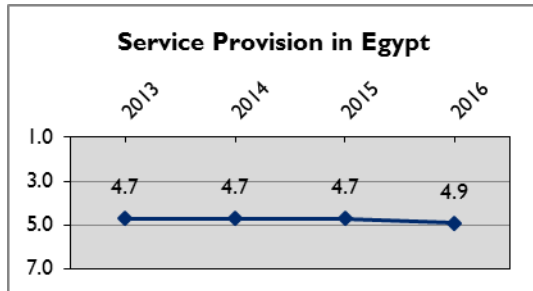


CSOs' service provision declined sharply in 2016, largely due to the decline in foreign and domestic funding. According to Egypt's Central Agency for Public Mobilization and Statistics (CAPMAS), 3,206 NGOs provided services to some 1,634,322 individuals throughout Egypt in 2016 – more than 25 percent fewer recipients than in 2014.

CSOs in Egypt have historically played a crucial role in providing services nationwide, and this trend continued in 2016. If not for the efforts of CSOs, Egypt would face significant shortages in service provision, especially in remote areas. Of those service recipients surveyed by CAPMAS, almost half of individuals received orphan and senior citizens' services, with the rest largely comprising family planning, motherhood, and child services. In addition, 107,260 individuals received vocational training. CSOs also provide services in a variety of other fields including education and adult literacy, medical services, environmental, aid to SMEs and cooperatives, agriculture assistance, and legal aid. For example, Al Jam'ayaa El Shar'iaa provided medical services for 421 burn victims and treatment to 5,369 cancer patients, and Hawaa Al Mostakbal NGO provided pre-marriage counseling to 150 individuals focusing on violence against women.

Nonetheless, delivery of services was affected by the deterioration of the overall environment for CSOs, in addition to the government's rejection of foreign funding requests. Many organizations scaled down their activities or shut down branches. For instance, Al Shourouk Association for Development and Enhancement of Rights, which provides aid to the poor in cooperation with Food Bank and Misr El Kheir Foundation, ceased its activities in 2016 due to lack of funding as well as administrative obstacles to implementing its projects imposed by MoSS. The Egyptian Association for Community Participation Enhancement reduced its activities in 2016, citing the fact that government approval for its service delivery projects is often withheld.

CSOs continue to rely primarily on community knowledge to identify the needs and priorities of the communities they serve. The overwhelming majority of CSOs do not have the capacity to carry out rigorous needs assessments or surveys before providing services, unless they are part of a donor-funded project. CSO services generally target recipients beyond CSOs' own memberships and often comprise the public at large. Most CSOs provide their services for free or at a nominal fee, as they primarily cater to the poor and CSOs are aware of their beneficiaries' financial constraints. Publications and other expert analysis are distributed for free as well.

There is official recognition, including from the President, of the key role NGOs play in social service provision and welfare. Government sometimes partners with NGOs to provide certain social services. For example, Haqqi – a program focused on combatting violence against women – is managed by a partnership between Egypt's Ministry of Justice and the British Council and carried out by the NGO Appropriate Communication Techniques for Development Centre (ACT). The government does not recognize the work of CSOs not registered under Law 84.

# INFRASTRUCTURE: 4.2

CSO infrastructure overall remained relatively stable in 2016. A number of organizations continue to provide capacity building support to Law 84 NGOs. The Egyptian Federation for Investors Association, Egyptian NGO Support Center, Professional Development Foundation, and the Arab Network for NGOs all provide capacity building training for NGOs in the areas of internal governance, monitoring and evaluation, financial management, and networking. Other NGOs, not necessarily categorized as intermediary organizations or resource centers, also provide training for



NGOs. For example CEOSS, Maat Foundation for Peace, Development and Human Rights, and Y-Peer Egypt hold occasional trainings for NGOs. The General Federation for NGOs and the Regional Federations for NGOs provide capacity building training to NGOs as well, but the meager support they receive from MoSS limits the scope and quality of their training. No independent assessments have been conducted to determine the reach or quality of these services, or the extent to which they meet the needs of NGOs.
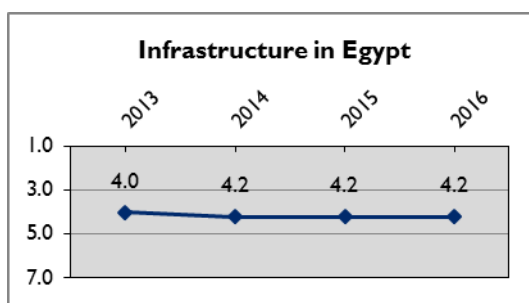
While some international NGOs such as CARE, Plan International, and Save the Children provide capacity building training to CSOs, such trainings were not as common in 2016 as compared to recent years. Capacity building efforts were more limited in scope, and usually incorporated into projects focused on other issues. CSOs can still access some capacity building and training manuals online, but it is not clear that CSOs use these extensively.

Some for-profit, private sector entities have established foundations that support CSOs through capacity building and funding partnerships, either providing grants or partnering with organizations to carry out activities. Among the leading grant-making organizations are the Sawiris Foundation for Social Development, Vodafone Egypt for Community Development, the Commercial International Bank Foundation, and the Orange Foundation. These foundations primarily support development-focused NGOs, some of which sub-grant funds to other NGOs to implement large or nationwide activities.

2016 presented a mixed picture for coalitions. Some coalitions, such as the Egyptian Forum of Independent Human Rights NGOs, were negatively impacted by the government crackdown on human rights groups. Members of this coalition were forced to focus on the effects of government harassment or prosecution on their own organizations, which in turn weakened the coalition. Other coalitions, such as the Egyptian Coalition on Children's Rights, composed of sixty-four NGOs working on child rights, continued to be active and called on the government and the parliament to push forward the child rights agenda. Several new coalitions and

networks emerged in 2016. Future Eve NGO established a network of twenty NGOs in four governorates in Upper Egypt to combat violence against women. Twenty-six CSOs formed the CSOs Coalition for the Universal Periodic Review-UPR in 2016 to monitor Egypt's fulfillment of the recommendations received during the UPR of the Human Rights Council. The level of activities among NGO Federations, on the other hand, declined during 2016 as the process of obtaining approvals for foreign funding became more difficult. There is no single, umbrella organization through which the civil society sector promotes its interests.

Intersectoral partnerships between CSOs and other sectors remained the exception rather than the norm. As mentioned, some government entities partner with NGOs to assist in carrying out programs. For example, the Ministry of Environment is partnering with sixty-four NGOs to implement the use of alternative and renewable energy sources. For the first time, the Ministry of Finance partnered in 2016 with economic and social rights NGOs in an initiative – A Citizen's Budget – focused on educating the public on issues related to the national budget. The private sector occasionally partners with civil society as well, for example through philanthropic support from corporate foundations as described above.

## PUBLIC IMAGE: 5.9
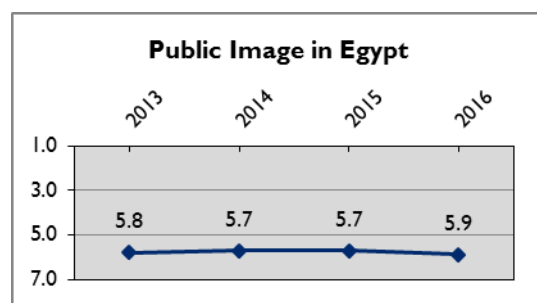


The overall public image of CSOs deteriorated significantly in 2016. This sharp decline is attributed primarily to an increase in negative media coverage of human rights groups and efforts to delegitimize them, as well as the government crackdown on certain organizations. CSOs engaged in political awareness and human rights work generally do not receive positive media coverage, as major broadcast outlets are controlled by groups close to the government and tend to echo the government's negative perspective of these organizations. In many instances, media attacks focus on foreign funding of CSOs. The media reinforce a common perception that foreign-funded rights groups instigated the 2011 Revolution, and depict such organizations as motivated by personal interests and foreign influence. In stark contrast, large service provision NGOs – particularly those closely aligned with the government such as Misr El Kheir and El Orman – receive extensive media coverage that is largely positive.

As frequently featured in the media, the government's ongoing attacks on human rights organizations – including travel bans, asset freezes, and raids of CSO offices – helped feed a negative perception by the public as to the role of such organizations. However, even in the absence of surveys measuring the public perception of the civil society sector, experts conclude that negative reporting about human rights groups does not necessarily affect the perception of organizations not involved in rights work. NGOs providing crucial services, for instance, continue to be viewed positively by the communities they serve. It is not clear if the public has a clear understanding of CSOs' role beyond service delivery, however.

In general, CSOs' capacity for public relations efforts is very weak. Social media, such as Facebook and Twitter, have become the leading media tools available to medium and smaller NGOs to publicize their work. NGO News, an online news website established by development-oriented media personnel, is one of the very few outlets dedicated to covering NGOs' activities.

CSOs generally do not have codes of ethics for their organizations, nor is there a sector-wide code of ethics. Large NGOs that used to publish detailed activity reports and budgets in the past are now less willing to do so, and only a select few continue to share their budgets online. This may be linked to a fear of negative media coverage, particularly in the case of organizations that receive foreign funding.

# IRAQ



**2016 CSO Sustainability Scores for Iraq**

| Category | Score |
|---|---|
| CSO Sustainability | Sustainability Evolving 4.8 |
| Legal Environment | 4.5 |
| Organizational Capacity | 4.9 |
| Financial Viability | 5.4 |
| Advocacy | 3.7 |
| Service Provision | 4.6 |
| Infrastructure | 5.2 |
| Public Image | 5.1 |

Sustainability Enhanced — Sustainability Evolving — Sustainability Impeded

## CSO SUSTAINABILITY: 4.8

**Country Facts \***

**Capital:** Baghdad

**Government Type:** Federal Parliamentary Republic

**Population**: 39,192,111

**GDP per capita (PPP)**: $17,200

**Human Development Index:** 121

The overall sustainability of CSOs in Iraq remained stable in 2016, despite continued conflict across the country. Throughout the year, government forces struggled to liberate areas of the country seized by the Islamic State. Many people remained displaced as a result of the violence, with the number of internally displaced persons (IDPs) peaking at 3.4 million in March. Iraq also hosted approximately a quarter of a million Syrian refugees during the year. CSOs responded to these conditions by continuing to provide much-needed humanitarian aid and other services, often supported by foreign donors or in conjunction with international agencies.
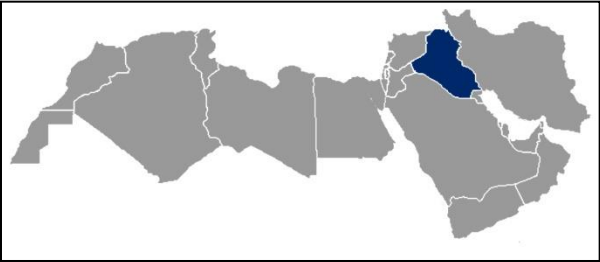
CSOs continued to operate under a relatively enabling legal environment in both federal Iraq and the Iraqi Kurdistan Region (IKR), although issues with implementation caused increasing difficulties for CSOs during the year. In late 2016, the NGO Directorate in Iraq – a federal government entity responsible for managing CSOs' registration and receiving CSOs' annual reports – appointed a new general director, who expressed his support for greater cooperation with CSOs and held a number of consultation meetings with different organizations.

CSOs remained active advocates, and organizations engaged widely in demonstrations and protests as well as issue-based lobbying. CSOs successfully lobbied the parliament not to vote for a freedom of expression bill which did not align with human rights standards, for instance, and encouraged support for other draft laws on rights issues. Volunteerism grew more widespread, as young volunteers engaged with CSOs on projects ranging from arts and sports to charitable aid.



CSO Sustainability in Iraq

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.9 | 4.8 | 4.8 | 4.8 |
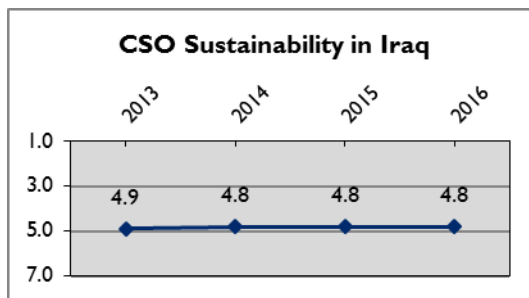
In late 2016, the Federal NGO Directorate reported that there were 2,844 registered NGOs – an increase from 2,591 in 2015. The NGO Directorate for Kurdistan indicated a total of approximately 2,850 NGOs registered in 2016, up from 2,564 in 2015.

## LEGAL ENVIRONMENT: 4.5



Legal Environment in Iraq

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.4 | 4.4 | 4.4 | 4.5 |
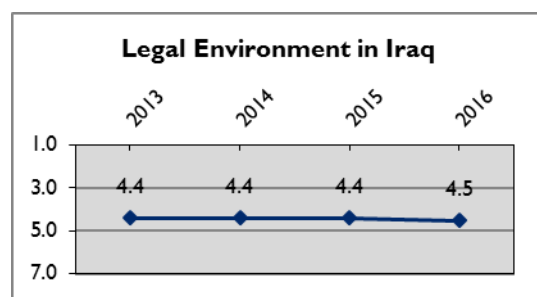
The legal environment grew somewhat more restrictive for CSOs in Iraq and IKR in 2016. While the laws and regulations governing CSOs remained unchanged and registration eased, other aspects of the law and implementation practices continued to pose difficulties for some CSOs.

CSOs are governed in Iraq by the Law on Non-Governmental Organizations (Law 12 of 2010), and in Iraqi Kurdistan by the Law on Non-Governmental Organizations in the Iraqi Kurdistan Region (Law 1 of 2011). Neither law requires organizations to register, allowing for informal organizations. In practice, however, registration is necessary for organizations that wish to carry out activities beyond small-scale charitable and relief initiatives, and to receive donor funding.

In late 2016, after the new general director was appointed to the NGO Directorate in Iraq, registration officials informally began requiring less information and reducing the administrative steps necessary for new organizations to register, generally making the process less burdensome. For example, applicants for registration no longer need to submit the names and ages of the CSO's members to the Accountability and Justice Commission (a government entity tasked with vetting individuals for affiliation with Saddam Hussein's Ba'ath Party) for verification and authentication. However, when the NGO Directorate rejects a registration application, it may provide different reasons for rejection each time the application is submitted, thereby requiring multiple submissions. The Bent Al Rafedain Organization (BROB) and the Mirror Center for Monitoring and Developing Media Performance both faced this challenge in 2016 while trying to register. According to CSOs, this problem occurred with greater frequency in 2016.

CSOs wishing to operate in both federal Iraq and IKR should register with the NGO Directorates in both Baghdad and Kurdistan. Registration practices tend to be inconsistent, however. In Kirkuk, for instance, some CSOs are registered in Baghdad and some are registered in IKR, while others are not registered at all. Registration of CSO networks is also a challenge. In order to register, all organizational members of a network must be registered individually first and then the network must satisfy additional requirements, such as having a physical premise (which can be one of its members' offices) and a separate bank account.

CSOs often must undergo an additional registration process before they can work with a government ministry to carry out joint activities or to train government staff—a requirement not included in either Iraq's or IKR's NGO law. For example, when Iraqi Al-Amal Association sought to work with the Ministry of Education on a project to train officials on discrimination and other rights issues, the organization was required to register separately with the Ministry. Each ministry has its own registration process, which creates additional confusion for organizations. In 2016, it became more common for the ministries to require this additional process.

Other aspects of the practical implementation of the law continue to create challenges for CSOs as well. An organization must re-register, for example, in order to change its name. Officials from the NGO Directorate in Baghdad or Kurdistan also intervene on minor issues such as the details of an organization's seal, or the format of an organization's official letters. For example, when the Organization of Peace and Freedom in Kurdistan submitted an official letter to the NGO Directorate, officials rejected the letter and insisted that it be composed in Kurdish on one side and Arabic on the other.

Official harassment of CSOs is common and increased in 2016, particularly for organizations working on rights issues such as freedom of expression and anti-corruption. In 2016, authorities in Anbar suspended the organization Nawaeer, which works on women's, children's and cultural rights, but did not provide any justification for the decision. As the security situation has deteriorated in Iraq, the security apparatus has exerted increasing control over CSO activities, and for instance requests certain CSOs to provide security clearances, which must be renewed every year. In 2016, security officials raided the Nab's Al-Hayat Foundation in Anbar Province, because the Foundation had not obtained a security clearance to undertake its activities. A lack of knowledge among local government officials about the law governing CSOs also leads to harassment in some cases. Although the CSO law provides that registered organizations may practice their activities freely without having to undertake additional processes or approvals at the local level, officials in Maysan and Al-Qadisiyah governorates threatened to close CSOs' offices, including the office of the Awan Organization for Awareness and Capacity Development, a women's rights group.

In Kurdistan, at least six CSOs were closed in 2016. According to experts, some of the organizations were registered, but were closed for political reasons. One of these was the Yazda Organization, which supports the Yazidi ethno-religious minority and other vulnerable groups.

CSOs registered in Kurdistan are exempt from tax and customs duties on their revenue, property, and funds. In contrast, Iraqi CSOs registered under Law 12 of 2010 are only exempt from taxes and customs duties if they have obtained "public utility" status, which is granted by the Council of Ministers to CSOs that are established "to achieve a public interest." Neither individual nor corporate donors receive tax benefits for donations to CSOs.

CSOs may earn income in exchange for services they provide to the government. CSOs are also able to charge fees for the services they provide to the public, but few do so. The few that do include Al-Murtaqa, which raises funds from its trainings, and Iraqi Al-Amal Association, which earns revenue from its medical clinics. Some CSOs, including Al-Ferdos in Basra, also rent out their venues. Organizations that offer legal services generally also charge a fee.

CSOs have access to a corps of lawyers who are trained in CSO law. CSOs also share legal knowledge amongst themselves.

## ORGANIZATIONAL CAPACITY: 4.9

Organizational capacity across the CSO sector improved slightly in 2016. A greater share of organizations now has financial and human resource policies, engage in strategic planning, and abide by codes of conduct. Such elements are more common among older organizations that have a large constituency and extensive partnerships, and which also receive funding from major donors. Smaller organizations, particularly those formed for political or religious purposes and those that largely depend on charity, generally have not advanced to the same extent as larger organizations.

CSOs' continuing efforts during the year to provide relief and aid to displaced populations helped them develop local constituencies. Communities increasingly viewed CSOs' work as essential to address the IDP crisis, as well as the needs of those affected by the Islamic State.

The majority of CSOs still lack well-developed management structures that clearly delineate the division of responsibilities among staff members. Only a few, well-established organizations, such as Al-Masala, the Civil Center for Studies and Legal Reform, and Iraqi Al-Amal Association, have clear job descriptions and management structures.

**Organizational Capacity in Iraq**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.1 | 5.0 | 5.0 | 4.9 |
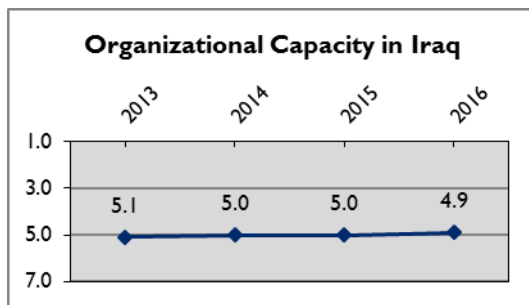
According to experts, however, more CSOs began developing or refining their internal management systems, including updating their personnel and conflict of interest policies, as well as financial management systems, in 2016 than in prior years. The desire not to lose staff to governmental or international organizations, as well as employees' growing awareness of and insistence on their labor rights, helped encourage organizations to develop their internal management systems. Intense competition among CSOs to obtain foreign grants also spurred organizational development, as international donors favor sophisticated financial management when assessing local CSOs' proposals; in 2016, some international donors even hired foreign auditors to assess potential grantees.

While most CSOs in Iraq still lack long-term strategic plans and missions, a growing number—particularly large CSOs working with international donors—engaged in strategic planning in 2016. Such organizations used needs assessments to develop programs with targeted responses or used strategic planning to draft proposals. As a result, some CSOs began proposing new projects that transcended short-term, charitable aid for the displaced and focused on development instead, including programs addressing matters such as national reconciliation and peacebuilding that would have sustained and long-term impact.

CSOs continued to struggle to maintain full-time, qualified staff in 2016, as international NGOs are generally able to pay higher salaries than local organizations. Organizations without experience in relief activities generally had a harder time obtaining grants and therefore began to lose staff due to the scarcity of projects and funding. For those organizations in Kurdistan working on humanitarian issues, on the other hand, the availability of special projects focused on humanitarian aid for the large numbers of IDPs helped to fund payrolls and increase staffing levels. Organizations in Kurdistan also saw an increase in volunteers, particularly among young people.

CSOs' operations became somewhat more technically advanced in 2016 as well. Most CSOs in Iraq have access to basic modern office equipment, such as computers, smartphones, and Internet access, and CSOs increasingly leverage these tools to promote their organizations and activities. More CSOs used Facebook to engage their constituents and publicize their activities, for instance. A growing number of CSOs also now have their own organizational YouTube channels and Twitter accounts for similar purposes. CSOs also use technology to monitor staff participation in activities, even using fingerprint devices to efficiently register attendance and absences for record-keeping purposes.

## FINANCIAL VIABILITY: 5.4

The sector's financial viability remained generally unchanged in 2016. Local donations increased slightly but remained marginal, while financial backing from foreign donors did not substantially change. Financial support from the government remained insignificant.

**Financial Viability in Iraq**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.5 | 5.4 | 5.4 | 5.4 |
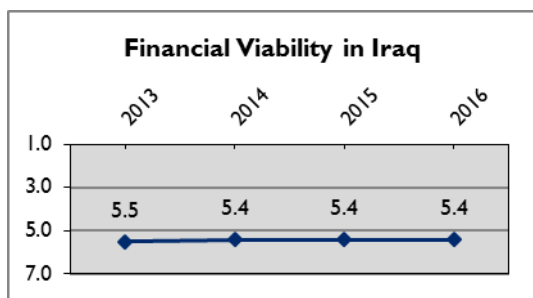
Most organizations still depend primarily on grants or contracts from foreign donors to finance their programs. Foreign and international funding for CSOs overall remained the same in 2016, though there was an increase in financial support for services to IDPs and decline in funding for other issues. Many international organizations working in Iraq implement projects independently without real partnerships with local organizations, however, and this trend grew more noticeable in 2016, particularly with projects around IDP assistance. Local CSOs are now largely considered contractors, which means they receive funding on a project-by-project basis. Large donors tend to work in partnership with Iraqi and Kurdish government entities to implement projects, rather than through CSOs. UNHCR, for instance, tends to cooperate and partner with the governorates' councils to implement their programs. Donor funding in 2016 primarily benefited rapid-response charity and relief programs, while organizations that work on other issues, including rights and women's issues, received fewer grants.

Local support for organizations increased somewhat in 2016. Recognizing the public appreciation of CSOs, local donors, including Iraqi companies, made gifts to CSOs and youth groups to enhance their image. Volunteer youth groups in particular gained the trust of local donors. These youth groups, which conduct charitable and other civic activities but usually opt not to register, received a growing number of donations from individuals and companies. In 2016, for example, major private donors such as telecommunication companies (ZAIN and ACIACELL) supported youth volunteer efforts as opposed to those of registered CSOs. In general, local giving is more limited in certain geographical areas, including Kurdistan and Basra province. Many CSOs also collect membership fees; however, these do not significantly contribute to organizations' revenues.

Some organizations have attempted to include income-generating activities in their strategic plans as a means of sustainable financial support, but more often CSOs avoid income-generating projects out of concern that they would undermine their image as nonprofits. In addition, many of these activities require initial start-up funding, which donors are not interested in supporting.

In both Iraq and IKR, governmental support for CSOs remains insignificant compared to support from foreign donors. On the very rare occasions that the government does issue grants to CSOs, it channels them through a governmental foundation, often to CSOs with political connections.

Some organizations developed more advanced financial management systems in 2016, including by adopting electronic accounting systems. A few CSOs, including the Baghdad Women's Association, Massala, and Iraqi Al-Amal Association, regularly publish financial reports along with narrative reports. These organizations also retain financial auditors and maintain ongoing efforts to obtain new grants for projects.

## ADVOCACY: 3.7

Overall, CSOs' advocacy improved slightly in 2016. Civil society continued to lobby and advocate on rights issues despite pressure from the media and public to support the government on all fronts, particularly in the ongoing struggle to defeat the Islamic State and other security threats.

CSOs' legislative advocacy efforts were particularly visible. Due to civil society's public awareness campaigns and lobbying of government officials, for instance, the government considered a number of draft laws that had not previously been included in the legislative agenda. Organizations such as the Iraqi Women Network, Salam Al-Rafidain, Baghdad Women's Association, Al-Mada, Iraqi Al-Amal Association, and Masarat helped pressure the government to consider an anti-discrimination bill, a bill to counter hate speech, and a bill to combat domestic violence, among others. CSOs also worked to ensure that the content of these bills aligned with

human rights law and best practices. Following CSO efforts, the anti-discrimination bill received a first reading in parliament, and the anti-domestic violence bill proceeded towards a parliamentary vote.

CSOs launched advocacy campaigns around restrictive legislation as well. For instance, the government considered a draft law on freedom of expression that, rather than expanding protections for fundamental rights, would have introduced new restrictions including new limits on public assemblies and demonstrations. CSOs successfully fought to halt that draft, using advocacy tactics including protests and sit-ins.



Advocacy in Iraq

|      | 2013 | 2014 | 2015 | 2016 |
|------|------|------|------|------|
|      | 3.9  | 3.9  | 3.8  | 3.7  |
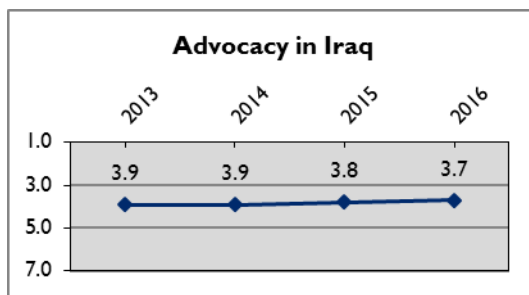
In 2016, the Alliance of 1325, a network of Iraqi CSOs that works to improve implementation of UN Resolution 1325 on women, peace and security, increased its cooperation with local governments and even international institutions. As a result of advocacy by Alliance members including the Women Empowerment Organization, all government ministries developed sector-specific action plans to implement Iraq's National Action Plan on Resolution 1325.

CSOs' advocacy and lobbying initiatives and efforts also extended to providing public information and data to individuals and journalists. For example, after the Islamic State carried out a major bombing attack in July that killed more than 320 people in a largely Shia district of Kerrada, CSOs helped to update the public on the status of dead and missing individuals, and shared information about the perpetrators of the attack in order to calm sectarian tensions. CSOs also increased their use of social media in advocacy campaigns, including in efforts to raise public awareness about the draft law on domestic violence. Most of these campaigns were not supported financially and instead relied on volunteer work.
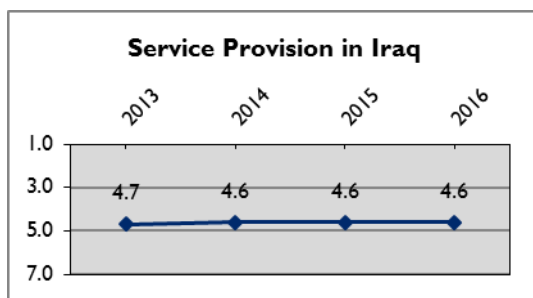
CSOs in Baghdad generally enjoy somewhat greater freedom to advocate, and have more access to decisionmakers than their counterparts in Kurdistan do. While CSOs in Kurdistan continued to have a positive, productive relationship with the government, in 2016 organizations had comparably less direct access to Kurdish lawmakers. In addition, the NGO Directorate in Kurdistan began implementing more restrictive practices in 2016 and limiting CSO advocacy activities, especially those related to fundamental rights such as freedom of expression, or sensitive political issues like Kurdish liberation or the dissolution of parliament. As a result, advocacy campaigns in Kurdistan were fewer in number and less successful. Among the few campaigns in 2016 were a transparency and accountability campaign and an electricity reform campaign, both in Suleimaniya. Kurdish authorities and political parties also resisted the development of powerful CSO networks and coalitions, unlike their counterparts within Iraq.

CSOs in federal Iraq also had more success advocating for improvements to the legal environment governing the sector following the appointment of the new director of the NGO Directorate. Upon taking office, the new director conducted a number of meetings with CSOs to discuss the challenges they face; he subsequently took measures to address these challenges, including facilitating aspects of CSO registration.

## SERVICE PROVISION: 4.6

CSOs' delivery of services remained generally unchanged in 2016 and continued to focus on providing relief and support services for IDPs. International donors increased their funding to CSOs for services in response to growing IDP populations.

CSOs engage in a range of service activities. In addition to basic humanitarian aid, CSOs provide psychosocial support, health care, training on income generation, and training on domestic violence prevention.

**Service Provision in Iraq**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | 4.7 | 4.6 | 4.6 | 4.6 |
| 5.0 | | | | |
| 7.0 | | | | |

CSOs' goods and services are generally responsive to local needs and priorities, but also informed by donors' priorities. In 2016 direct humanitarian aid and relief to IDPs were among the highest priorities for individual IDPs as well as their host communities, and CSOs provided services to fill these needs. Such services addressed a gap normally filled by the government, as the government focused on fighting the Islamic State and rebuilding liberated areas.

CSO service provision in 2016 most often targeted populations in need, not only of humanitarian aid but also advocacy and support. CSOs provided services to women's groups, for instance, as well as reconciliation services and support to youth. CSOs also held trainings to build the capacity of human rights defenders, such as training for journalists on digital security and monitoring human rights abuses. A few organizations trained government officials, as well, including a training for members of parliament on the draft law to combat domestic violence. Volunteer youth groups, some of which are formally registered CSOs, provided many services in 2016. These included building houses, painting schools and sidewalks, and conducting fundraising campaigns for schools.

CSOs generally provide services free of charge, relying on project budgets to recover the costs of providing services.

In 2016 the government increasingly acknowledged CSOs' role in IDP assistance. For instance, both the Prime Minister and Minister of Displacement and Migration thanked civil society for its help in aid and relief services. However, government support is generally limited to public expressions of thanks and recognition, rather than financial or material support. The government rarely if ever provides grants or contracts to CSOs to provide services.

## INFRASTRUCTURE: 5.2

CSO infrastructure remained largely unchanged in 2016, although there was some progress in the formation of CSO alliances and networks, and some donor-funded national organizations awarded small grants to local organizations for the first time.

A number of organizations serve as resource and support centers for the CSO sector. The University of Al-Noor Foundation and Iraqi Al-Amal Association, for example,

**Infrastructure in Iraq**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | 5.3 | 5.2 | 5.2 | 5.2 |
| 5.0 | | | | |
| 7.0 | | | | |

provide capacity building support to local CSOs through training workshops, knowledge resource sharing, and consultations.
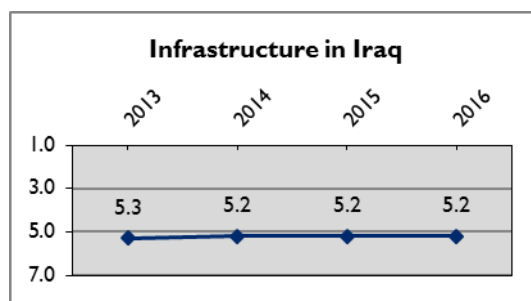
There are few local organizations with grant-making capacity. Grants to CSOs come primarily from foreign donors. However in 2016 some international organizations funded national organizations to provide small grants to local organizations for the first time. For instance, Iraqi Al-Amal Association received funds from Oxfam, which it then re-granted to local organizations to carry out activities on peace and reconciliation and women's rights. Many local organizations, however, lack the sophisticated auditing and accounting systems that donors require in order for them to receive funding for grant-making purposes.

New alliances, including the Nineveh Organizations Network, Civil Alliance for Sinjar Reconstruction, and Alliance of Defending the Minorities in Duhuk, formed in 2016. Organizations representing different fields also joined together in coalitions such as Nashitoon to Repeal Corruption Network. At the same time, established alliances struggled to sustain themselves due to funding shortages. Most alliances and coalitions last

less than a year or two because neither the alliance nor its individual members have sufficient financial resources. The Legal Clinics Network, An Eye on the Budget Network, and Civil Forum Network all became inactive in 2016 due to a lack of funding.

CSOs are supported by competent local trainers, and in 2016, the number of Iraqi trainers grew. Certain organizations, including Mosharaka and Al-Namaa, use local and international experts to educate many local trainers. These training-of-trainers events covered topics ranging from minority rights and gender issues to CSO strategic planning and digital security. CSOs tend to prefer local trainers, as they are better acquainted with Iraqi culture. Iraqi Al-Amal Association published an extensive human rights training curricula for CSO trainers in 2016, providing them with a previously unavailable resource. CSO trainings covered both basic and advanced topics, including advocacy and human rights documentation, and generally met the needs and interests of CSOs.

Cooperation between local CSOs and international organizations increased in 2016, but tended to be limited to short-term, or even one-time, cooperative initiatives, such as assistance in staff training. More substantive partnerships and jointly-executed projects and activities decreased in 2016. CSOs continue to lack strong or sustained partnerships with the private sector and the media, as well.

## PUBLIC IMAGE: 5.1
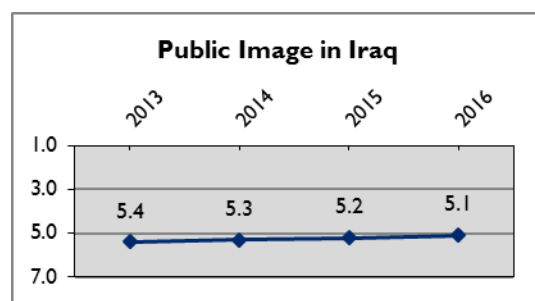


The image of the CSO sector improved somewhat in 2016, particularly among the media and the public. The media provided more positive and extensive coverage of CSOs' work in humanitarian aid and IDP support. Social media, including special community media programs such as Yalla, also provided positive coverage of CSOs and enhanced their image, again especially with regard to the humanitarian aid provided to IDPs.

Some CSOs succeeded in obtaining free advertising and coverage from media outlets in order to advertise their activities and raise awareness about social issues. The Iraqi Institution, for instance, secured free airtime from the Iraqi national television channel and Hona Baghdad channel, as well as space in the newspaper Karbala Today. Radio stations covered CSO projects as well, such as Al-Rased Monitor and the 1325 National Action Plan. There were also reports and special coverage of CSOs and their projects on the satellite channels. Aware of media's influence, some CSOs, such as Akad Institute, hired media officers in 2016. The increase in positive media coverage of CSOs and activists helped to improve the sector's image among the public as well as the government.

In 2016, there were indications of greater public approval and acceptance of CSOs. The public looked favorably on CSOs' provision of necessary services—in particular their assistance to IDPs – especially in comparison with the government. Many organizations increased their public visibility on social media. There was a noticeable increase in organizations publicizing their activities on Facebook, for instance, and the numbers of followers of CSOs' social media pages increased, as did the number of signatures on CSOs' electronic petitions. Most organizations succeeded in preserving their independence and did not, for instance, align themselves with political parties or engage in other partisan activities, which also helped to enhance the sector's public image.

The government recognizes CSOs' influence in the public sphere. Some government ministries depend on certificates from CSOs, such as completion of a CSO's training workshops, as grounds for promoting government employees.

The private sector, on the other hand, continues to lack a positive view of civil society, and it is rare for private sector entities to support CSOs. One or two large companies may support large-scale CSO events, but such support does not represent a unified approach by the sector.

CSOs are also well-perceived internationally. Diplomatic representatives from the UK, Sweden, Canada, and the Netherlands all included meetings with CSOs as part of their program agendas, in some cases even before meeting with government officials, in order to discuss CSOs' perspectives and opinions.

CSOs are legally required to submit annual and monthly reports to the NGO Directorate, but very few publish these reports or make them available to the public. The volatile security situation has led even large organizations to avoid public visibility, out of fear of becoming a target of criminal and militant groups.

# JORDAN



**2016 CSO Sustainability Scores for Jordan**

| Category | Score |
|---|---|
| CSO Sustainability | Sustainability Impeded 5.1 |
| Legal Environment | 5.4 |
| Organizational Capacity | 5.4 |
| Financial Viability | 5.2 |
| Advocacy | 5.1 |
| Service Provision | 4.7 |
| Infrastructure | 5.0 |
| Public Image | 4.6 |

Sustainability Enhanced — Sustainability Evolving — Sustainability Impeded
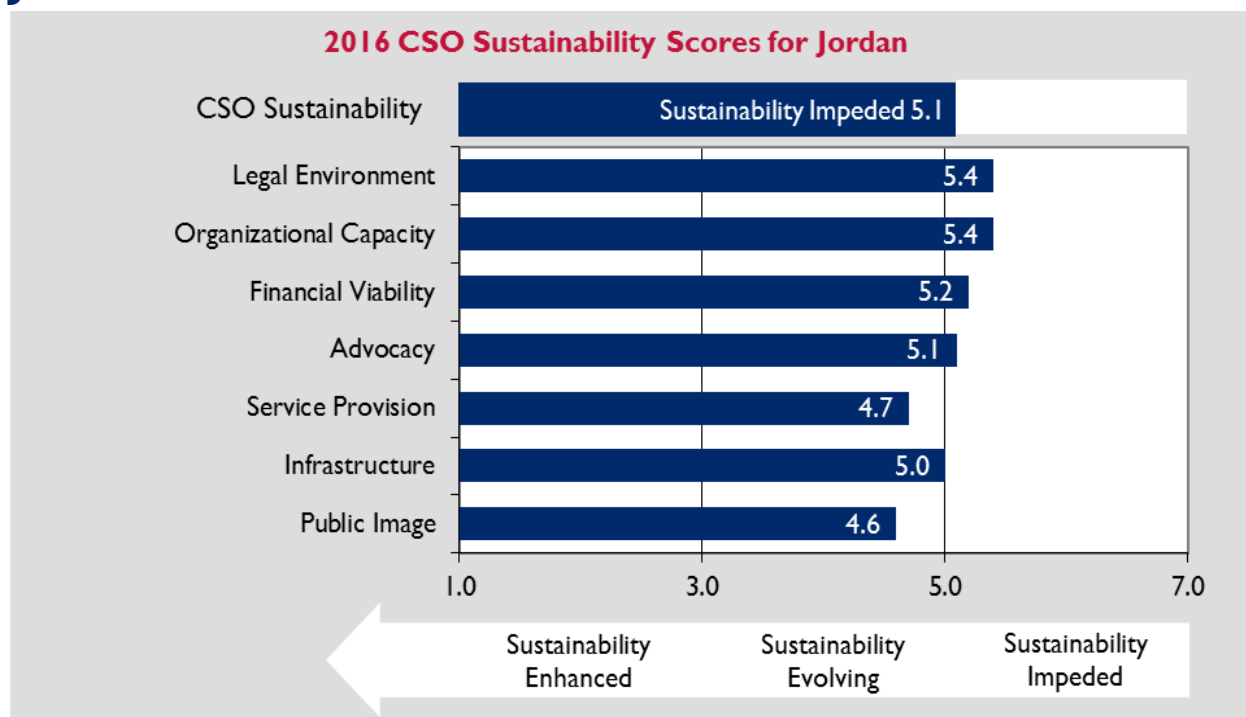
## CSO SUSTAINABILITY: 5.1

**Country Facts**

**Capital:** Amman

**Government Type:** Constitutional Monarchy

**Population**: 10,248,069

**GDP per capita (PPP)**: $12,300

**Human Development Index:** 86

The conflict in neighboring Syria continued to have challenging economic, social, and security implications for Jordan. By December 2016, the Office of the UN High Commissioner for Refugees (UNHCR) estimated that there were nearly 660,000 registered Syrian refugees in the country, in addition to hundreds of thousands of unregistered persons fleeing the conflict. National security concerns remained prevalent during the year and the government implemented additional measures to counter terrorism, some of which adversely affected CSOs' access to funding and free speech.

Jordan faced ongoing economic difficulties in 2016. Economic growth slowed to 2.4 percent, slower than the two preceding years. This was in part a consequence of regional instability and repercussions from the Syrian crisis, including the closure of trade routes with Iraq and Syria. Slow growth was also reflected in worsening labor market indicators. Unemployment remained high, at just over 13 percent of the population. Difficult economic conditions increased the public's need for services provided by CSOs, while at the same time constraining CSOs' local sources of income.

In March 2016, Jordan launched the Comprehensive National Plan for Human Rights (CNPHR), a ten-year reform initiative to protect and enhance human rights, including through changes to the legal framework and

its implementation. Under the CNPHR, Jordan guarantees greater protections for criminal suspects, for instance, moving trials involving torture and ill-treatment from the police court to civilian courts. It also includes new commitments to CSO rights and public participation. During the same month, however, government officials proposed sweeping amendments to the country's association law that, if implemented, would hamper the ability of CSOs to form and operate.
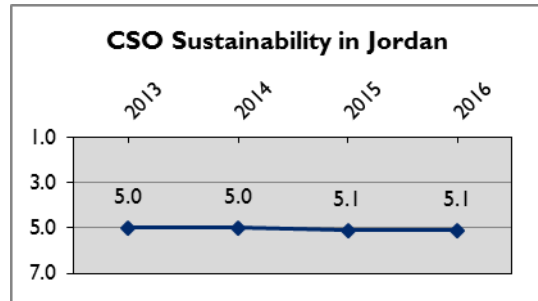


General elections for the eighteenth Lower House of Parliament were held on September 20, 2016. The elections were considered free and fair, and CSOs such as RASED had an opportunity to observe polling places. Female candidates won twenty of 130 seats in the elections, compared to eighteen out of 150 in the previous parliament.

The majority of CSOs in Jordan are registered as societies under the Law on Societies (Law 51 of 2008); these organizations are the focus of this report. At the end of 2016 there were 5,294 societies registered with the Ministry of Social Development (MoSD), including both national-level organizations based in the capital, Amman, and community-based organizations (CBOs) throughout the country. This number does not include not-for-profit companies, which register with the Ministry of Trade and Industry under Law 73 of 2010 on Companies; it also does not include the special class of Royal Non-Governmental Organizations (RINGOs), of which there are approximately ten.

## LEGAL ENVIRONMENT: 5.4
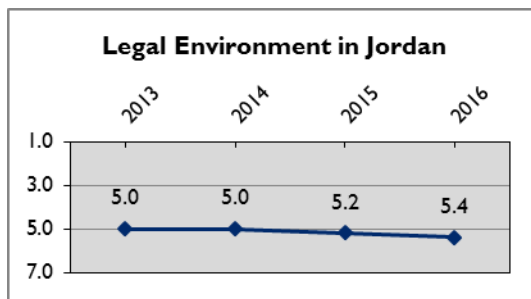


The legal environment for CSOs deteriorated significantly in 2016, as the government refused registration applications of some organizations, dissolved more organizations than in prior years, and enforced counterterrorism measures that constrained legitimate CSO activity. The government also proposed restrictive amendments to the CSO law, which if passed would make the legal environment for CSOs significantly more challenging.

Law 51 of 2008 and its amendments continue to govern the registration and operation of local and foreign organizations in Jordan. Law 51 poses a number of challenges for CSOs, including vague language that enables government discretion in interpretation and application. Under Law 51, organizations are required to register, and the Registry Council – the entity responsible for registering societies under the Law – may reject applications without providing justification or providing applicants an opportunity to remedy shortcomings in their applications. A total of 600 societies were newly registered in 2016, but a number of groups that applied for registration were refused. The National Committee to Support Jerusalem Immovability was one of the few whose registration application was refused by the Registry Council in 2016; the organization received no explanation for the refusal. Another aspiring CSO, seeking to advocate for the rights of children with Jordanian mothers and non-Jordanian fathers (who receive disparate treatment under the law) attempted to register with the Registry Council in 2016 and was likewise turned down. In 2015, the government issued instructions to refuse the registration of any organizations working with Syrian refugees; this instruction remained in effect in 2016. Officials justified this order as necessary in order to allow better coordination among organizations already working on the refugee crisis, such as the Hashemite Charity Organization. Some organizations also faced additional scrutiny and were required to obtain a separate security approval from the Ministry of Interior in order to register – an unusual step not required under Law 51. This was the case for the Jordanian Society for Citizens' Rights as well as the aspiring children's rights CSO mentioned above. Experts say that the MOI, which is already represented on the Registry Council, becomes

more involved in the registration process when the organization's objectives are considered "sensitive," such as those in the areas of democracy and human rights.

The rejection of a registration application must be based on the recommendation of the supervising ministry, as must dissolution decisions. Under Law 51, organizations that are refused registration have the right to appeal the decision before a high court. In December 2016, the High Administrative Court working in its appeal capacity approved the appeals of three out of sixty-three organizations whose registration had been rejected in prior years. The Court indicated that its approval of these cases was related to formalities in the registration process and not to the substance of the applications.

Under Law 51, organizations must also apply for and obtain government approval before they may receive foreign funding. A new administrative directive introduced in 2015 further complicated this process by requiring that CSOs submit an extensive application form to the government providing details on the source and intended use of the foreign funds; the directive was implemented throughout 2016 resulting in substantial hardship to CSOs. While Law 51 provides that the government's lack of response to a funding application for thirty days constitutes an automatic approval, the administrative directive provides that the thirty-day period does not begin until a unit of ministry representatives has first reviewed the application and referred it to the Council of Ministers. Accordingly, what had once been a thirty-day process for CSOs to obtain approval for critical funding now often stretches to several months. The directive also requires that funding be used for activities that support Jordan's national goals and priorities.

In order to avoid the restrictions imposed by Law 51, some CSOs register as not-for-profit companies with the Companies Control Department in the Ministry of Trade and Industry, rather than the Registry Council. RINGOs also do not have to comply with the Societies Law, but operate under special laws based on royal decrees and parliamentary endorsement. Many RINGOs, including the King Hussein Foundation, Jordan River Foundation, and the Jordanian Hashemite Fund for Human Development (JOHUD), receive funding from the government. The law allows RINGOs to bypass aspects of government bureaucracy and constraints that limit other CSOs, including some restrictions on permissible missions and activities. For instance, RINGOs are allowed to work with Syrian refugees and migrants, while many other CSOs are not allowed to.

In March 2016, the government circulated new draft amendments to Law 51. The proposed amendments, developed by the Legislation Bureau, introduce new restrictions, and many CSOs expressed concerns about them. If passed and implemented, the amended law would increase the government's authority to prevent CSOs' registration and constrain their operations on national security or public order grounds, and would deny CSOs access to international funding without any justification. The Coordinating Body of Civil Society Organizations (HIMAM), a coalition of CSOs, published a legal analysis of the draft amendments and announced its opposition.

Administrative dissolution of CSOs increased in 2016. The government dissolved many more organizations than in previous years: 393 in 2016, compared to 189 in 2015 and 108 in 2014. The government claimed that organizations were dissolved because they had ceased their work for a year, repeatedly violated the law, or requested dissolution.

CSOs faced other administrative obstacles during the year, as well. For example, officials prevented the Phoenix Center for Economics & Informatics Studies from holding a public workshop on the results of opinion polls about the economic and social rights of Jordanians and their confidence in the economy. CSOs claimed that officials' refusal to allow the workshop violated the Public Meetings Law, which requires only that CSOs provide prior notification of their intent to hold a public meeting, not that they obtain official approval. In general, organizations engaging in activities or making public statements deemed controversial or critical of the government face more challenges than those focused on non-controversial issues. As a result, CSOs tend to issue critical statements through coalitions such as HIMAM, in order to alleviate pressure on individual member organizations.

The government also began discussing additional legal measures to counter terrorism, some of which would adversely affect CSOs' right to free expression. For instance, the government announced its plan to draft a law to combat hate speech, including in social media communications. Jordanian civil society and political activists heavily criticized the plan, arguing that it would limit freedom of expression and speech, particularly on social media. The government also continued to enforce Jordan's Electronic Crimes Law, which was amended in 2015. The controversial amendment to Article 11 allows the detention of journalists and citizens for online expression that is deemed libelous, defamatory, or demeaning.

At the same time, the government issued Jordan's Third National Plan, covering the years 2016-2018, which provided new commitments to civil society rights and participation. Commitments include increasing access to information, strengthening the framework for media rights, and promoting aspects of citizen participation. For instance, the government expressed its willingness to integrate citizen participation into the country's decentralization process, allowing citizens to identify their needs and priorities and incorporating this feedback into the decision-making process. The government also committed to launching a complaints mechanism and follow-up procedures to respond to CSOs' complaints around issues such as CSO registration refusals or dissolution orders, and to refer them to the judiciary when necessary. No progress reports on the status of these commitments were available by the end of 2016.

There were no changes to the tax law affecting CSOs in 2016. CSOs benefit from a tax exemption on grants and other income sources if their activities qualify as "public interest" activities that benefit a clear group of beneficiaries. Charities working with orphans and individuals with disabilities, for instance, receive tax exemptions after obtaining official approval from the relevant ministry. Some CSOs struggle, however, to obtain the exemption due to different interpretations of what constitutes the "public interest."

Neither Law 51 nor other laws restrict CSOs from earning income by providing goods and services. CSOs are allowed to compete for government contracts, and certain ministries contract with CSOs to provide specific services. CSOs face strong competition from the private sector for such contracts, however.

Jordan lacks a sufficient number of competent lawyers who work with the not-for-profit sector. In addition, such lawyers generally only provide paid legal advice; there are no pro bono options for CSOs seeking legal advice. The Jordanian Bar Association's 2014 requirement that all CSOs have at least one legal staff member remains in place.

## ORGANIZATIONAL CAPACITY: 5.4

CSOs' organizational capacity overall remained stable in 2016. Well-established and larger organizations – which are few in number – generally have stronger strategic plans and better-defined organizational structures, and can offer their employees greater job stability, compared to the sector as a whole.

Most organizations have clearly identified constituencies and seek to utilize a participatory approach in the design and implementation of projects. More widespread use of social media and other communications technologies has enhanced CSOs' ability to interact with their constituencies. CSOs often publicize their activities on their Facebook pages in order to engage with and gain the trust of constituents.

**Organizational Capacity in Jordan**

| 2013 | 2014 | 2015 | 2016 |
|------|------|------|------|
| 5.5 | 5.4 | 5.4 | 5.4 |

Few CSOs engage in long-term strategic planning in support of their missions, and instead remain reactive to donor priorities. In 2016, however, sixty-three CBOs developed five-year strategic plans through the USAID-

supported Internal Strengthening for Change (ISC) program. CSOs are also increasingly interested in assessing the impact of their projects, particularly as project evaluation has become a more common requirement of donors.
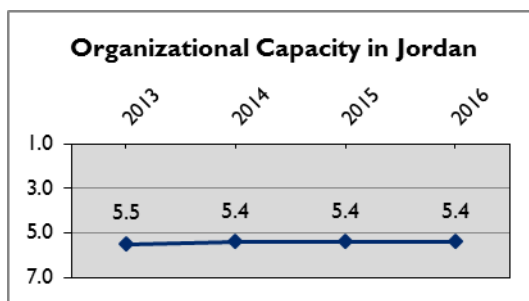
Most CSOs lack the institutional capacity and management structures to measure the impact of their work and to ensure effective program implementation and growth. Large and medium-sized organizations, including RINGOs, tend to have more clearly-defined internal management structures. Such CSOs usually maintain a clear division of responsibilities between boards of directors and staff members. Their boards engage in CSO management and are generally open and transparent in their operations. However, there is still a need to monitor the protection of employees' rights; not all organizations provided their staff with social security insurance in 2016, for instance.

Jordanian CSOs, particularly those that focus on human rights issues, struggle to retain experienced employees, as larger organizations – including donor agencies – are able to offer them higher salaries. Many CSOs laid off employees in 2016 due to funding constraints, and relied on volunteer staff instead. In 2016, organizations improved their abilities to recruit volunteers; however volunteers have begun seeking compensation for their transportation costs.

Large and medium-sized organizations utilize professional services such as accountants and IT professionals. These organizations generally also have human resources systems in place for hiring and managing staff. Larger CSOs also have greater access to modern office technology, including the Internet, email, and the latest software. Smaller CSOs, particularly grassroots CBOs, tend to have more limited access to expensive equipment due to financial constraints.

## FINANCIAL VIABILITY: 5.2



Financial Viability in Jordan

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.3 | 5.2 | 5.2 | 5.2 |
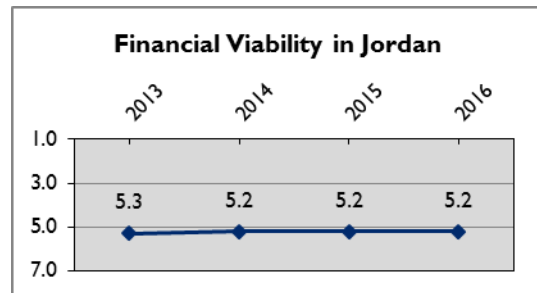
Most CSOs still do not have diverse sources of funding but rely primarily on funding from foreign donors. CSOs' receipt of foreign funding increased somewhat in 2016, as international donors moved to support the implementation of Jordan's decentralization law, local elections, and elements of the Jordan Response Platform to the Syrian Crisis (JRPSC). Funding from the European Union (EU) and the Organization for Economic Co-operation and Development (OECD) rose, for instance, aimed in part at assisting the implementation of Jordan's decentralization law.

At the same time, CSOs faced new difficulties in obtaining funds from foreign donors. According to Law 51, CSOs must apply for and obtain approval from the Council of Ministers before they can receive funding from outside Jordan. A new, extensive application form for this process, introduced in 2015, proved to be problematic in 2016, as officials who reviewed the forms issued arbitrary decisions and denied applications without providing justification. According to MoSD, CSOs submitted 323 applications for approval to receive foreign funds in 2016, and thirty-nine applications were rejected. The Ministry did not provide any justification for the rejections nor identify the activities or objectives of the CSOs whose applications were rejected. Nonetheless, according to local CSOs, organizations that deal with "sensitive issues" such as human rights routinely had their applications either chronically delayed or rejected altogether, with no justification. Under the law, there is no opportunity to appeal a rejection of a funding application before a court.

In general, only smaller CSOs substantially rely on local support through grants and assistance from local communities. For instance, organizations that support orphans receive a significant portion of their funding from local sources. CSOs are required by law to obtain a license before they may collect donations from the public; they can apply for up to two licenses a year to organize fundraising events. However, their ability to

attract significant funding in this manner remains limited.

Support from the private sector to CSOs weakened somewhat in 2016 compared to prior year. In a rare instance of support, Pharmacy One Group offers CSOs free facilities for their activities. Microsoft also offers discounted software subscriptions to eligible nonprofits and charities.

The government provides some assistance to CSOs through MoSD; grants require that an organization have completed at least one year of operation after registering, and are based on an assessment of the organization's past performance and implementation of projects. There are no official figures on the amount of government funding provided to CSOs, however. Government agencies also seek services from CSOs, especially for support to orphans and elderly people. Certain CSOs are able to apply for government tenders related to Syrian refugee issues. RINGOs, which are not subject to the limitations of Law 51, generally receive more government funding than other CSOs.

CSOs registered under Law 51 must submit annual activity and financial reports to the relevant ministry; CSOs generally adhere to this requirement. An organization must also engage an external auditor if its annual budget exceeds 3,000 Jordanian Dinars (approximately $4,200).

## ADVOCACY: 5.1

CSOs' advocacy improved slightly in 2016, despite legal constraints on certain types of advocacy. The law prohibits CSOs from engaging in political activities, and as a result there are few organized lobbying efforts or awareness of lobbying mechanisms among CSOs. There was a noticeable shortage of such efforts, for instance, around the proposed amendments to Law 51 and the new application mechanism for foreign donations.



Advocacy in Jordan

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.1 | 5.1 | 5.2 | 5.1 |
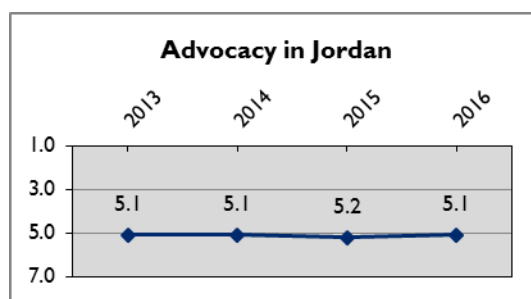
Outside of lobbying, CSOs persisted in their advocacy efforts in 2016, however, and communication between CSOs and government agencies at the federal and local levels improved. CSO-government cooperation related to human rights increased during the year on account of effective efforts by the Government Coordinator for Human Rights, established in 2014. Semi-regular meetings took place between the two sectors for consultation and even coordination of activities. The adoption in 2016 of the CNPHR was an especially important outcome of this cooperative relationship. A number of CSOs contributed to the formulation of the ten-year strategy and are charged with carrying out certain elements of it. For instance, CSOs were involved in enhancing a system for registering and following up on citizen complaints about human rights violations, and referring them to the judiciary if necessary.

CSOs launched some effective advocacy campaigns in 2016. For example, JOHUD launched a campaign calling for the elimination of Article 308 from the Penal Code, which provides that an individual convicted of rape can avoid punishment by marrying his victim. The campaign aimed to raise public awareness of this article and urge the public to advocate for its repeal; it also urged rejection of related draft Penal Code amendments which would allow convicted rapists to be pardoned upon presentation of additional evidence, but without providing adequate protections for victims. While Article 308 remained in effect at the end of 2016, the proposed Penal Code amendments were rejected and government officials publicly stated their intention to eventually eliminate Article 308.

In early 2016, the Centre for Defending the Freedom of Journalists (CDFJ), a CSO focused on media freedoms in Jordan, launched a campaign to abolish Article 11 of the Electronic Crimes Law. Article 11 allows for the detention of anyone accused of defamation in an online forum, overriding a clause in Jordan's Press and Publications Law that prohibits the detention of journalists. CDFJ's campaign, titled #Talking_is_not_a_crime,

argued that Article 11 unconstitutionally undermined freedom of expression, which is guaranteed by the Constitution of Jordan. As part of the campaign, the Centre also released a 2016 report titled "Behind Bars" about Jordanian journalists detained under the Electronic Crimes Law and counterterrorism laws. Other campaigns during the year included 16 Days of Activism Against Gender-Based Violence, The Enemy's Gas is Occupation, and the She Parliament campaign to increase women's representation in parliament.

RINGOs also increased their cooperation with municipal councils and the parliament in 2016. For example, the King Hussein Foundation entered into a Memorandum of Understanding with the parliament providing for cooperation and the exchange of knowledge, particularly around gender considerations in the parliament.

## SERVICE PROVISION: 4.7
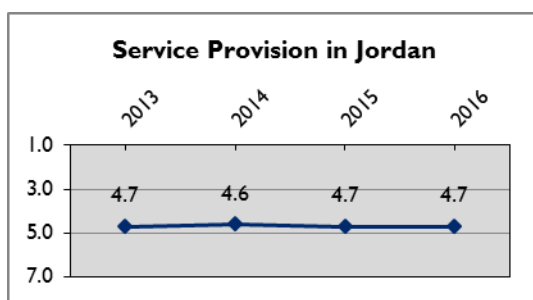


CSO service provision did not change significantly in 2016. CSOs in Jordan, including RINGOs, offer a wide range of services in health, education, relief, housing, water, energy services, economic development, environmental protection, and job training for youth. CSOs' role in service provision was recognized at the 2016 London Conference, where countries pledged to address Jordan's challenges through aid that would include support to civil society to implement development projects. As international funding for such services increased, particularly from the EU and OECD, the sector's provision of services increased and diversified. CSOs continued to work with the government to carry out elements of the JRPSC as well as the Third National Plan for 2016-2018.

In 2016, some CSOs sought to provide services to meet urgent community needs. For instance, CSOs established a network to offer support services for orphans. This network includes: SOS Children's Village, Sakeena Association, Al Aman Fund for the Future of Orphans, Justice Center for Legal Aid, Saed Association, Mizan Group, and the Information and Research Center – King Hussein Foundation. The network exists to coordinate efforts by its member organizations, with the goal of enhancing the quality of services and increasing their accessibility by beneficiaries. Representatives from MoSD also participate in meetings of the network.

CSOs outside of the major cities often respond better to their communities' needs because of their first-hand knowledge of local situations and dynamics. In 2016, CSOs participating in the implementation of the JRPSC prepared needs assessments to inform their service provision to Syrian refugees and victims of domestic abuse. CSOs do not always coordinate their service provision, however, leading to some duplication of efforts.

In general, CSOs rely on local and foreign funding to cover their expenses, rather than recovering costs through the provision of goods and services. Some CSOs do charge fees, however, including for services such as training, health services, and legal advice, although these fees are generally nominal and do not cover the costs of providing the services. For example, an organization focused on women's livelihood requests around ten Jordanian Dinars (approximately $14) from trainees to attend courses in sewing traditional attire.

Government agencies recognize CSOs' capacities as service providers, though they rarely enter into partnerships with CSOs. MoSD seeks services from CSOs such as Al AmanFund, Sakeena, and the Princess Taghreed Institute, especially for community-based rehabilitation centers and shelters. The Ministry of Planning also relies on CSOs, including the Noor Al Hussein Foundation, Jordan River Foundation, and JOHUD, in order to implement poverty alleviation projects.

# INFRASTRUCTURE: 5.0

The infrastructure for CSOs overall remained stable in 2016. CSOs made some progress in their engagement with the government, but other intersectoral partnerships were rare. Support from ISOs, local grant-makers, and trainers did not change significantly from the prior year.

Some organizations act as intermediary support organizations (ISOs) and provide technical assistance, training, evaluation, and consultancy support to CSOs. Abdel Hameed Shoman Institute and Nuqul Group, for instance, provide technical, financial, evaluation, and consultancy support to CSOs. Several RINGOs, including the Jordan River Foundation, King Hussein Foundation, Noor Al Hussein Foundation, and King Abdullah II Fund for Development, serve as ISOs as well. These organizations have their own resources, though they sometimes partner with international CSOs and donors. ISO services are available to CSOs throughout the country.



Infrastructure in Jordan

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.0 | 4.9 | 5.0 | 5.0 |
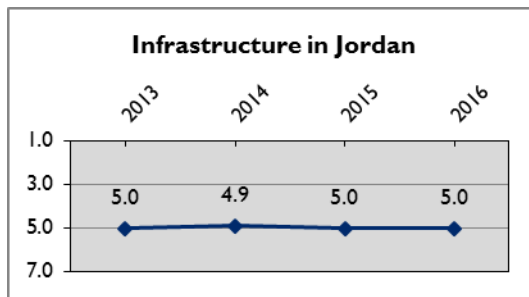
There are a few local grantmaking organizations in Jordan, but their funding generally originates from the government or international donors. RINGOs frequently provide subgrants to CBOs, most notably through the Poverty Pockets Program. That program, funded by the Ministry of Planning, includes projects to build the capacity of CBOs and citizens in target areas, establish income-generating projects, revolve loan portfolios, and support infrastructure and basic services projects. The USAID-funded Civic Initiatives Support (CIS) Program, which concluded in 2016, developed a tool to assess the grantmaking capacity of the Jordan River Foundation and the Noor Al Hussein Foundation; the results of the assessment were not made public, however.

There is no overall umbrella organization or network that enables information exchange or dialogue among the whole CSO sector. Regional and issue-based networks do exist, however. The Forum of CSOs, for instance, serves as a coordinating body for over a dozen organizations to harmonize their efforts in achieving sustainable development and advancing reforms. The Arab Women Parliamentarians Network for Equality, Ra'edat, is a regional parliamentary network that advocates for gender equality and fair participation of women in policymaking in the Arab region. The Network comprises present and former parliamentarians, and aims to reform the laws around legislative elections and political parties. It is supported by Spring Forward for Women, a regional joint program by the EU and UN Women. The OECD in partnership with the Al Hayat Center also continued efforts in 2016 to support a network of Jordanian CSOs in their efforts to engage with the government in implementing the Third National Plan for 2016-2018.

Jordan does not have permanent institutions that offer training on a regular basis to CSOs and their members and staff. Foreign donor programs, such as the USAID-funded CIS Program, provide occasional training courses for CSOs on such topics as human resources, strategic planning, monitoring and evaluation, and financial management. These trainings, usually led by Jordanians, are generally available for CSOs in all governorates and focus on topics selected according to needs assessments.

Although most CSOs are aware of the importance of intersectoral partnerships, few currently exist. This did not change in 2016. Notable exceptions include the JRPSC, a strategic partnership mechanism among the government, donors, UN agencies and CSOs with the goal of developing an integrated response to the effects of the Syrian crisis on Jordan. CSOs also formed a partnership with the Independent Commission for Elections prior to parliamentary elections in 2016 aimed at identifying and electing a woman in each electoral district. However, these efforts were not successful.

# PUBLIC IMAGE: 4.6



**Public Image in Jordan**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.7 | 4.6 | 4.7 | 4.6 |
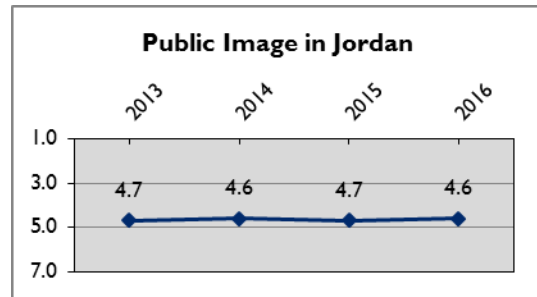
CSOs' public image improved in 2016, largely due to more positive relations with the government and private sector.

Media coverage of CSOs varies. Public media tend to provide less thorough and less positive coverage of civil society issues, while coverage by more numerous private media outlets such as Ro'ya TV and Al Ghad Newspaper is generally more comprehensive and positive. Al Ghad provided extensive coverage and analysis of the new application form for CSOs to obtain foreign funding, for instance, as well as the government's proposed amendments to the CSO law. A community radio station, Al Balad radio, focuses on human rights issues including CSO topics but suffers from lack of funding. Coverage of CSO activities is often particularly positive and thorough when it involves a RINGO or other group with a government affiliation. CSOs would benefit from more specialized media coverage by journalists who better understand and interact more frequently with civil society.

The public generally lacks awareness about the role that CSOs play or the range of activities and services they provide. Due to negative media coverage, the public is particularly suspicious of CSOs that receive foreign funding. Rural communities, especially those that receive CSO services, are generally more familiar with CSOs and their work.

The Jordanian government projected a more positive perception of CSOs in 2016, publicly recognizing their role in providing social services and expressing support for their initiatives. Prior to elections, the government pledged to support activists' efforts to ensure a strong representation of women in parliament, for instance. The Minister of Political and Parliamentary Affairs also publicly acknowledged the importance of CSOs and the need to increase their integration into policy-making. Communication between the government and CSOs involved in human rights work improved in 2016 as well. Overall, the government supports the expansion of civil society, while seeking to keep it aligned with government policies.

Businesses have a generally positive perception of CSOs, especially RINGOs and larger CSOs. In many cases, businesses develop relationships with RINGOs in order to cultivate ties with the Jordanian government. For instance, company representatives frequently seek to participate as CSO board members.

Radio and television advertisements are prohibitively expensive for most organizations. Instead, CSOs often promote their work in print media and online, including through social media. Many CSOs publish annual reports, but so far there have been no efforts to draft a code of ethics to self-govern CSOs' work.

# LEBANON

## 2016 CSO Sustainability Scores for Lebanon



| | Score |
|---|---|
| CSO Sustainability | Sustainability Evolving 3.9 |
| Legal Environment | 4.0 |
| Organizational Capacity | 4.0 |
| Financial Viability | 4.8 |
| Advocacy | 3.6 |
| Service Provision | 3.4 |
| Infrastructure | 3.8 |
| Public Image | 3.9 |

Sustainability Enhanced — Sustainability Evolving — Sustainability Impeded

## CSO SUSTAINABILITY: 3.9

### Country Facts

**Capital:** Beirut

**Government Type:** Republic

**Population:** 6,229,794

**GDP per capita (PPP):** $18,500

**Human Development Index:** 76

Lebanon reached new political landmarks in 2016, while also facing continued security challenges due to the ongoing conflict in Syria. After more than two years without a president, Michel Aoun was elected president in October 2016. His election was followed by the nomination of Saad Hariri as prime minister and the formation of a new cabinet. Local elections took place earlier in the year, in which political movements formed by civil society actors successfully garnered nearly one third of the votes.
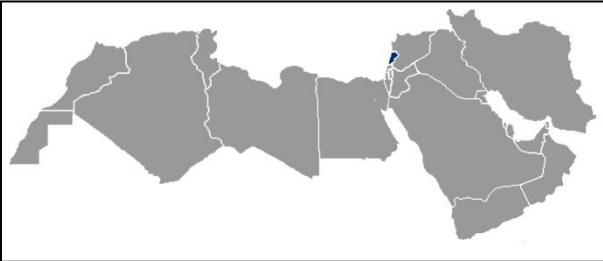
With conflict persisting in neighboring Syria, the population of refugees residing in Lebanon remained well over one million at the end of the year; estimates of the exact number varied widely depending on the source, as many refugees were not registered and unaccounted for in official tallies by the government and UN agencies. Public institutions and infrastructure struggled to provide basic services to residents and meet the refugees' needs. CSOs continued to focus their efforts on relief and assistance projects to address the refugee crisis.

Freedom of expression in Lebanon deteriorated in 2016. According to a report by the Maharat Foundation, more activists were arrested over critical statements on social media platforms, more criminal cases were initiated against journalists, and more movies were banned as compared to the previous year. These trends affected CSOs' expression, and self-censorship became more common. Nonetheless, civic activism, which increased in 2015 most visibly with the You Stink campaign for garbage removal, remained significant.

Overall, CSO sustainability in 2016 remained unchanged from 2015. The legal environment deteriorated somewhat, as new CSOs struggled to register and existing organizations experienced heightened incidents of harassment. CSOs still rely heavily for their survival on foreign donors, many of which continued to prioritize humanitarian aid and relief. Other dimensions of sustainability, such as service provision and advocacy, showed slight improvement, however. CSOs provide reliable services and resources, and in 2016 built stronger partnerships with the media. Their efforts to influence public policy were also more effective during the year.
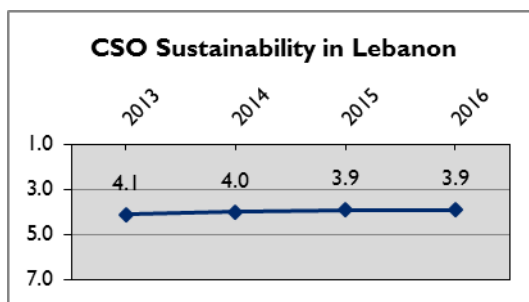


There is no reliable data from 2016 on the size of the CSO sector or the areas in which CSOs worked. However, according to the Ministry of Interior and Municipalities (Interior Ministry), there were 8,311 registered CSOs in Lebanon at the end of 2015.

## LEGAL ENVIRONMENT: 4.0
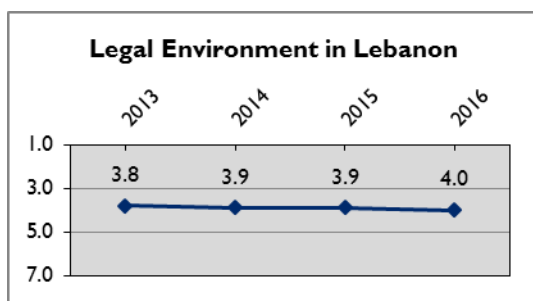


The laws and regulations affecting CSOs remained the same in 2016, but the legal environment deteriorated due to the government's implementation of the legal framework. Organizations faced additional challenges related to registration as well as increased incidents of official harassment.

CSOs are governed by an old Ottoman-era Law on Organizations, which, along with the constitution, provides broad protections for freedom of association. The Law on Organizations provides for a relatively simple process to legally establish a CSO: a newly formed organization must only notify the Ministry of Interior of its creation in order to be legally established, rather than undergo a licensing process. Upon receiving the notification, the ministry is obliged to issue a receipt to the CSO's founders. This notification receipt formalizes a CSO's establishment, allowing the CSO to prove its legal existence and take important steps such as opening a bank account.

However, administrative circulars adopted by the Ministry of Interior provide that relevant ministries and the General Security Directorate must review the CSOs' file before accepting the notification and issuing the receipt. According to CSOs, organizations were refused notification receipts in 2016 in greater numbers than in prior years, although no official data is available. A cultural organization in the north, for instance, has been struggling for over a year to obtain its notification receipt, with no success. CSOs also reported that security and intelligence officials played a growing part in stalling the notification process. For instance, when the founders of an environmental organization in Zahle followed up with the Ministry of Interior after being denied a notification receipt, they were told that the General Security Directorate refused to provide its authorization and the process had been stopped. In 2016, Salafist groups, lesbian, gay, bisexual, and transgender (LGBT) groups, and groups focused on issues such as women's reproductive rights were more likely to be investigated and less likely to have their notifications approved. In many such cases the government provided no explanation for the rejection.

The only foreign organizations that are allowed to register in Lebanon are local offices of existing organizations registered abroad. In addition, foreign organizations working in more than one country must be authorized by a government decree, which are rarely issued. This requirement has hindered the work of some regional organizations seeking to work in Lebanon to support Syrian refugees, for example. It also burdens the growing number of foreign organizations seeking to register in Lebanon because of the restrictive legal environments in

most other Middle East and North African countries. Alternatively, foreign organizations can register as civil companies. Civil companies engage in activities that are not commercial, but are for profit, and their registration is supervised by a judge. In practice, the process of registering as a civil company is easier for American, Canadian, or European organizations than for Arab organizations. Palestinian organizations face particular difficulties registering to work in Lebanon.

Beyond registration, the legal framework governing CSOs' activities and internal affairs remained relatively enabling. Under the law, the state may not interfere if a CSO seeks to change its mission, for example; founders must only notify the Ministry of Interior of the change. The law also protects CSOs from arbitrary dissolution by the government. A CSO may only be dissolved if its term expires according to its bylaws; by a decision of its board of directors; by judicial sentence according to the penal code; or by decree if its purpose was illegal or if its members were convicted of crimes against national security. CSOs must submit annual declarations to the Ministry of Interior and the Ministry of Finance. Each ministry requires reports in a different format, and information about the reporting requirements and format is not easily accessible, which is confusing to CSOs. The Ministry of Finance rarely inspects CSOs, and, when it does, it only inspects organizations in Beirut and not those in the regions.

Nonetheless, CSO leaders and activists did report more incidents of official harassment in 2016 than in the previous year. Some of these appeared to be in response to posts on social media and other activism. The executive director of the Lebanese Institute for Democracy and Human Rights (LIFE), for instance, was arrested in May after the Minister of Interior filed a defamation case against him for Facebook posts criticizing the minister. In January, a prominent activist and the director of Ashkal Alwan, a Lebanese CSO focused on fine arts, reported that her passport renewal application had been suspended by the General Security, based on a "subjugation memo." Such memos are administrative sanctions without a legal or judicial basis that allow General Security to obstruct the passport renewal process; they were used in 2016 to intimidate and harass activists seeking to travel out of the country. There were several other incidents in which activists were questioned illegally while renewing their passports.

Despite such incidents, CSOs and their members are generally allowed to operate freely and are not subject to state harassment. In some cases, especially when activities include public debates with the participation of officials or ministers, security officers may ask the organizers for information about the nature of the event without interfering in or attending the event.

The tax regime for CSOs did not change in 2016, but many CSOs remain confused by the tax laws and lack knowledge about how to take advantage of tax benefits. CSOs, including religious organizations and universities are exempt from taxes on income from grants and revenues, but find the process for claiming the exemptions to be unclear. Likewise, CSOs are exempt from VAT and have the right to full refunds of these taxes, but are very rarely able to obtain them due to a lack of knowledge about the process. Individuals and corporations are eligible for tax deductions for donations to nonprofit organizations, according to finance laws.

CSOs are able to generate income through service provision as long as any profits are directed towards achieving the CSO's goals, and are not distributed to the organization's members. CSOs include relevant provisions in their internal bylaws and policies and, in most cases, they invest any profits earned back into the organization's development. However, this does not ensure that CSOs will not face official scrutiny if they earn profits from service provision, especially if they work in areas or on issues that are controversial.

Legal assistance, especially from lawyers who are familiar with CSO laws, is more available in Beirut than in the regions.

# ORGANIZATIONAL CAPACITY: 4.0

In 2016, CSOs' organizational capacity remained stable across the sector.

CSOs expanded their local constituencies by responding to the needs of communities especially in northern Lebanon and the Bekaa. With the influx of Syrian refugees into Lebanon, the fear of rising extremism--especially in poor areas--and the growing tension between host communities and refugees, CSOs continued to engage in humanitarian work that strengthened their ties to larger constituencies. Many CSO



Organizational Capacity in Lebanon

initiatives supported by UN agencies, the European Union (EU), USAID and other international organizations utilized methodologies that ensured activities were tailored to local constituencies' needs. In addition, the civic movements that have been growing since the 2015 You Stink campaign and new movements formed in advance of the May 2016 municipal elections succeeded in reaching broader constituencies throughout the country.
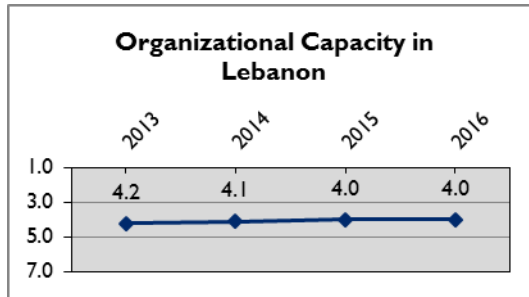
Most CSOs have clearly-defined missions and strategic plans. However, they do not update their strategies on a regular basis to align with conditions on the ground. Some organizations develop flexible mission statements in order to be able to shift their activities to match current funding opportunities, such as the Syrian refugee crisis.

Most CSOs have internal policies but do not always implement what is written in these policies. For instance, an organization may have policies in place to prevent fraud, but the policies exist only to be shown to donors and external auditors and are not applied in practice. Few CSOs have active boards that engage in organizational governance.

International donors monitor the work of CSOs and take steps to ensure transparency, which help build the organizational capacities of CSOs. For instance, international donors may ask for additional documentation and reports; they also conduct regular monitoring visits. They often require samples of documentation to ensure transparency and they provide feedback and recommendations accordingly to help CSOs improve their financial procedures so they can meet international standards.

The majority of CSOs in Lebanon are small – the overwhelming majority with ten or fewer employees, according to a report by Beyond Reform & Development (BRD) – and face major challenges in maintaining permanent paid staff. Instead, they usually contract staff on a project-by-project basis. CSOs also face difficulties paying for employees' social security, which is generally not covered in the budgets approved by donors. In addition, many donors do not cover rent or administrative costs, which impedes the sustainability of CSOs. Furthermore, some partnerships between local and international organizations are not equal. For example, not all international organizations, which are generally the lead partners, share administrative costs equally with their local partners.

In general, only large CSOs are able to utilize professional lawyers or auditors, and even these organizations find it difficult to identify experts who sufficiently understand the nature of CSO work.

According to CSOs, volunteerism has increased despite difficult economic conditions. This is particularly true among youth, who are more aware of volunteering and its benefits, and CSOs in turn are increasingly reaching out to young people to engage as volunteers. Decree number 8924/2012, which was issued in 2012 and mandates a number of hours of volunteer community service for all students, has helped advance the concept of volunteering in environmental, social, health, and educational activities. The Ministry of Education and Higher Education has been working to implement the decree in all public and private schools at the secondary level. Many CSOs have benefited from this decree by recruiting volunteers in schools and participating in CSO fairs at universities.

CSOs' resources do not allow for frequent updates of technical equipment and there is a lack of knowledge regarding data protection and software that is open and free. Only a few CSOs keep their sensitive data on protected servers. Most CSOs use pirated software and internet connections that are public or shared with unknown guests, due to a lack of digital security knowledge and awareness.

# FINANCIAL VIABILITY: 4.8

**Financial Viability in Lebanon**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | 4.8 | 4.8 | 4.8 | 4.8 |
| 5.0 | ● | ● | ● | ● |
| 7.0 | | | | |
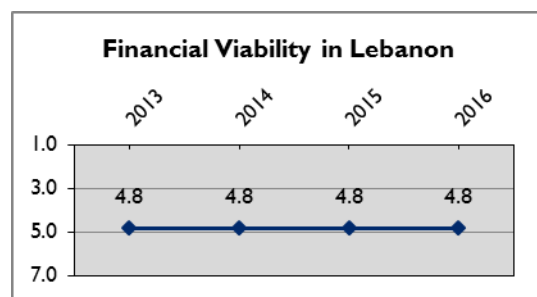
Financial viability continues to be a pressing challenge for CSOs in Lebanon. Most CSOs rely on foreign donors, which have shifted their support towards relief, aid, peacebuilding, and social cohesion--and away from rights-related work and civic education. Organizations working in other areas face increasing difficulties securing funding. The main foreign donors supporting Lebanese CSOs include the EU, UN agencies (especially UNHCR and UNDP), USAID, and some foreign embassies.

A considerable number of CSOs receive funding from the state, but there are no clear policies or official data on how ministries and municipalities distribute funds to CSOs and in what amounts. The government does not engage in any financial monitoring and there are no mechanisms to ensure transparency and appropriate use of public funds. For example, schools for poor children – predominantly owned by religious CSOs or institutions – receive a total of $50 million a year from the government, but there is no information on how the money is spent; the government itself raised questions in 2016 about possible corruption in the schools. Many CSOs running orphanages also receive financial support from the government.

Most CSOs complain that they do not have sufficient human resources specialized in fundraising or have time to allocate to fundraising activities. In addition, donors do not invest in activities that can help CSOs generate revenue, thereby reinforcing this dependency.

Local philanthropy remains a relatively small source of CSO support as compared to donor funding. Article 7 of Decree number 144/59 allows both individual and corporate givers to deduct donations from their overall revenues, but CSOs are unaware of this law and thus do not promote these incentives when fundraising. There are some initiatives to encourage corporate social responsibility (CSR). For instance, CSR Lebanon holds an annual convention to assess the impact of social programs on corporate success; the sixth such conference was held in October 2016. A culture of social responsibility is increasing, particularly among banks. In 2016, the banking sector supported initiatives focused on charity, the environment, entrepreneurship, and social issues, though there are no figures on the approximate amount of support contributed. Individual banks partnered with CSOs to support activities such as anti-drug campaigns, road safety, and child cancer. Nonetheless, the changing culture around CSR has not resulted in significant increases in private support to CSOs.

Some support is also provided by individuals through religious giving, through Christian charities as well as *zakat* – charitable giving mandated by Islam. *Zakat* support in large part goes to religious institutions affiliated with Dar Ifta, Fadlallah, and the Supreme Islamic Shiite Council. Few organizations collect annual membership fees. For those that do, such fees do not contribute significantly to the CSO's revenues.

According to experts, most well-established, larger CSOs have sound financial management systems and undergo external audits. Foreign donors routinely require relatively advanced financial management systems and audits as conditions for organizations to receive funds. Organizations that receive international funding thus tend to have more sophisticated systems in place. While CSOs regularly share their financial reports with donors, however, they rarely make them available to the public.

# ADVOCACY: 3.6

2016 was marked by a notable number of advocacy campaigns initiated by CSOs and civic movements, including coalitions.

CSOs' access to decision makers has increased in the past few years, but still varies depending on how controversial their work is. Decision makers tend to avoid CSOs that work on issues such as women's rights, sexual rights, or other issues that may conflict with religious beliefs. In addition, many groups are reluctant to work with the current parliament, due to controversy over the parliament's legality after it extended its own term rather than going to elections.



Advocacy in Lebanon

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 3.9 | 3.8 | 3.7 | 3.6 |
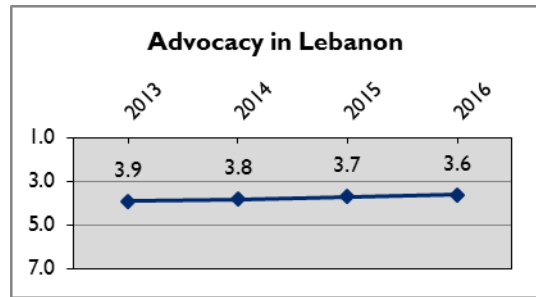
Civil society still has limited effect on public policies in Lebanon, as demonstrated by the mass public protests—the You Stink campaign—in response to a garbage crisis in the summer of 2015, when piles of garbage accumulated on the roads. The campaign brought widespread attention to the issue and proposed a new, comprehensive waste management plan in response to civil society demands, however the government did not implement the plan in 2016. On the contrary, the You Stink campaign made the government less willing to compromise than before 2015.

Just before the municipal elections, the Lebanese Physical Handicapped Union (LPHU) initiated Hakki (My Right), a national campaign to advance the political rights of the disabled. Fifteen percent of Lebanese citizens face difficulties in exercising their right to vote despite a law that was adopted in 2000 requiring equal access to polling places for the disabled. Although implementing decrees were issued in 2009, LPHU conducted a mapping of polling stations in 2016 and found that none were accessible to disabled people. The campaign laid the groundwork for change by raising awareness and documenting the violations of the right of disabled people to exercise their political rights as voters and candidates, though no policy change was achieved in 2016.

For the first time in Lebanon, a large protest was organized against a religious authority, the Supreme Islamic Shiite Council, demanding changes to the laws governing child custody and the current civil status laws that discriminate against women. This movement began after Fatima Hamzeh, a school teacher, was arrested for refusing to hand over her son to her separated husband. According to the council's rules, the custody of boys should be given to their fathers once the boys turn two years old (girls must be transferred at age seven). Many CSOs—especially those working on women's rights—participated in the protest and called on their members and supporters to do the same. Ms. Hamzeh was ultimately released from jail due to the pressure of the campaign, but is still fighting for custody of her son.

Another active campaign in 2016 was Beach for All People, which involved many protests and marches calling for the protection of public beaches. The campaign was formed by a coalition of CSOs including Beirut Madinati, Badna Nhesib, YouStink, Cedars, Women Uprising, Legal Agenda, LPHU, the Civil Campaign to Protect Dalieh, and many other environmental organizations. The campaign shed light on the violations affecting public beaches. For example, it called on the Beirut municipality and all relevant public institutions to revoke the construction license issued to build a resort on the capital's last public beach, Ramlet al-Baida. Civil Campaign to protect Al Mina Beach urged the protection of a public beach in the north from illegal possession.

The #undress522 campaign led by Abaad NGO called for the abolition of Article 522 of the Penal Code, which protects perpetrators of rape if they marry their victims. Several members of parliament (MPs) called for the article's abolition, and a bill to abolish the article was adopted by a parliamentary committee, though not adopted by the General Assembly as of the end of 2016.

CSOs did not advocate for any laws or regulations that would improve their operating environment in 2016.

## SERVICE PROVISION: 3.4

**Service Provision in Lebanon**

|  | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
|  | 3.6 | 3.5 | 3.4 | 3.4 |
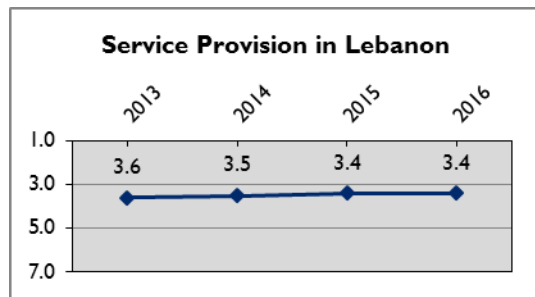
CSOs continued to play a key role in responding to the needs of local constituencies and providing services in 2016.

The services provided by CSOs are fairly diverse. Although most CSOs provide basic social services, such as health, education, relief, and water, CSOs also engage to some extent in other areas of service provision, including the environment, governance, empowerment, social cohesion, and peacebuilding. CSOs responded much more quickly to the needs of Syrian refugees than the Lebanese government did, which took two years to adopt a refugee response plan. Many CSO programs aim to support municipalities' efforts to respond to the needs of refugees. Such support includes empowerment to promote their operational and financial capacities, as well as capacity building programs on mediation and communication to help municipalities manage tensions between the host community and refugees.

Services provided by CSOs in 2016 continued to be generally responsive to community needs. Many donors allocate funds for CSOs to carry out needs assessments prior to launching service delivery activities, which increases the services' responsiveness. In addition, many CSOs have incorporated a degree of flexibility into their project implementation such that they evaluate the community's needs over the course of the project and shift their approach in order to remain responsive, especially in times of crisis.

Many CSOs produce research and studies in order to inform their activities and respond to the needs of their constituencies. In general, Lebanon lacks studies, research, and data and civil society plays a key role in filling this gap. Most CSO publications are made available to the public, the media, academia, and the government. However, while there is a wealth of knowledge coming out of the work of CSOs, the information is not available in a centralized or convenient manner.

In general, most of the services provided by CSOs are free, with donors covering the expenses.

The government and municipalities acknowledge the value of the basic social services provided by CSOs. Municipalities and the Union of Municipalities seek out CSOs' support in providing services.

## INFRASTRUCTURE: 3.8

Overall, CSO infrastructure remained stable in 2016, although CSOs became more aware of the importance of coordinating efforts and building coalitions. More efforts are needed to increase CSOs' access to training and consulting services.

**Infrastructure in Lebanon**

|  | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
|  | 4.0 | 3.9 | 3.8 | 3.8 |

Some donors still invest in intermediary support organizations (ISOs) to provide support to CSOs. For example, USAID continued to support the Building Alliance for Local Advancement, Development, and Investment Capacity (BALADI CAP) in 2016. BALADI CAP provides technical assistance to CSOs on writing proposals, developing budgets, and monitoring and evaluation, among other areas. Other ISOs and CSO resource centers include BRD and Knowledge-Dev Co. (KDC), although these organizations charge for their services.
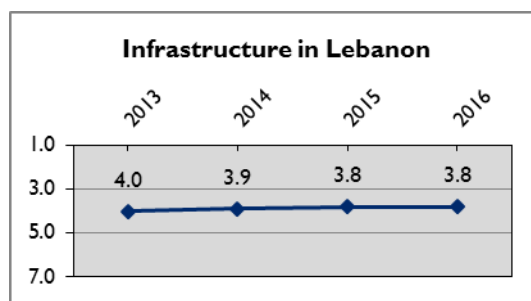
There is no umbrella network in Lebanon that facilitates information sharing among CSOs. However, in 2016 several successful coalitions were created, such as Parliament for All the Country to advocate for a new electoral law, Beach for All the People to protect public beaches, and a coalition of women's CSOs to protest custody

laws.

CSOs also lack a credible database or accreditation system through which organizations can identify relevant trainers. Qualified trainers are mainly located in Beirut and they charge high fees, especially when offering training outside of the capital. Furthermore, it is rare to find trainers in specialized fields such as digital security. Most CSOs have insufficient resources to engage in training and increase their competence. Furthermore, some CSOs are not sufficiently aware of the benefits of participating in training and technical assistance. Some CSOs allocate time and resources for training, but put less efforts into follow-up activities.

The government at both the national and local levels increasingly seeks to work jointly with civil society. For instance, many municipalities in the north rely on CSOs' support to respond to the needs of local communities including Syrian refugees. Partnerships are also increasing between civil society and MPs when it comes to drafting laws; CSOs seek to build partnerships with key MPs in order to influence the development of legislation. Conversely, parliamentary committees occasionally call on CSOs for their expertise when discussing laws that are within CSOs' field of work. CSOs partner with the media, as well, with journalists seeking out CSOs as credible sources of information. Parts of the business sector that are starting to support social initiatives are also partnering with CSOs working on relevant issues.

## PUBLIC IMAGE: 3.9
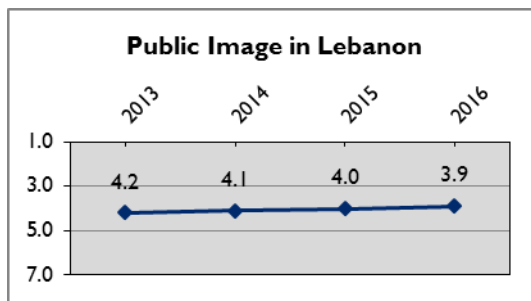


Civil society's increased visibility and warmer relations with the government helped improve CSOs' public image in 2016. The media provided significant coverage of civil society advocacy campaigns in 2016, including the #abolish522 campaign and the campaign to change custody laws. Both of these campaigns trended on social media, which encouraged traditional media to also cover their efforts.

CSOs increasingly understand how media work, including that a good cause and an event or activity are not sufficient to gain coverage. Some CSOs find it difficult to attract media attention unless they invite a minister to one of their events. In contrast, large events such as protests easily attract media attention. CSOs with media departments or communication specialists are more successful at working with the media. CSOs also increasingly use social media to convey their messages, which are sometimes picked up by mainstream media as they increasingly refer to social media as a source. For instance, LBCI television channel has a special segment of its news bulletin based on social media trends and interactions, entitled Akhbar Men 3indak ("news made by you").

Both CSOs and journalists indicate that CSOs are increasingly considered a reliable source of information for the media, especially when they need evidence-based stories or data according to an organization's area of specialty. The media in Beirut portrays a more positive perception of CSOs than media in the regions, which frequently link CSOs' work to foreign agendas.

According to experts, the Lebanese public also acknowledges the influence of CSOs and seek out CSOs for the services, support, and resources that they provide. For example, when a woman experiences domestic violence, one of the common first responses is to contact Kata or Abaad, two prominent CSOs working on domestic violence in Lebanon.

The government has publicly demonstrated an increasingly positive perception of civil society, despite the growing cases of CSOs facing registration problems or official harassment described above. A ministerial statement issued at the formation of Lebanon's new cabinet in late 2016 included an express statement of support for civil society as a crucial partner in a democratic system, and a government pledge to support greater civil society partnerships. The business sector likewise evinces trust of CSOs, and seeks CSOs' partnership in their social responsibility programs.

CSOs have not adopted specific codes of ethics; however many include transparency measures in their internal policies. Only a few leading CSOs publish annual reports; such reports generally discuss programmatic activities but not organizational budgets.

# MOROCCO



**2016 CSO Sustainability Scores for Morocco**

| CSO Sustainability | Sustainability Evolving 4.6 |
|---|---|
| Legal Environment | 4.6 |
| Organizational Capacity | 5.1 |
| Financial Viability | 5.6 |
| Advocacy | 3.8 |
| Service Provision | 4.5 |
| Infrastructure | 4.9 |
| Public Image | 4.3 |

Sustainability Enhanced — Sustainability Evolving — Sustainability Impeded

## CSO SUSTAINABILITY: 4.6

**Country Facts**

**Capital:** Rabat

**Government Type:** Parliamentary Constitutional Monarch

**Population:** 33,986,655

**GDP per capita (PPP):** $8,200

**Human Development Index:** 123

Major economic, political, and social events occurred in 2016. Economically, Morocco's gross domestic product growth remained sluggish at 1.5 percent, consistent with recent trends. The agricultural sector was hit by the driest year of the past decade, resulting in a shortage in the cereal sector. In the political arena, Morocco held its second parliamentary elections under the 2011 Constitution. The outcome resulted in 12 political parties winning seats, making it difficult to form a majority government. Morocco was without a government for six months, and it was only after the king intervened to replace the prime minister of the winning party, itself a move that generated controversy, that a government was formed. The year saw continuous dialogue between the government bodies that oversee the activities of civil society, particularly the Ministry of Interior, and those civil society groups that operate in the field of human rights. Parliament adopted laws governing the filing of motions and petitions, such that individuals could participate in the policymaking process.
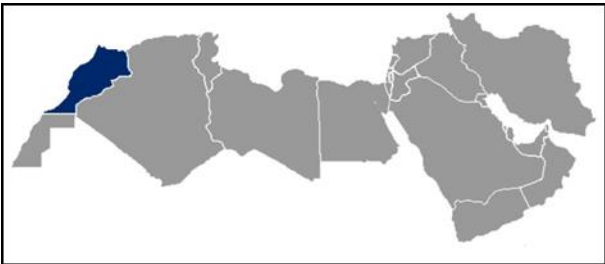
In spite of greater awareness of the framework for decentralization and the law on local and regional authorities and advanced regionalization, implementation of these changes suffers from administrative delays, a general resistance to decentralization, and to the transfer of power from the national ministries to subnational tiers.

Social movements, especially in the Rif region, drew upon economic discontent and called upon the government to address longstanding problems such as poor education infrastructure, unemployment, poverty, and poor healthcare services. Of particular significance was the case of Mouhcine Fikri, a fisherman who died while trying to retrieve suspected illegal fish from a trash compactor, on October 28 in Al-Hoceima, a town on the northern coast. His death sparked massive demonstrations. Protests began almost immediately across the country to protest corruption, abuse of power, and



CSO Sustainability in Morocco

living conditions in this isolated community. On Twitter, hashtags such as "*Broie-le*" [crush him] and "*Nous sommes tous Mouhcine Fikri*" [We are all Mouhcine Fikri] showed support for this movement. These protests, like civil society in the Rif region, transcended political party and trade union affiliation, tapping into a general sentiment of discontent. The protest movement born out of this event continued through the end of 2016, with calls for improved living conditions and greater economic opportunities.
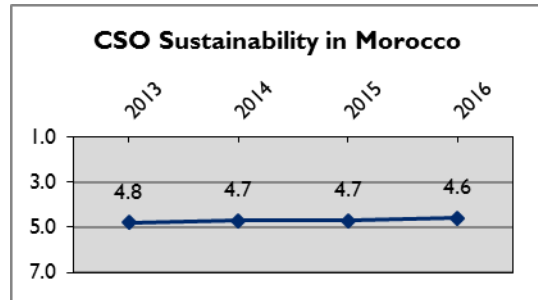
In October, the government held a dialogue in Marrakech with both Moroccan and international CSOs, to prepare for the Conference of Parties (COP) 22 negotiations. In November, Morocco hosted one of the largest international gatherings of politicians and civil society, the Climate Conference COP 22 in Marrakech. More than 500 international and Moroccan CSOs attended and conducted 680 activities. Each day, CSOs from all over the world presented their projects, defined their commitments, and discussed the major environmental issues. An African Civil Society Marrakech Appeal COP-Africa 2016 was drafted and disseminated on a large scale on November 14, 2016. This call aims to remind the international community that Africa, host of COP 22, suffers the most from the consequences of global warming.

The Ministry of Interior reports that there are currently 130,000 CSOs registered in Morocco. Approximately 80 percent of these CSOs work in health, social services, housing, education and research. CSOs working in human rights and political engagement account for less than two percent of all CSOs. Roughly 90 percent operate at a local level, with only four percent working nationally. Approximately 250 of these organizations are recognized by the state as public utilities. Forty-eight percent of CSOs are clustered in just four regions, with the remaining 52 percent spread across eight regions. The four regions with a higher concentration of CSOs are also the regions developing into economic growth hubs.

## LEGAL ENVIRONMENT: 4.6



Legal Environment in Morocco
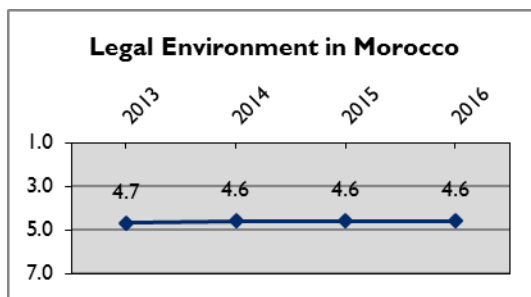
The legal framework for CSOs remains poorly developed, although the constitution acknowledges the role of civil society and provides for its ability to participate in the development and monitoring of public policies. In 2016, only modest changes were made in laws that altered the legal environment of CSOs that would affect their freedom of public assembly, expression, engagement, or activities.

CSOs are governed by the Public Liberties Dahir (royal decree) issued in 1958, revised in 1973 and amended in 2002. The legislation drawn from this decree includes the freedoms of association and of assembly. However, the creation or modification of the by-laws of an association may face obstacles, such as non-delivery of the provisional receipt (as required by law), requests for additional documents, or the non-delivery of the final receipt.

Despite the liberal character of the law, there remain restrictions that hinder CSOs from working freely on issues related to human rights. Hence, associations and NGOs critical of the government's human rights track records were harassed by the authorities, which prevented them from organizing public rallies and internal

meetings. Harassment occurred most often through unofficial verbal instructions, or the use of security forces to deny access and use of public premises. The Moroccan Association of Human Rights (AMDH) experienced such harassment while organizing its 2016 congress in April.

Restrictions remained in place for activities conducted by Amnesty International, Human Rights Watch (HRW), and the International Institute for Nonviolent Action (NOVACT). Since 2015, the Moroccan government and Human Rights Watch have been at odds over their diverging views on human rights.

While the law and the 2011 constitution guarantee freedom of association, officials continue to deny the right to many associations to obtain legal registration and their free engagement is still subject to arbitrary limitation by public authorities.

Moroccan authorities continued to block the legal registration of several human rights organizations, including branches of the AMDH, which were not registered because local officials refused to accept their registration request or to issue them a receipt after they submitted their application.

The right to freedom of peaceful assembly is also challenged. Security forces have dispersed, sometimes by force, demonstrations of human rights defenders, political activists, unemployed university graduates, and trainees in teachers' schools.

In July 2015, three laws were adopted that devolved power to the local, provincial, and regional levels. They are organic law 113-14 related to communes, organic law 112-14 related to prefectures and provinces, and organic law 111-14 related to the regions. Their combined effect on CSOs is that they establish the right of CSOs and citizens to submit petitions to elected councils and provide practical input on policies, procedures, and processes; they require councils to create mechanisms for dialogue and consultation to facilitate citizens' and CSOs' participation in public policies and governance; they create a consultative body within each council that includes CSO members to study issues related to equality, equal opportunities, and gender, and regional councils must create a consultative body for youth and another for economic affairs, and; they grant councils the authority to sign partnership agreements with CSOs to implement projects.

The House of Representatives adopted two organic laws (No.44-14 and No.64-14) regulating the right to submit legislative motions and petitions to public authorities. Nevertheless, these two laws have not met the claims and expectations of the associations because they do not grant the right of petition at the national level, nor the right to introduce motions in legislative matters. Only their individual members, like all citizens, enjoy these rights at the local level.

At the territorial level, however, the right of petition is granted to associations in order to call a local authority council (communal, provincial or regional) for including a relevant agenda item in their planned meetings for debate and decision.

As a consequence of the Arab Spring and new civil rights put forward by the constitution, the emergence of new civil dynamics since 2011 have fostered a desire among CSOs for new laws and regulations to bring civil society work under independent judicial oversight, instead of the current regulation enforced by government executive entities. The current civil society law is vague, allowing for various interpretations - especially in rural areas where access to accurate information is more limited than in cities.

In 2016, the legislature discussed a bill on the right to access information, but it is not yet formally under consideration. Such a bill would boost the mechanisms of participatory democracy and support civil society's role in oversight of government action.

The law does not grant any tax exemptions to associations. Morocco's taxation system remains unchanged in 2016 and contains few specific provisions for associations. They are subject to the same taxes as private

companies. Associations are subject to income tax, Value Added Tax (VAT), and registration and stamp fees. The only exception applies to "public benefit" status, which is normally only granted to public utilities. There are approximately 250 public utilities in Morocco. This status allows them to legally receive public charity and exempts them from paying VAT. However the criteria and procedures to gain that status are opaque.

Access to legal services remains a considerable challenge for many CSOs at the local level. The majority of CSOs possess only basic legal knowledge. Some neighborhood centers, such as the Moroccan Center for Legal and Judicial Studies and the National Observatory for Children's Rights (ONDE), provide paralegal services. These organizations assess legal cases, provide legal advice, and even intervene in courts. However, they often lack a clear vision or system for the provision of those services more broadly. A challenge specific to CSOs active in human and women's rights is that they typically lack human resource experts in the legal field to defend individual and organizational activists.

A modest improvement in the legal environment of CSOs can be attributed to the new organic laws that regulate their constitutional right to put forward petitions before communal, provincial or regional public authorities along with their right to participate in territorial governance through participatory mechanisms and consultative institutions created by organic laws:  111-14; 112-14; 113-14.

In 2016, the Ministry for Parliamentary and Civil Society Relations (MCRPCS) released the draft of a new code on civil society. At the end of 2016, the government had not yet advanced the draft legislation.

## ORGANIZATIONAL CAPACITY: 5.1

CSOs' organizational capacity evolved modestly in 2016. This is due in part to increased financing from the Social Development Agency whose focus includes capacity development of CSOs. Its capacity development budget increased from 1.75 million MAD in 2015 to 7.58 million MAD in 2016 as the government prioritized this funding.



Organizational Capacity in Morocco

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.2 | 5.2 | 5.2 | 5.1 |

More CSOs worked to develop or enhance strategic plans in 2016. Ennakhil, for instance, engaged in the development of a strategic plan during the year, while Colombe Blanche moved towards revising its existing plan. Within the framework of the National Initiative for Human Development (INDH), associations are only eligible for subsidies and grants if they have a sound reporting system and accept the principle of accountability. Over time, CSOs have adopted standard practices such as creating logic models, work plans and performance indicators to implement externally funded projects.

There are few associations operating on a national level; they include  the Association for the Fight Against AIDS (ALCS), AMSED, Moroccan Association for the Support and Promotion of Small Enterprises (AMAPPE), and Espace Associatif, which meet the high standards of organizational and professional capacity that allows them to access international funding. Most grassroots associations that deliver services suffer from low organizational capacity, which negatively impacts their effectiveness and sustainability.

While CSOs are increasingly trying to hire full-time staff, the scarcity of long-term funding opportunities frequently force them to hire staff for short-term positions to work on projects. Staff are contracted according to the requirements of a project, and once the project closes the staff have to find another project within the organization or search for a new job.
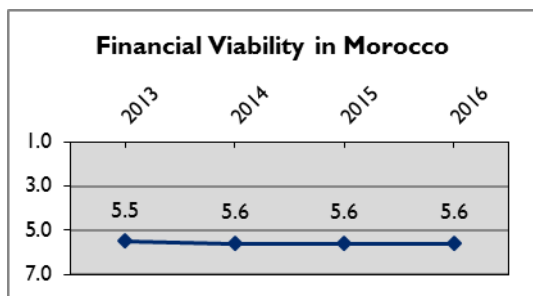
Morocco's online infrastructure is sound, and even extends to remote areas. CSOs can take advantage of the inter-connectivity of the internet to assist in their own development. They can take the opportunity to use
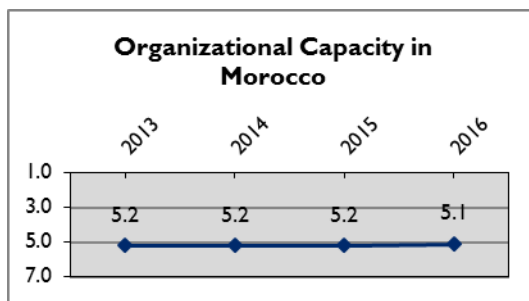
information and communication systems and social networks to take advantage of this nationwide network of professionals to seek assistance and learn to improve institutional capacity.

The lack of a legal framework related to volunteering limits the extent to which volunteers can be recruited and use their skills to strengthen a CSOs' organizational capacity. Morocco's High Planning Commission conducted a recent study (2014) showing that 50 percent of CSOs do not have office space, 90 percent have no accounting system, only 20 percent have basic equipment, and 20 percent operate with an annual budget less than 5,000 DH ($500).

# FINANCIAL VIABILITY: 5.6



Financial Viability in Morocco

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | | | | |
| 5.0 | 5.5 | 5.6 | 5.6 | 5.6 |
| 7.0 | | | | |

The financial viability of CSOs generally remained the same in 2016. Although the previous government created a department in charge of civil society within the MCRPCS, the government plans to implement a new CSO financing strategy. A web-based platform (www.charaka-association.ma) hosts announcements related to all funding opportunities available from different government sectors and departments (Ministries, Social Development Agency, National Welfare, the Mohamed V Foundation). This allows all associations with an internet connection equal access to funding opportunities through a competitive and transparent process.

The MCRPCS reports that in 2016 the government funding of CSOs amounted to approximately six billion Moroccan Dirhams (MAD) while funding from international sources (NGOs, bilateral and multilateral cooperation agencies) reached one billion MAD, totaling seven billion MAD (approximately $740 million USD).

Public funding is generally intended for services provided by associations in socioeconomic and income-generating activities, especially in rural and semi-urban areas. Public funding also includes the social service foundations of ministries (i.e., the Mohamed VI Foundation for the Promotion of Social Works in Education and Training, the Association of Social Works of the Ministry of Health, etc.), sports associations, and associations of persons with disabilities. There is a wide-ranging consensus that national funding mechanisms lack transparency and are governed by favoritism. In general, large CSOs working in the field of human rights and advocacy are usually financed by international NGOs.

External funding of CSOs continues to flow in with no major changes, except a small increase, as a consequence of Morocco's relatively recent engagement in political reforms. The new constitution and laws have provided CSOs with increased responsibilities in monitoring the reform process and contributing to the development, implementation, and evaluation of public policies. In support of the Government's efforts to increase civic participation, USAID, for example, provided some three million dollars in direct grants to five CSOs, including AMSED, Ennakhil, la Colombe Blanche, Mountada Azzahra, and the Alternative Citizen Movement (ALCI), to strengthen their capacities to serve as intermediary support organizations (ISOs), engage with the government on behalf of the citizens, and to partake in advancing participatory democracy.

An absence of fundraising strategies weakens organizations' sustainability. Existing fundraising plans reflect the level of professionalism of a CSO and how well it can sustain itself financially. More than 80 percent of CSOs' resources (Haut Commissariat au Plan) come from the contributions of members, volunteers, the administrative board, and the general assembly.

Small CSOs, especially those in remote areas, survive on small grants from local governments and the INDH. These CSOs often include local associations promoting girls' education, youth activities, and local faith-based

associations. This is usually one-off funding for small- and medium-scale projects in beekeeping, livestock breeding, girls' education, environmental protection, and sports or cultural events. Local grants do not guarantee the financial sustainability of a CSO and are more subject to clientelism.

The High Planning Commission estimates that nearly 90 percent of CSOs do not have actual accounting systems. Virtually all small associations operate on a revenue-spending basis and do not maintain accounting evidence. In these small organizations, the board of directors chooses the treasurer primarily on the basis of trust, integrity, and self-reliance. In the best-case scenario, a small CSO would manage its financial records in an Excel workbook. Large CSOs have financial information systems and manage their funds according to national accounting standards. To comply with donor requirements, large organizations track revenues and spending, and they undergo external audits.

Moroccan CSOs continue to struggle to secure appropriate funding to advance their objectives. During 2016 there were no breakthroughs in how CSOs conduct business that would have had a significant effect on their financial viability.

## ADVOCACY: 3.8

Advocacy has followed an ever-growing and dynamic trend since the adoption of the 2011 Constitution and the new laws governing territorial collectivities (organic laws 111-14, 112-14, and 113-14) that have opened up new channels for advocacy.

Morocco included the right of petition in its constitution, which was translated into the organic laws and bylaws of regional, provincial, prefectural and municipal councils. Petitioning is an institutionalized avenue for CSOs and citizens to express themselves in a participatory democracy. It is a well-established practice that enables citizens to peacefully seek change and shape policy from the bottom up. Other participatory mechanisms, such as public consultation and the creation of advisory commissions that include CSO representatives have been institutionalized to work closely with the territorial councils.
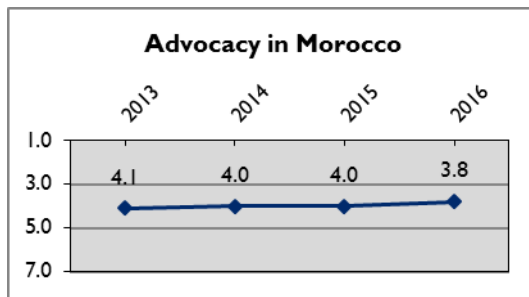
These new laws were mostly passed in 2015, and were publicized in 2016. They contributed to the growing awareness of civil society's advocacy role. The reigning political openness and institutional reforms have allowed CSOs to interact at local, regional, and national levels. The relations between CSOs and the government are evolving, and national priorities now include the participation of civil society in governance to help promote transparency and improve accountability. Accordingly, these new dynamics, triggered locally and nationally, address new issues relating to citizens' concerns to improve services.

The following are a few examples of advocacy activities that were conducted in 2016. During the 22nd session of the Conference of the Parties to the United Nations Convention on Climate Change (COP22), held in Marrakech November in 2016, the Moroccan Coalition for Climate Justice, in partnership with the regional human rights commissions and the regional environmental observatories, organized regional mobilization and advocacy events in the areas of climate change and climate justice.

The coalition "Spring of Dignity" conducted an advocacy campaign to challenge parliament to align the criminal code prepared by the government and law 103.03 related to fighting violence against women with the universal principle of human rights. Both draft laws were successfully withdrawn from public debate for reassessment by the government.

The "Call of Rabat," a coalition that includes 3,000 associations, advocated for reforms on policies related to public funding such as implementing a systemic use of public requests for proposals for publicly-funded activities. In 2016, the coalition stated, in a memorandum addressed to the government, that funding decisions should be based on the principles of equal opportunities, transparency, absence of conflict of interest, and accountability. The "Call of Rabat" further stressed the importance of promoting advocacy, improving its conditions, and working in accordance with a networking strategy that supports the demands of civil society and influences decision-making.

The area of advocacy and lobbying has further been encouraged by the adoption of citizen participation mechanisms allowing drafting, monitoring and evaluating of local and national public policies. In spite of these advances, government and civil society interactions remain transactional, focusing on individual grants or contracts, with little thought about long-term goals.

The role of civil society has also been strengthened through participation in international review mechanisms—the United Nations Human Rights Council Universal Periodic Review and the Convention on the Elimination of all Forms of Discrimination Against Women—that have provided a further dynamic for advocacy and lobbying.

At the local level, efforts to create forums for participatory governance have led to the formation of many local associations over the past couple decades. There have been instances where these associations have succeeded in capably advocating for their communities and furthering the cause of more accountable and transparent local government. However, in many, if not most cases the promise of such associations has been undercut as they have been captured by local political and economic elites. Many associations have been used to build electoral support for local council bids. Furthermore, lack of access to budgets and other information has been a persistent obstacle.

There is recognition among CSOs that internet-based advocacy needs to be better developed. It has the potential to increase support and reach a wider audience.

## SERVICE PROVISION: 4.5



**Service Provision in Morocco**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.6 | 4.5 | 4.5 | 4.5 |
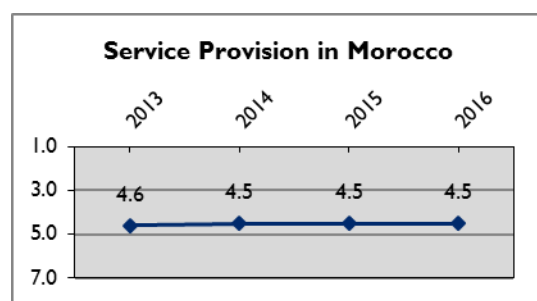
In 2016, CSO service provision in Morocco focused on socio-economic development in the country's rural and urban areas. With an increase in funding from the *Entraide National*, a government institution that supports CSO service delivery to vulnerable groups increased in funding from 216 million MAD in 2015 to 237 million MAD in 2016. This is the main source of national funding for service providers who support vulnerable populations such as the elderly, orphaned children, handicapped individuals, at-risk women and girls, and at-risk students. In addition, the Ministry of Health also increased its funding in 2016. In 2015, it granted 9.3 million MAD to 7 CSOs, and in 2016 it granted 12.8 million MAD to 31 CSOs.

CSOs are able to provide services even where the government cannot. Through the Global Fund to Fight AIDS, Tuberculosis, and Malaria, CSOs provide health services such as psychological and physical support, drugs, and hospitalization when necessary. In addition, CSOs provide health services such as dialysis, accommodation for AIDS patients seeking treatment and their family members, family planning services, patient counseling, etc., for half the cost of public and private providers. CSOs are able to reach *douars* (small villages) and semi-urban poor districts that lack even public health dispensaries. In addition to basic social services, CSOs provide training and technical assistance in the areas of human rights, sustainable development, and democratic governance.

Service provision is also linked to organizational and individual skills. The Moroccan CSO landscape is characterized by the existence of well-established CSOs providing training and capacity building in a range of sectors, such as organizational development, health service delivery, and women's empowerment.

Even though there is an ongoing debate among civil society activists about the role of CSOs as either service providers or advocates for political, social, and economic reform, many CSOs actively provide services. This is especially common at the community level in rural areas. Their effectiveness as community-level service providers is offset by the lack of official recognition by the government.

In addition to benefiting their members, the services provided by CSOs are relevant to the communities where they intervene. That said, CSOs are not yet thinking about longer-term strategies to market their services in communities where they already have a presence.

At the local level, there is an increasing recognition of CSOs' utility in basic service provision, but the elected officials still see them as a competitor rather than as a complementary service provider.

## INFRASTRUCTURE: 4.9

The status of CSO infrastructure has remained unchanged for several years now. Despite the existence of intermediary support organizations (ISOs), such as Moroccan Association of Solidarity and Development (AMSED), their visibility remains limited. ISOs are located in Rabat-Kenitra, Fes-Meknes, Marrakech-Safi, and Tangier-Tetouan, but they operate nationally. Examples of ISOs are: Associative Space (EA), Alternative Forums Morocco (FMAS), Training Institute for Development Agents (IFAD), Carrefour Associatif, Tanmia.Ma, the Association for the Fight Against AIDS (ALCS), the Pan African Organization for the Fight Against Aids (OPALS), ALCI, Ennakhil, Colombe Blanche, and Forum Azahrae. They provide organizational support to NGOs and capacity building training to their volunteers and employees.
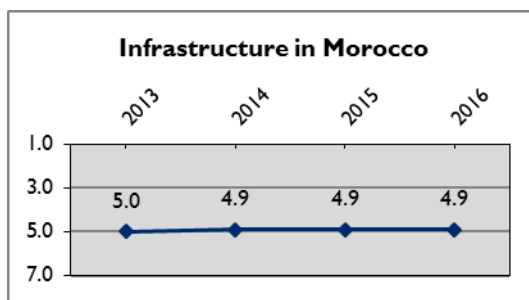


Their services, however, are confined to particular regions based on funding agreements, and are provided to a limited number of predetermined associations in partnership frameworks associated with different funding sources and stakeholders. For example, AMSED works with USAID in two regions of Morocco, and it works elsewhere in the country on other projects.

Associations located in remote areas in Morocco are unaware of ISOs, and have little or no access to their services. ISOs have weak outreach programs, so CSOs that are not located near them have little understanding of what they are and what they offer. Their needs – in terms of information, legal counseling, training, and funding – remain unmet.

ISO programs depend on the donors' agendas. Even though there are strong coalitions and networks, they do not always provide the possibilities for continuous communication and exchange of information. The capacity development activities of ISOs are not always the strongest. In fact, they rarely go beyond short-term training, and rarely involve follow-up or coaching on applying lessons learned in a real setting.

There are ongoing programs to strengthen the CSO infrastructure in Morocco that should bear fruit in the coming years. Several capacity-building programs driven by ISOs at the national level have been launched to increase the participation of CSOs in the design, implementation, and evaluation of public policies. The Civil Society Support Project (CSSP), funded by USAID, supports CSOs and networks to advocate and participate

in national, regional, and local affairs. CSSP also fosters collaboration between CSOs and the government. The European Union also completed a project that worked with ISOs to increase women's political participation, fight against sexist stereotypes, and improve women's access to legal assistance.

## PUBLIC IMAGE: 4.3



**Public Image in Morocco**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| 1.0 | | | | |
| 3.0 | 4.4 | 4.3 | 4.3 | 4.3 |
| 5.0 | | | | |
| 7.0 | | | | |
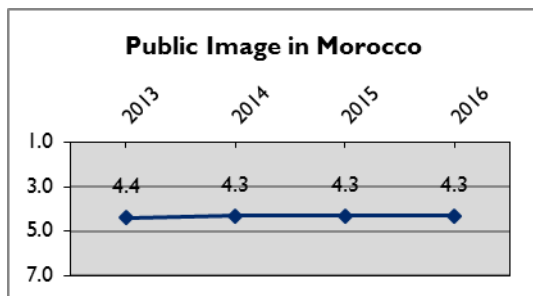
Civil society enjoys a generally positive image among Moroccan citizens. There is no indication that this image changed in 2016. Associations created solely for the purpose of accessing funding through the INDH, however, often do not live up to expectations. This is due to improperly-allocated grants by local authorities and the mismanagement of funds by the associations. For example, in complete absence of transparency and accountability rules, a local official would create a new association, usually formed by close friends, family members and clients, and then, as a decision maker, ignoring conflicts of interest, assist this new organization to win a grant for which the local official is a decision-maker.

In 2016, USAID's CSSP conducted a survey of 2,000 people across Morocco to study the perceptions held by Moroccans of the efficiency and performance of associations. This study showed that citizens generally believe that CSOs defend their interests and that citizens are aware of what CSOs are working on in their communities. Approximately half of the respondents were concerned about CSO independence with regard to either the national government or foreign governments, and that there is a certain amount of mistrust between citizens and CSOs. When compared to political parties, citizens have a better perception of CSOs in the sense that they believe they are closer to citizens and serve their needs accordingly.

In recent years, the media has played a significant role in informing society of CSOs' contribution to social development, and CSOs increasingly utilize various media outlets including print and online journals, national television, and various radio stations. There are media programs that focus on social activities, such as the national radio program With Youth. In addition, online journals have highlighted community-level CSOs. Media outlets tend to cover highly-visible events, such as mobilizations, meetings, and conferences. Coverage of CSOs' activities is more visible during celebrations of international days (International Women's Day, World Water Day, World Health Day, etc.) or national events, like when Morocco hosted the COP22. Particular media attention was given to the first-ever National Day of Civil Society (March 13). On this day, the media highlighted the important work that CSOs do for the public benefit.

Government- and pro-government-controlled media, newspapers, TV and radio stations remain out of reach of CSOs with different points of view on issues related to freedom of expression and human rights. This quasi-ban applies not only against national organizations, such as Al Adl Wal Ihssan (a fundamentalist faith-based association) and AMDH, but also against international organizations such as HRW and Amnesty International. Television stations broadcasting from outside of Morocco, such as France 24, often get into trouble with the government when they put Moroccan civil society activists on air to display their opinions.

CSOs frequently lack an external outreach plan, making them subject to prejudices often based on negative perceptions. The absence of a clear media strategy in the relevant sector results in only sporadic media coverage.

It has become more common for associations to use freely-available online tools as a substitute for a website. Many of them use a Facebook page, where they can interact with the public in Morocco and abroad for free.

Associations receiving large financial subsidies and grants from foreign donors usually have developed ethics charters and codes of conduct. Having these documents and complying with their provisions is critical to promoting a CSO's public image.

# WEST BANK AND GAZA



**2016 CSO Sustainability Scores for West Bank and Gaza**

| CSO Sustainability | Sustainability Evolving 4.3 |
|---|---|
| Legal Environment | 5.0 |
| Organizational Capacity | 4.0 |
| Financial Viability | 5.0 |
| Advocacy | 4.3 |
| Service Provision | 3.7 |
| Infrastructure | 4.0 |
| Public Image | 4.2 |

## CSO SUSTAINABILITY: 4.3

In 2016, the West Bank and Gaza Strip continued to weather a series of protracted challenges and immediate crises. Low-level violence between Palestinians and Israelis continued in the first half of 2016. In March, teachers in the West Bank called for a strike, which pitted unions and their allies (including CSOs) against the Palestinian Authority (PA) government. Popular discontent against the Hamas administration also resulted in protests and demonstrations in Gaza, largely in response to an electricity crisis that worsened in 2016.

Early in the year, the PA announced that local elections would be held in both territories in March. These elections would have been the first nationwide elections since 2006, and rekindled hope for reconciliation between the feuding PA and Hamas authorities. Hamas rejected the proposed plan, however, and the local elections were postponed indefinitely. CSOs continued to advocate for the resumption of the elections through the end of the year, particularly in the West Bank. Anticipated changes in US policy towards the Palestinian Territories following the United States' presidential elections in November, including the possible recognition of Jerusalem as the capital of Israel, further contributed to political tensions among Palestinians at the end of 2016. The more volatile political environment led some government officials to try and consolidate state control by seeking additional restrictions on CSOs' ability to operate.

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**Territory Facts**

**Population**: 2,747,943 / 1,795,183 (July 2017 est.)

**GDP per capita (PPP)**: $4,300 (2014 est.) for both West Bank and Gaza

**Human Development Index:** 114 (2016)

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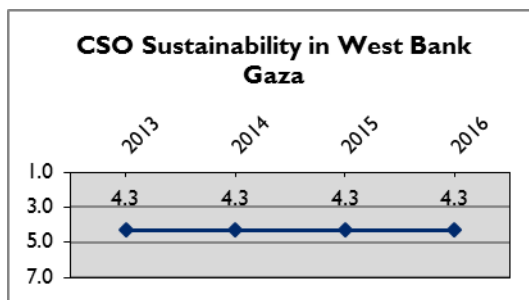Social and economic challenges persisted in the West Bank and Gaza as well. The blockade of Gaza by Israel severely limits opportunities for economic expansion and restricts employment. The Palestinian Central Bureau of Statistics (PCBS) estimates that 26.9 percent of Palestinians are unemployed, with the rate in Gaza (41.7 percent) more than double that in the West Bank (18.3 percent). Almost four in ten young people are unemployed. Poverty and deprivation presented opportunities for CSOs to further establish themselves as reliable service providers and build stronger



connections and a more positive image among beneficiaries. The shift to service provision was accompanied by a shift to project-based model of funding, however, leading to a greater dependence on donor priorities.

The Ministry of Interior reported 2,793 registered civil society organizations in the West Bank and Gaza at the end of 2015, the most recent figures available. The majority of these operate on the local level and are concentrated in urban and administrative centers, such as Ramallah, Jerusalem, and Gaza City. CSOs provide a broad range of services to beneficiaries outside these hubs, including in other cities and rural areas, though at a lower level of operation.

## LEGAL ENVIRONMENT: 5.0

Despite restrictive decrees and occasional harassment, the overall legal environment for CSOs remained stable in 2016. CSOs in the Palestinian territories continue to benefit from a generally enabling and supportive law, which applies in both the West Bank and Gaza. Both governments possess legal authority to exert greater control over civil society, but generally refrain from doing so. In 2016, CSOs in the West Bank felt particularly emboldened by their ability to organize a campaign around social security and a teachers' strike without encountering an outright ban on such activities, as well as the resulting opportunity to negotiate a new social security law. In Gaza, experts believe that a similar easing occurred in 2016, as the Hamas administration and its security forces operated in a less confrontational manner with regard to CSOs. This is partly due to political reasons, which pressured Hamas to allow the Unity Government to function and provide services in Gaza, and is also reflective of the increased local and international pressure Hamas is facing due to further deterioration in living conditions.

CSOs in both the West Bank and Gaza are governed by the Law on Charitable Associations and Community Foundations (Law No. 1 of 2000, hereafter "CSO Law"). The law is considered one of the most enabling in the MENA region. It requires CSOs to register with the Ministry of the Interior, but provides for simple registration procedures and legal protection from arbitrary rejection of a registration application. Under the CSO Law, organizations cannot be rejected by officials' inaction, for instance, as failure by the ministry to confirm their registration after a two-month period results in automatic registration. If the ministry rejects an application, it must provide an explanation and the rejected applicant can appeal the decision in court. Likewise, the minister can only dissolve an organization through a written order, and CSOs can contest the decision in court. During the legal challenge to the decision, the CSO is legally allowed to continue operations.
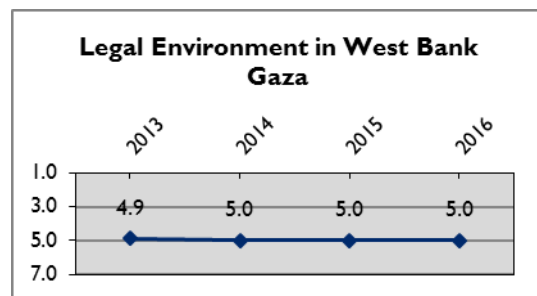


Despite the law's enabling provisions, CSOs are not immune from other legal obstacles and constraints. In recent years, the PA and Hamas governments have increased the burdens on CSOs' registration, operation, and funding through regulations, ministerial decisions, and official practice. On the pretext of preventing illicit activity, for instance, the Council of Ministers issued a decree applying the Anti-Corruption

Law to the operations of CSOs, creating additional logistical and administrative hurdles for civil society groups and subjecting them to greater government control. Statutes adopted in recent years impose new requirements for registration, as well, including detailed information on CSO founders and additional verification for holders of Israeli or foreign passports. These requirements complicate a process that under the CSO Law is streamlined and simple. According to new regulations passed by the Council of Ministers, organizations must also have documents and tax receipts cleared by the Ministry of Finance. In both the West Bank and Gaza, government officials' implementation of the law and regulations also impedes registration. Ministry officials often demand additional documentation from CSOs at the end of the two-month consideration period, causing delays.

Other legal provisions hamper the operations of civil society groups. The Law on Public Assemblies requires a group organizing a demonstration to obtain approval from state authorities at least forty-eight hours before holding its event. Authorities in the West Bank and Gaza also rely, respectively, on more ambiguous remnants of the Jordanian and Egyptian Penal Code2 to clamp down on unauthorized or unwanted gatherings. Restrictions on freedom of movement, imposed by Israeli civil and military authorities, also limit CSOs' ability to operate freely, particularly in Gaza.

Political tensions between the respective administrations in the West Bank and Gaza complicate matters further. Authorities in one territory often exert quasi-legal power to obstruct the formation and operation of CSOs and similar organizations which are aligned with their political rivals in the other territory. This can range from onerous security checks of staff members during registration, for instance, to freezing CSOs' and their members' bank accounts or confiscating funds. For example, in April, the Hamas administration in Gaza demanded additional documentation from the Norwegian Refugee Council (NRC), including potentially sensitive staff information. The demand prompted the NRC to temporarily halt its operations.

Under the CSO Law, organizations are exempt from taxes and customs duties. However, the division between the West Bank and Gaza governments has created problems for many organizations that try to obtain the exemption. In many cases, CSOs must pay taxes and registration fees to both governments in order to maintain their legal status. Further, the governments maintain distinct classifications for certain organizations. For instance, an organization may be able to register as a nonprofit in Gaza but is considered for-profit in the West Bank, which impacts its tax burden. Public benefit status is not available for CSOs.

CSOs are allowed to earn income through the provision of services, and do so primarily in the health and education sectors. They are also allowed to bid on government contracts, though payment for such contracts is often delayed.

CSOs often rely on legal aid, where available, to help navigate the maze of laws, regulations, and decrees. The ability to access legal aid depends largely on an organization's financial and administrative resources. Large organizations with extensive resources are usually better able to avail themselves of this protection than smaller, more financially insecure groups are. Legal assistance commonly comes in the form of legal clinics, though organizations worry about the quality of lawyers available given the field's generally low level of compensation.

## ORGANIZATIONAL CAPACITY: 4.0

Organizational capacity across the sector remained relatively stable overall in 2016. Compared to previous years, more CSOs have begun to adopt strategic plans, many in response to requirements by international donors, and can draw on a pool of volunteer labor to assist in community-based endeavors. However, CSOs' ability to

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2 As a result of the Jordanian administration of the West Bank and Egyptian administration of Gaza from 1949-1967, these legal codes technically remain in force, including their provisions banning any demonstrations or events that are deemed harmful to national security.

implement their strategic plans remains limited, whether due to financial constraints or management shortcomings, and CSOs continue to struggle to attract full-time staff.

CSOs in both the West Bank and Gaza face organizational problems related to management, outreach, and constituency-building. For some CSOs, such as those operating in Area C (under Israeli control), increased focus on local communities and grassroots initiatives spurred greater connections with local constituencies. However, because many organizations operate on a project-by-project basis and projects tend to be transitory, many CSOs find it difficult to sustain their connections to constituents. Once funds dissipate and projects lapse, CSOs' networks and connections become

**Organizational Capacity in West Bank Gaza**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.0 | 4.0 | 4.0 | 4.0 |

more tenuous. This problem is particularly acute in Gaza, where communities are increasingly impoverished and CSOs cannot rely on local donations to alleviate funding shortages and keep projects active.
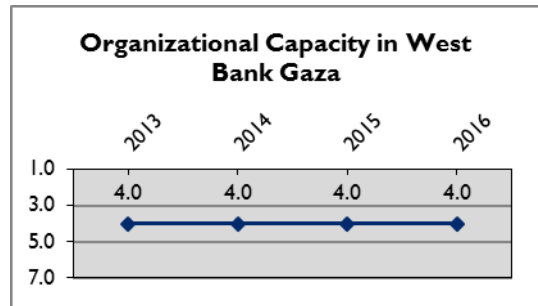
Youth volunteerism in CSOs increased over the past year. A stagnant labor market has pushed many young Palestinians into volunteering as a way to stay active, develop skills and experience, and build connections. At the same time, civil society experts observe that professional mobility within organizations has declined, as fewer CSO leaders are leaving their positions to move into government careers. As a result, volunteer opportunities are often the only way for young people to become engaged in CSOs. This is reflective of both the limited entry and mobility at CSOs, as well as CSOs' preference for unpaid labor.

Experts estimate that the vast majority of CSOs have developed some form of strategic plan. Many groups are incentivized to do so by donors' requirements. This is particularly common in Gaza, where civil society groups involved in humanitarian relief and service delivery rely heavily on donor support. Despite the proliferation of strategic plans, however, organizations often struggle to properly implement them. CSOs may lack sufficient funds to realize the goals and vision articulated in a strategic plan, which are often overly ambitious. Implementation of strategic plans may also be hampered by external factors, including legal and quasi-legal obstacles that restrict CSOs' operations.

Under the CSO Law, a CSO's board comprises between seven and thirteen individuals who are not paid members of the organization, and the board must meet at least once every three months. While the law stipulates that board members must be elected, CSOs do not always adhere to this requirement. Board members are often selected for their personal connections, particularly to potential funding sources, as opposed to their vision or ability. As a result, in many organizations, the management has to some extent assumed powers legally allocated to the board of directors, while board members do not actively engage in the organization's governance.

CSOs have difficulty attracting permanent staff. Most organizations' employees include a mix of full-time and part-time employees, as well as volunteers. Financial constraints are one of the biggest obstacles to attracting full-time workers. Low salaries, especially in comparison to INGOs, make many organizations less competitive in attracting talent. Further, the project-by-project nature of many organizations makes it impractical for CSOs to retain full-time staff. Contracting employees when needed provides CSOs with flexibility and helps them to remain financially solvent, although it may limit the appeal of the sector to potential employees who are deterred by the absence of job security.

Almost all CSOs have access to modern office technology including internet access, smartphones, and office software. Smaller organizations find it more difficult to invest in regular upgrades and other improvements to their technological base.

# FINANCIAL VIABILITY: 5.0

**Financial Viability in West Bank Gaza**
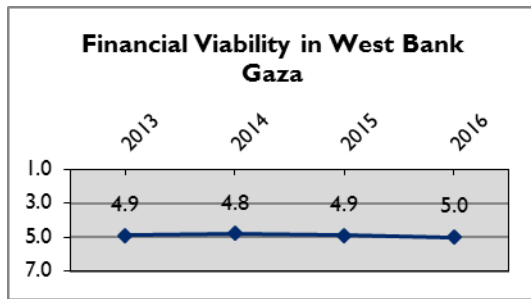


Financial viability remained a challenge for CSOs in 2016, reflecting the overall economic difficulties facing the Palestinian Territories. Local funding is insufficient to sustain most organizations, though the private sector continues to provide some support through corporate social responsibility (CSR) initiatives. Fluctuating opportunities and shifting priorities among international donors and lenders create uncertainty among CSOs. Some organizations compensated for shortfalls with funds from the government, though this presented new challenges for CSOs' independence and public image.

Local funding for CSOs is an irregular and often inadequate means of covering CSO expenses. The private sector provides some funding to CSOs through their CSR initiatives. Within the banking and finance sector, the Bank of Palestine, Quds Bank, Palestine Islamic Bank, the Palestinian Securities Exchange, the Arab Palestinian Investment Company, and PADICO Holding all allocate a portion of their yearly budgets to civil society activities. PADICO Holding, for instance, partners with Sharek Youth Forum on programs to increase youth employment.

Philanthropic contributions from wealthy individuals and foundations also provide some support to CSOs and CSO projects, though to a lesser degree. One example is the Munib R. Masri Development Foundation, which distributes funds to Palestinian CSOs for charitable projects in the sectors of education, healthcare, culture, and special needs, in addition to implementing its own projects. The Al Qattan Foundation likewise provides support to CSOs in the education and culture sector. Individuals also provide financial and in-kind assistance to the poor, which sometimes is channeled through CSOs. It is not possible to gauge the scale of these contributions, however, as they go largely undocumented.

In the absence of substantial local private sector funds or charitable contributions, Palestinian CSOs rely largely on project funding from international donors. As a result, CSOs' fortunes are often tied to donors' priorities; reductions in funding or shifts of funds to different issues can leave organizations without vital revenue. In 2016, several major donors scaled back their assistance or redirected it to other objectives. USAID, one of the largest sources of financial support to West Bank and Gaza, reduced overall disbursements from $355 million in 2015 to $284 million in 2016. While only a small portion of that budget benefits CSOs, the decrease was mirrored by other donors. Funding from the UK's Department for International Development (DFID) declined from 74.5 million British pounds in 2015 to 68.7 million pounds in 2016, while funding from the Norwegian Agency for Development Cooperation (NORAD) declined from 629.7 million Norwegian kroner to 572.4 million kroner over the same period.

Further, donor funding that is allocated for civil society is largely distributed through international contractors and international NGOs; these funds only reach Palestinian CSOs if they are sub-grantees/sub-contractors, and local bodies may be bypassed entirely if the international organization opts to implement the project directly. USAID support often goes through implementing organizations such as Mercy Corps or Global Communities. EU funding generally goes first to international agencies, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), United Nations Development Programme (UNDP), or the Food and Agriculture Organization (FAO). The Organization of the Petroleum Exporting Countries (OPEC) Fund for International Development (OFID), a regional donor, implements development projects in the West Bank and Gaza focused on the health, education, and social services sectors, often with local CSO partners such as the Welfare Association. In 2016, OFID allocated $2.8 million for programs in the Palestinian territories, of which $1.25 million was slated for partnership with domestic Palestinian actors.

The reliance on donor funding results in financial insecurity among Palestinian CSOs, with those that cannot secure sufficient funding left financially vulnerable. In 2016, the Palestinian Working Women's Society for Development (PWWSD) and the Worker's Rights and Democracy Center, both heavily dependent on international funding, were forced by financial circumstances to dismiss employees. In addition, project-by-project funding limits CSOs' ability to specialize, as CSOs pursue projects in a variety of areas. Foreign funding also harms the public image of CSOs, as they are seen as less connected to local communities.

Some CSOs, such as the Beit al Sha'ar (House of Poetry) in Jericho, have received government funds to pay the salaries of employees and other operational costs. However, some groups perceive government support as an opportunity for excessive state involvement and influence in the sector. Recipient CSOs may be expected to implement projects in line with government expectations or to provide public relations opportunities for governmental figures. This weakens CSOs' ability to operate independently and negatively affects their public image as well.

CSOs are allowed to earn income through the provision of services, though this is largely limited to the health and education sectors. A 2015 Mapping Study by the EU concluded that approximately 40 percent of CSOs earn revenue from service fees. CSOs also regularly collect membership dues. The 2015 Mapping Study determined that 70 percent of CBOs collect such fees. However, these revenue streams often amount to token support.

The CSO Law requires organizations to file annual financial reports with the Ministry of Interior. In order to comply with this requirement, CSOs maintain basic financial management systems, and among other things, archive contracts, receipts and paystubs. Many use accounting software or rely on the services of professional accountants. The imposition of additional requirements for registration and operations, detailed above, make effective management systems even more necessary. CSOs' annual financial reports often reflect their overall organizational and technological capacity: Large organizations with an active online presence regularly publish reports in Arabic and English, while smaller organizations with less technological capacity struggle to keep up. Even among established organizations, however, it is not uncommon for financial reports to be one or two years out of date.

## ADVOCACY: 4.3

Civil society's ability to advocate remained restricted in 2016, but improved from the year before. The antagonism between the West Bank and Gazan governments has made both increasingly intolerant of critics, including advocacy-oriented CSOs. The closure of the Palestinian Legislative Council (PLC), the elected legislative branch of the Palestinian government, in 2007 removed a crucial avenue for lobbying and engaging directly with legislators. In the absence of a functional, accountable legislature, decision-making power has devolved to officials in various ministries, all of whom



Advocacy in West Bank Gaza

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.4 | 4.3 | 4.4 | 4.3 |

have been appointed or hired through a process without public participation. As a result, targets for advocacy in the government are less accountable to constituencies, which weakens civil society leverage as advocates.
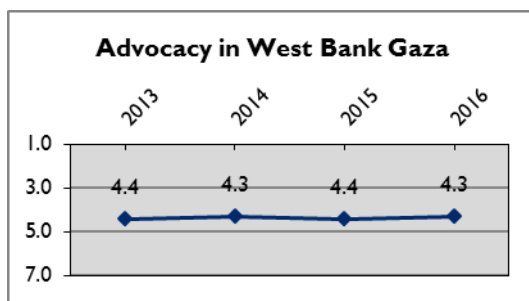
CSOs struggle to cooperate with the federal government. Though CSOs are occasionally included in national planning, they have few genuine opportunities to participate. The situation improved somewhat in 2016, as the PA and its ministries released a variety of new strategies for various sectors, including education, health, and development. A number of CSOs—including domestic organizations such as the Welfare Association, Palestine Red Crescent Society, and Addameer Association for Human Rights, as well as international ones such as

UNRWA—participated in the process of drafting these strategies. Further, the current iterations of several national plans and strategies, chief among them the National Development Plan, expired in 2016, requiring the drafting of new strategies and creating further opportunities for collaboration between the government and civil society.

While cooperation at the federal level generally remains relatively rare and insubstantial, CSOs coordinate more extensively with local bodies. CSOs regularly serve as advisors, responsible for providing input on municipal planning, service delivery, and policy development.

Several Palestinian CSOs engage in monitoring and advocacy related to human rights, both locally and internationally. The Coalition for Integrity and Transparency (AMAN), the Palestinian affiliate of Transparency International, publishes reports on corruption within the Palestinian Territories. Al Haq and the Independent Commission for Human Rights regularly advocate around rights issues and publish reports on rights and freedoms, while the Palestinian Center for the Independence of the Judiciary and the Legal Profession (Musawa) engages in advocacy related to the judiciary and separation of powers. Other CSOs, such as the Applied Research Institute – Jerusalem (ARIJ) and Palestinian Academic Society for the Study of International Affairs (PASSIA), provide academic and research services. Civil society advocacy groups are particularly active and visible on the international front. The activities of such CSOs largely focus on advocacy for human rights and freedoms in the context of the Palestinian-Israeli conflict, such as the Boycott, Divestment and Sanctions (BDS) Campaign, led by a broad coalition of CSOs, and organizations such as Stop the Wall and Defense for Children International – Palestine.

CSO advocacy played an important role in resolving the teachers' strike in the West Bank in 2016. The strike began in March as a protest against low wages and the government's failure to meet commitments made after a previous strike. Following the PA authorities' heavy-handed response to the strikers, several CSOs, including Al Haq, issued statements declaring support for the right to peaceful assembly, and calling on the PA to initiate a dialogue with the strikers. The resolution of the strike, which included a pledge by PA President Mahmoud Abbas to implement a 10-percent raise and to review the agreement that resolved the 2013 Teachers' Strike, was considered a victory for nongovernmental forces and the efforts of CSOs.

CSOs also had notable lobbying successes in 2016. For instance, they lobbied for the rescinding of the Social Security Law and passage of an amended law. The first version of the law, adopted in February, came under criticism both because civil society was excluded from its drafting, and also because of concerns about its content. In response, CSOs and other nongovernmental actors, such as the Social and Economic Policies Monitor (Al Marsad), PNGO, and the Palestinian Progressive Labor Union Front, came together to form the National Campaign for Social Security. Through a series of strikes, sit-ins, media outreach, and other forms of advocacy, the campaign succeeded in persuading the government to rescind the law. The government, in consultation with CSOs, then drafted a revised law, which was adopted in November.

Other lobbying efforts were less successful. For example, CSOs played a critical role in mobilizing support, creating awareness, and monitoring election activities in the run-up to local elections, originally scheduled for October. When the elections were first suspended, civil society groups protested loudly, and several of the most prominent CSOs issued a statement demanding local elections to be held as scheduled. Ultimately, Hamas rejected the PA's declaration that elections would be held in 2017, leaving them indefinitely suspended.

CSOs have only a limited ability to influence laws governing their operations, although there were some collaborative initiatives in 2016. In January, the PA, the Civil Society Organizations Commission (a government body) and leading CSO representatives convened for a roundtable meeting to discuss the operating environment. While the government indicated that new policies would be issued abolishing onerous financial requirements in licensing and registration, these changes never came to pass.

# SERVICE PROVISION: 3.7

**Service Provision in West Bank Gaza**

| 2013 | 2014 | 2015 | 2016 |
|------|------|------|------|
| 3.7 | 3.6 | 3.7 | 3.7 |
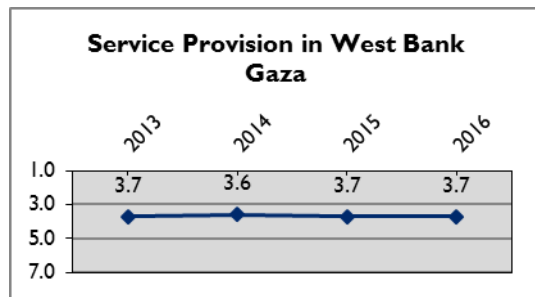
CSOs faced some additional challenges in service delivery in 2016, related to shrinking resources and a limited role as compared to INGOs, though they continued to offer a diversified range of goods and services to a broad class of recipients. CSOs' service delivery is especially critical in Area C and other remote areas of the West Bank where the government does not consistently provide services. The current environment, shaped in particular by gaps in the PA's governance and extensive destruction in Gaza from prior conflicts, has encouraged CSOs to diversify the services they provide. This has contributed to a decline in specialization, however, and accelerated the transformation to a project-by-project model of CSO operations. Especially in Gaza, CSOs increasingly find themselves offering humanitarian services linked to human recovery, such as medical and psychological aid. Some of the most visible CSOs providing medical services include the Gaza Community Mental Health Program and the Union of Health Work Committees. In recent years, CSOs have also offered different services as a means of securing donor funding. Again, this is more acute in Gaza, where donors frequently divert funds allocated to certain projects to address immediate humanitarian crises. Many CSOs follow the funding and reorient themselves to different sectors accordingly.

In recent years, INGOs have assumed delivery of many critical services related to economic livelihoods, resilience, and housing in the West Bank and Gaza. Many INGOs do not provide subgrants or subcontracts to local Palestinian CSOs with experience in the relevant sectors, instead opting to implement projects directly. Local Palestinian organizations Ma'an Development Center (MDC) and the Palestinian Hydrology Group, as well as the Association of International Development Agencies (AIDA), an international organization, have criticized these initiatives on grounds that they neglect local actors and are less effective. In Gaza, the UN substantially manages the Gaza Reconstruction Mechanism (GRM), and delegates the major responsibilities and tasks inherent in reconstruction to international donor organizations and entities. These entities frequently subcontract the work to INGOs, rather than to Palestinian CSOs.

CSOs can earn income through the provision of goods and services. As noted earlier, most organizations that avail themselves of this opportunity are concentrated in health and education. The Palestinian Bar Association and legal clinics at various universities, including Hebron University and the Islamic University of Gaza, provide legal services, both pro bono and for charge. Many CSOs offer their services for free, aware that they constitute a safety net for many vulnerable Palestinians that have limited financial resources. One example is the Union of Health Work Committees in Gaza, which regularly pays for the medical expenses of poorer Palestinians in need of healthcare. INGOs involved in humanitarian relief also provide free services. For example, Mercy Corps provides food aid for families in Gaza.

Civil society has developed services targeted at a broad audience, one that includes individuals in need as well as representatives of the private sector, governmental institutions, and the international community. The range of services for individuals includes healthcare, food aid, education, and legal assistance. Organizations such as the NDC have produced reports to promote greater coordination with the private sector; private sector representatives also regularly consult and contract CSOs when engaging in CSR.

Government recognition of and support for CSOs' services varies by level and location. Municipal entities are more likely to engage CSOs in service provision than are federal bodies and institutions. Municipalities and local governments recognize that CSOs often have a comparative advantage when implementing initiatives, given their grassroots connections and relationship with communities. The PA government in the West Bank is generally more likely to contract CSOs to provide services than the Hamas government. CSOs and the

government in Gaza often operate in separate spheres; organizations are wary of challenging the Hamas administration or risking its ire by engaging in activities it may consider insubordinate.

# INFRASTRUCTURE: 4.0

CSO infrastructure overall remained stable in 2016, though there were signs of improvement in coalition building and cooperative action. There are several intermediary support organizations (ISOs) in the West Bank and Gaza that support CSOs. These include the Palestinian Network of NGOs (PNGO) and PNGO-Gaza, the Palestinian General Union of Charitable Societies (PGUCS), and the Palestinian National Institute of NGOs (PNIN). ISOs disseminate and coordinate information among CSOs, and provide particularly useful support to CBOs that work in remote areas and areas under Israeli control with additional laws and restrictions. ISOs and other bodies, including international aid organizations, also provide critical legal assistance to facilitate CSOs' operations. Al Mezan, for instance, provides legal training for CSOs.



Infrastructure in West Bank Gaza
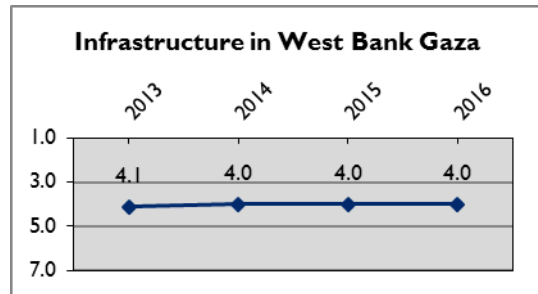
In general, the only domestic organizations that engage in grantmaking are affiliated with or funded by international bodies. The Human Rights and International Humanitarian Law Secretariat, based in Ramallah, is a joint donor program sponsored by Denmark, the Netherlands, Sweden, and Switzerland. The Palestinian Central Elections Commission, with funding provided by the EU, provided thirty CSOs with grants in 2016 to conduct voter awareness and mobilization activities in preparation for local elections. In the past, PNGO and the NGO Development Center (NDC) have also provided grants to CSOs, as part of the several iterations of the World Bank-funded NGO Project.

Coalitions exist throughout civil society and are generally effective at coordinating CSO efforts. The Palestinian Human Rights Organizations Council (PHROC), for instance, is a coalition of twenty-one CSOs operating in the fields of human rights and freedoms. In March 2016, PNGO, PHROC, AMAN and the Women's Affairs Technical Committee (WATC) decided to form a coalition called the Crisis Management Group, in reaction to recent decisions and actions by the PA's executive branch. The group collectively called for greater transparency and an expanded role for civil society in the drafting of legislation.

CSOs consider training to be effective and widely available in both the West Bank and Gaza. However, Gaza-based CSOs face challenges when they try to send personnel abroad for training or facilitate the entry of trainers into Gaza; this has led many CSOs to rely on remote training. A variety of actors provide trainings, including larger ISOs with sufficient resources such as PNGO, CSOs like the Welfare Association which are serving as implementing partners for international development agencies, and international development agencies such as the EU. Trainings linked to international development agencies regularly focus on project management, such as building CSOs' capacity to implement projects and bid on new contracts, or on topics such as human rights-based approaches to operations. Trainings provided by domestic actors often focus on strengthening specific skills and good governance topics like ethics and financial reporting.

CSOs continue to partner with entities in other sectors. Common examples of linkages with the private sector include cooperation through CSR. According to the Association of Banks in Palestine, in 2015, the banking sector allocated $5.6 million to CSR and partnered with 652 CSOs. CSOs also partner with academic institutions, including Birzeit University, Bethlehem University, and the Islamic University of Gaza. Partnerships assume a variety of forms, including cooperation in joint forums to amplify one another's voices, placement of students performing community service, and offering training courses on CSO financial management.

# PUBLIC IMAGE: 4.2

**Public Image in West Bank Gaza**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.4 | 4.3 | 4.2 | 4.2 |
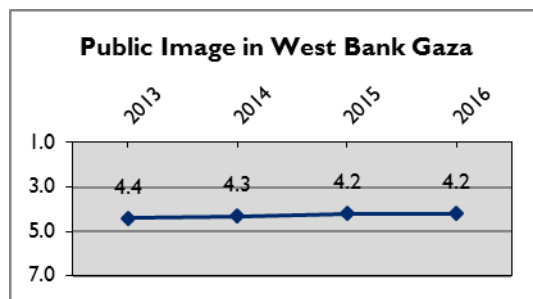
CSOs have regular access to media coverage and are frequently consulted for their perspectives. CSOs' engagement in national-level advocacy is often an attractive topic for journalists and other media sources. Further, the advocacy of certain CSOs on basic freedoms often intersects with the interests of media outlets, which occasionally face repression and censorship by government authorities. The Palestinian Center for Development and Media Freedoms (MADA), for instance, collects statistics on the detention and arrests of journalists and regularly publishes reports on the state of media. The detention and torture of journalists in 2016 led to public statements by several local CSOs, including the Palestinian Journalists Union and Addameer, about the responsibility of the West Bank and Gaza governments to respect human rights.

CSOs do not enjoy the same relationship with government-affiliated media, however. Because certain government-aligned stations do not seek out civil society leaders for interviews or programs, organizations focus on developing relationships with local TV and radio stations. Relationships with these outlets allow opportunities for CSOs to gain media exposure while connecting more directly with constituents.

The public maintains an appreciation for the role of CSOs in Palestinian society. Civil society has traditionally played a key role in community and national politics. CSOs' role in providing basic and humanitarian services, usually free of charge, also contributes to the public's positive perception of CSOs. Negative opinions that do exist are largely related to perceptions of inappropriate external influence, either by donors or the government.

Among both the West Bank and Gaza administrations, government officials remain suspicious of civil society's intentions, particularly in the context of advocacy against government policies such as CSOs' support for the Teachers' Strike and opposition to the initial Social Security Law. Such perceptions are occasionally manifested in direct, punitive measures, such as state-based harassment and obstruction. The relationship with businesses is more positive, as evidenced by the CSR practices of several firms.

CSOs generally make effective use of social media to communicate and spread their messages. The Media Development Center at Birzeit University also provides training to CSOs on communication and how to engage with the media.

Leading CSOs, including PNGO, PNGO-Gaza, PNIN, PGUCS, NDC, and AMAN, developed a Code of Conduct for their operations, first drafted in 2007 and revised in 2015. The code includes several manuals to help aspiring CSOs meet the established standards. The NDC also provides technical assistance and certification to CSOs who comply with the code. In 2016, seventy organizations applied to the NDC for certification; twenty-three were successful, bringing the total number of CSOs certified for their compliance with the code to 673 organizations.

# YEMEN

## 2016 CSO Sustainability Scores for Yemen



| Category | Score |
|---|---|
| CSO Sustainability | Sustainability Impeded 5.1 |
| Legal Environment | 5.2 |
| Organizational Capacity | 5.2 |
| Financial Viability | 5.7 |
| Advocacy | 4.9 |
| Service Provision | 4.8 |
| Infrastructure | 5.1 |
| Public Image | 4.7 |

Sustainability Enhanced — Sustainability Evolving — Sustainability Impeded
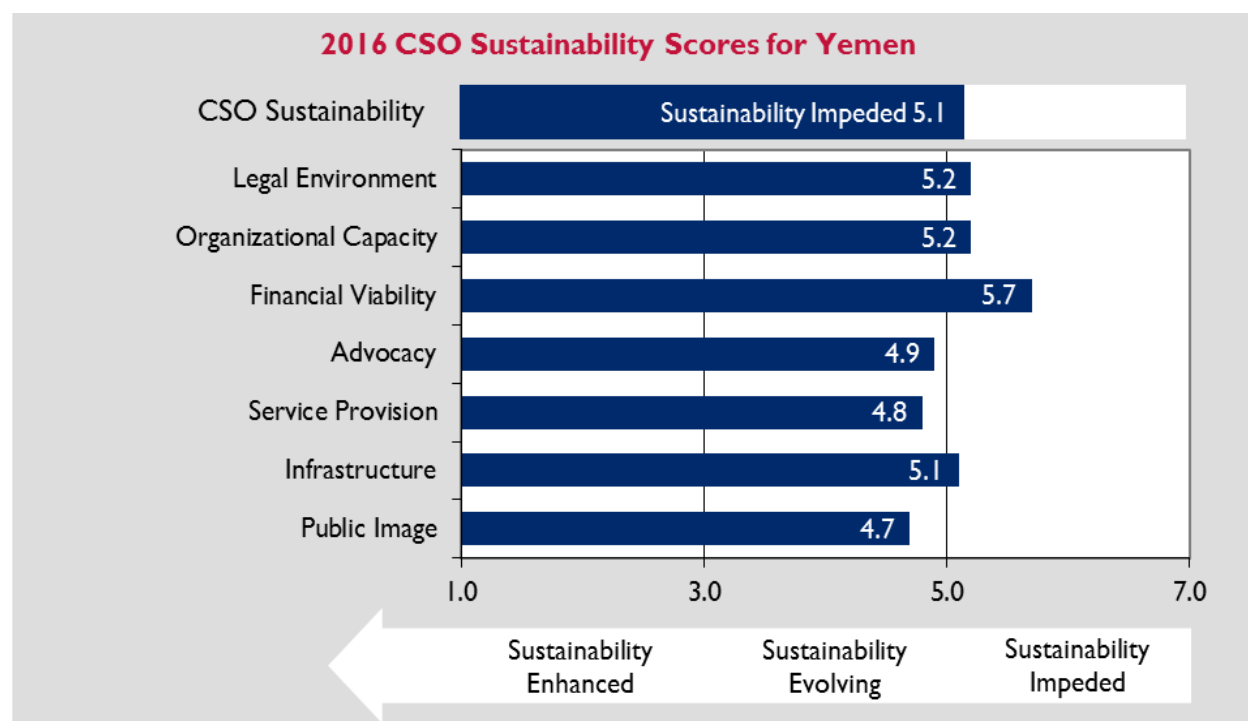
## CSO SUSTAINABILITY: 5.1

**Country Facts**

**Capital:** Sana'a

**Government Type:** Republic

**Population:** 28,036,829

**GDP per capita (PPP):** $2,400

**Human Development Index:** 168

Yemen remained mired in a civil war with extensive international involvement in 2016. Civil strife persisted between supporters of the Republic of Yemen Government (ROYG) under President Hadi and the Houthi rebels, while the Saudi-led coalition continued its offensive, including airstrikes and ground fighting. The UN Special Envoy failed to bring parties together towards a peace agreement and a variety of constraints continue to impede much-needed food supplies, medicine, and humanitarian assistance from reaching those in need. Two years after the war began, Yemen faced widespread destruction and thousands of civilian deaths with no decisive military victory on either side.

The most significant political development in 2016 was the formation of a new government in exile, led by Prime Minister Ahmed bin Dagher, and the appointment of a new vice president to the exiled government, Ali Mohsen Alahmar. The Houthis, meanwhile, formed the National Salvation Government, with equal representation of Houthis and members of the General People's Congress (GPC), the former ruling political party aligned with Yemen's former president, Ali Abdullah Saleh.

Since the fall of 2016, salaries of 1.2 million government employees have not been paid or have only been paid sporadically. Government employees who complained faced the possibility of punitive measures; for example,

twenty-seven soldiers in Sana'a who protested the salary delays were arrested. A liquidity crisis drove more people into poverty, with the number of people in need of humanitarian assistance increasing to nearly 18.8 million, with segments of the population edging closer to famine.
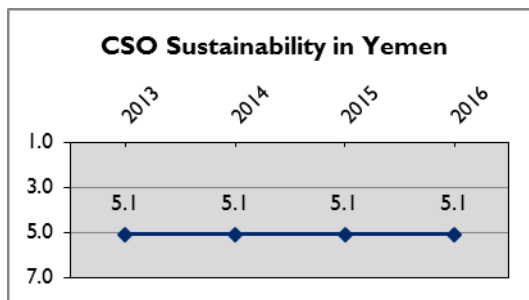


The CSO sector continued to operate despite the extremely challenging security and financial environment. Ongoing conflict limited CSOs' access to some areas of the country and reduced their ability to reach communities in urgent need of aid. In addition to the precarious security situation, the liquidity crisis also directly impacted the sector, forcing many CSOs to delay project implementation due to cash shortages. Food and medical supplies were also scarce, leading to higher prices and making it difficult for CSOs to purchase sufficient quantities within their project budgets.

The ongoing crisis has also had a negative impact on south-north relations in the country, with implications for CSOs. Much of the north, including Sana'a, Ibb, and Hodiedah, remained under control by the Houthis, while major cities in the south, including Aden, were controlled by the ROYG. The majority of CSOs and donor agency headquarters are located in the north; however, a number of organizations have branches in the south in cities such as Mukala and Aden. The growing regionalism associated with the civil war has created the hostile environment for such CSOs operating in both parts of the country.

A number of areas of CSO sustainability declined in 2016. The legal environment deteriorated due to new regulations and restrictive practices, and CSOs' ability to provide services also suffered, largely the result of increased security constraints. Growing government distrust contributed to a decline in CSOs' public image, as well. In contrast, ongoing donor support for humanitarian aid led to improvements both in CSOs' organizational capacity and their financial viability. Increased knowledge, better management, and new alliances led to improvement in the infrastructure supporting the sector, as well.

According to data from both the Ministry of Social Affairs and Labor (MoSAL) and the Ministry of Planning and International Cooperation (MoPIC), there were approximately 12,000 registered associations and foundations in 2016. Many new organizations were established during the year to address the humanitarian crisis and assist with the provision of aid. Out of the total number of registered CSOs, only a small minority are located in southern cities – 436 in Hadramaut, for instance, and just seventeen in Aden. Due to the security situation in the south, it is very difficult to ascertain the reliability of data about CSOs located there; accordingly, and because the majority of CSOs are located in the north, this report focuses primarily on CSOs in the north.

## LEGAL ENVIRONMENT: 5.2
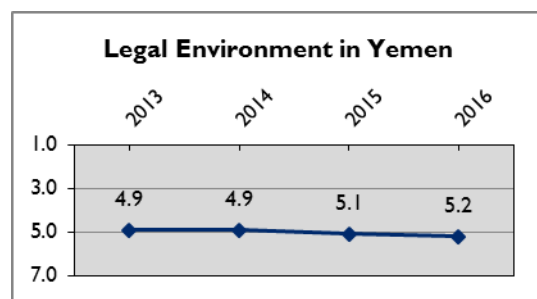


The legal environment governing CSOs declined in 2016 as the political and security situation on the ground deteriorated. CSOs faced some additional obstacles registering under the law, complying with a new MoPIC regulation, and contending with incidents of official harassment.

CSOs continue to operate under Law No. 1 of 2001 on Associations and Foundations (hereafter "CSO Law"). The law requires that CSOs register in order to have legal status and conduct activities under the law. CSOs can only register and renew their licenses at MoSAL headquarters in Sana'a; MoSAL's regional offices, including those in the South, are not authorized to register new organizations or renew CSO licenses. This places a financial burden on organizations that have to travel to the capital for their initial registration and annual renewals.

Since the Houthis' takeover of MoSAL and other government institutions in 2015, however, the CSO Law has become less relevant. The registration of new organizations and the renewal of licenses at MoSAL generally depends on an organization's connections and is subject to arbitrary determination. Officials often ask new organizations to pay bribes and CSOs frequently face long waits while applications are processed. According to a 2016 report by the Studies and Economic Media Center, 60 percent of local CSOs held valid MoSAL licenses, while 27 percent were unable to renew their licenses. Some CSOs opted not to apply for a license renewal, fearing rejection by Houthi-associated officials at MoSAL. Due to the Houthis' temporary suspension of registration for new organizations, 3 percent of organizations could not register.

In the last quarter of 2016, MoPIC introduced a new regulation to coordinate efforts among government agencies, international donor organizations, and national organizations. The regulation's new procedures, however, created obstacles to national and international organizations' activities. The regulation requires that CSOs consult with MoPIC prior to submitting any funding proposals to international agencies, and obtain MoPIC approval before entering into an agreement with an international non-governmental organization (INGO). According to the regulation, new CSO projects with INGOs must fit within MoPIC program plans. Certain activities such as surveys must also be approved by MoPIC in advance. The regulation also indicates that local associations and foundations must sign a MoPIC sub-agreement before they may work according to their MoSAL license. Following the introduction of MoPIC's regulation, fifty-two CSOs signed agreements with INGOs with MoPIC's approval. Al Ekram Foundation for Development and Welfare was one of the very few organizations to receive approval from MoPIC, for an agreement to conduct humanitarian needs assessment surveys in Sa'ada. It is not yet clear how other aspects of the new regulation will be applied.

No CSOs were dissolved in 2016, but around seventeen CSOs that were shut down in 2014 and 2015 remained closed, primarily due to a lack of funding or because they were unable to renew their licenses. At least one organization that was suspended in 2015, Al-Twasul for Human Development, recently reopened after it managed to sign a contract with the Sana'a municipality ending its closure. The reasons behind an organization's closure or reopening remain elusive, as there are no sources of reliable data on the issue.

CSOs in areas not under Houthi control, such as Hadramaut in the south, generally operate in a less hostile environment. However, licensed CSOs from the north that work in the south face strict vetting by local authorities before receiving permission to work and in some cases their projects are rejected. For example, the Charitable Society for Social Welfare (CSSW) submitted an application to open a learning center in Aden, but the request was rejected. In 2016, CSOs from the south did not face similar issues operating in the north.

Beginning in August 2016, INGOs and UN agencies also faced some incidents of official harassment and hostility in areas controlled by Houthis, particularly Sana'a and Ibb. The INGO Forum was closed down and its international staff ordered to leave Yemen. The Millennium Development Foundation (MDF) faced official obstruction when it tried to rent venues for events, and authorities conducted inspection visits to its premises. The MDF was ultimately forced to cease its operations. The UN Food and Agriculture Organization (FAO) office in Hajja was also shut down and equipment was confiscated, while FAO was forced to suspend a workshop in Sana'a after Houthi militants raided the workshop venue on two occasions. MoPIC's new regulation, described above, resulted in additional constraints on INGO activities as well.

The CSO Law exempts associations and foundations from paying income, property, or custom tax on imported goods. However, the tax authority does not always follow the law and often demands income and property tax, even from organizations that rent their premises. As a result of these obstacles, many CSOs refrain from accepting in-kind aid, as the customs tax can ultimately cost more than the value of the aid.

Even monetary aid gives rise to tax-related challenges, however, as donors often request tax identification numbers from local CSOs before they will sign funding agreements. In order to receive a tax ID, a CSO must go through a prolonged and complicated administrative process. Often this involves multiple ministries and

officials who lack knowledge on the tax exemption law for CSOs and demand extra-legal payment before they will issue a tax ID number.

The law allows CSOs to engage in income-generating activities, and some organizations do so. Khadija Foundation for Development (KFD), for instance, runs a carpentry workshop and uses the income to subsidize the operating costs of its center that serves people with special needs. Sana'a Association for Development runs a medical center and charges a small fee that likewise offsets its operating costs. Nevertheless, organizations that earn income from their activities often face harassment by the tax authority, and moreover are pressured to provide their services for free due to beneficiaries' financial difficulties.

Compounding these challenges, local legal capacity on issues affecting CSOs is very limited. There are a small number of CSO legal experts in major cities but high costs deter organizations from seeking their assistance. Such expertise is nearly non-existent in rural areas. The majority of CSOs lack internal legal knowledge, as well. It is common for organizations to sign agreements with international organizations, often drafted in English, without fully understanding their content or consulting legal experts.

# ORGANIZATIONAL CAPACITY: 5.2

Despite the numerous challenges CSOs face in Yemen, organizational capacity improved across parts of the sector in 2016. Due to capacity-building efforts supported by various donors, an increasing number of CSOs now have strategic plans, internal regulations, and sound financial systems. Access to technology in particular has enhanced CSOs' operations, facilitating their access to both donors and beneficiaries.



Organizational Capacity in Yemen

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.5 | 5.4 | 5.3 | 5.2 |
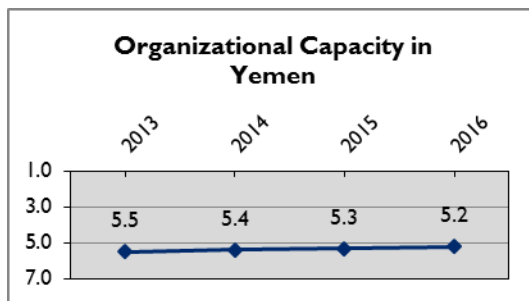
The majority of CSOs do not recognize the importance of developing strong constituencies, nor do they know how to build them effectively. Quasi-governmental organizations, such as the Yemeni Women's Union and the Social Fund for Development (SFD), tend to have strong constituencies nationwide. Large CSOs such as CSSW, Youth Leadership Development Foundation (YLDF), and Alawn, also have strong bases of supporters. Some of these organizations have created robust volunteer programs to attract young people and talented graduates. CSSW attracted more than 1,200 volunteers across the country in 2016, while YLDF launched a Volunteers Despite the War campaign, which aims to engage young people in volunteer opportunities. CSOs' delivery of humanitarian aid has also increased their visibility and expanded their constituencies. Alawn, for example, carries out relief work and major projects in Ibb and Hadramout, which has in turn created a strong base for the organization and increased its popularity among local communities.

Well-established organizations, including Yemeni Development Network for NGOs (YDN), the Civil Strengthening Network (CSN), and SOUL have strategic plans. However, the current crisis has forced many of them to divert from or entirely abandon their strategic goals. Few CSOs have formally adapted their plans to the changing situation, whether by incorporating relief work or altering their approach to relief work. Donors often emphasize the need for CSOs to have strategic plans, leading some CSOs to rush to develop such plans without a complete understanding of what they entail. To address this problem, in 2016 some organizations conducted trainings to build CSO capacity in strategic planning. The Al-Badael Economic Foundation, for instance, organized a strategic planning training for CSOs in November 2016.

CSOs located in major cities tend to have clear internal management structures, in contrast to CSOs in rural areas. Foundations, which are common among recently-established CSOs, may face additional challenges delineating management responsibilities due to the typically small number of founding members: although a foundation is required by law to have a board of directors, the board can consist of only three members and

the founder can be considered a member. Board members of foundations therefore often also serve as financial and administrative managers. Even organizations that have clear management structures in place may focus too much power in the hands of a single person, which has a negative impact on the long-term sustainability of CSOs.

CSOs often have difficulty attracting and retaining qualified staff. While the current crisis has forced many qualified employees to settle for less compensation than they would accept under normal circumstances, local and national CSOs are usually unable to match the salaries offered by INGOs. Further, the deteriorating economic situation and increasingly competitive funding environment has forced many organizations to dismiss large numbers of staff members. In 2016, SOUL was forced to reduce its staff from forty to eight, for instance; Athr Foundation for Development was also forced to dismiss the majority of its staff without pay due to lack of funding. In only a few, rare occasions in 2016, well-funded CSOs recruited more employees. The Humanitarian Forum Yemen, for instance, increased its staff from three to forty individuals.

The CSO sector's technical infrastructure remains challenged but improved somewhat in 2016. Power cuts still occur. Solar electric systems are more affordable, however, and accessible to a larger number of CSOs. CSOs' access to the internet, especially in rural areas, has improved with the introduction of 3G technology. Large organizations also utilize smart phones to conduct community needs assessments and other types of data collection. This technology has been particularly useful to assess the situation in conflict areas where access is otherwise restricted. The availability of internet access and social media applications have also helped CSOs connect with one another and with funding agencies. Nearly a quarter of Yemenis have internet access according to the Global Information Society Watch report from 2016. CSOs increasingly use WhatsApp to share documents, research, and project plans, enhancing communication between organizations especially in remote areas. Organizations also regularly use Facebook to publish project activities and announce events, as these portals are especially popular in the country. A 2015 report by TNS on social media in the Arab world found that 92 percent of Yemenis with Internet or wireless access use WhatsApp, and 93 percent use Facebook. Small organizations still struggle to purchase servers and establish office networks due to their costs.

## FINANCIAL VIABILITY: 5.7



Financial Viability in Yemen

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 5.6 | 5.6 | 5.7 | 5.7 |
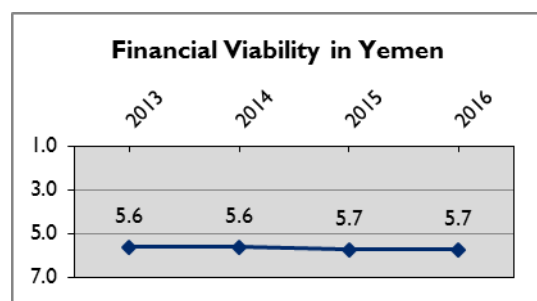
Despite a decline in local funding, CSOs' access to donor funding overall remained relatively stable in 2016. While funding from international donors increased and a larger portion was disbursed to national CSOs, which have better access to conflict areas, local funding became scarcer.

In the current environment, it has become more difficult for CSOs to diversify their funding sources. Overall, the CSO sector in Yemen is largely dependent on international and foreign funding, which focused on relief and humanitarian work in 2016. In order to reduce costs, large CSOs and INGOs partner with smaller organizations to carry out activities, especially in conflict areas where security concerns are high. In each governorate, there are between four and twenty-five national CSOs working to deliver humanitarian aid alongside INGOs and UN agencies. Funding for humanitarian aid increased in 2016, while funding for development and other areas has declined. A total of nine national CSOs received $7 million in humanitarian funding from the United Nations Office for Coordination of Humanitarian Affairs (OCHA), and twenty-eight CSOs received $3.8 million in OCHA sub-grants to implement activities such as training and capacity building. The bulk of international funding favors larger and better established CSOs, however, as they face rigorous assessments and smaller organizations often lack the administrative and financial capacities needed to win funding awards.

Donors' focus on humanitarian aid has complicated access to funding in other ways. For many CSOs, relief work is a new field, and the organizations' knowledge and skills remain limited compared to UN agencies and

INGOs that have a longer history in relief activities. Accordingly, UN agencies and INGOs received the overwhelming share of the Yemen Humanitarian Pooled Fund (HPF) in 2016: Eight UN agencies and fifteen INGOs received approximately $968 million, compared to $17 million in grants for twelve Yemeni CSOs; roughly fifty CSOs received another $9.5 million in sub-grants. Further, all but one of the national CSOs that received funding are located in Sana'a.

As a result of capacity building training for CSOs on the core standards of humanitarian aid delivery, the number of CSOs eligible for funding from the HPF rose from eleven in 2015 to nineteen in 2016. National CSOs also have better access to conflict-affected areas than their international counterparts, making them more attractive partners for the international agencies and INGOs that receive humanitarian funding via the HPF.

The economic situation in Yemen has had a severe impact on the ability of individuals and the private sector to support CSOs. While CSOs still receive some local funding in the form of contributions from individuals and local businesses, the amounts have significantly diminished. CSSW, for instance, received in 2016 only 10 percent of the local funding it had received in previous years. The number of established youth initiatives has also increased, making access to local funding more competitive. Local philanthropists view youth initiatives as nonpartisan, and many consider them a more reliable partner than other CSOs.

Monetary donations by businessmen and philanthropists significantly diminished in 2016. Companies such as TeleYemen continued to provide in-kind donations to CSOs, but these focus mostly on emergency food aid during religious events such as Ramadhan and Eid. Others such as Sabafon, a Global Service and Manufacturing (GSM) company, sponsored a limited number of CSO community projects. These included support for first aid and nurses training, and funding for a computer lab.

The Houthi government in the north, where the majority of CSOs are located, did not provide substantial financial support to CSOs in 2016. Article 18 of the CSO Law requires that MoSAL provide funding to organizations that carry out public services and that have been running for a year or more. Many organizations satisfy these requirements, including the Khadija Foundation for Development (KFD) and Al Aman for Blind Women, and MoSAL has provided some operational support to both organizations in the past. However, no organization received support from MoSAL in 2016. The CSO Law also states that CSOs can enter into contracts with the government to carry out projects. Al Tawasul has a contract with the Aden governorate for 100 million Yemeni Rial (approximately $400,000) to establish a water project between Amran and Fiqm. CSSW has a government contract to provide aid to internally displaced people (IDPs). However, these contracts often depend on connections rather than government policy.

CSOs generally do not operate in a transparent manner; they rarely, for instance, publish financial reports, and only a few organizations, such as CSSW and SOUL, publish their annual activity reports. Since 2014, even fewer organizations have published their reports, fearing political reprisal. Donors are increasingly making financial audit reports a prerequisite for funding, which contributes to better transparency and accountability within the sector. However, this prerequisite tends to hurt smaller CSOs, many of which cannot afford external audits, in favor of the few organizations that have well-established financial management systems and can bear the cost.

CSOs' capacity in financial management did improve slightly in 2016 with the help of training provided by SFD and the Yemeni Women's Union, among others. CSOs are also increasingly aware that they must have well-built financial systems in order to secure funding from international donors. Access to financial software is often available for free through YemenSoft, which helps support CSOs' financial management and operations. However, smaller organizations in rural areas continue to use Microsoft Excel to manage their finances.

## ADVOCACY: 4.9

CSOs' advocacy remained stable overall in 2016. In some cases, government officials in the North cited the Saudi-led war as grounds for restricting activists and CSOs that engaged on human rights issues or were critical

of government policies. But such incidents were balanced out by improvements in CSOs' access to decision-makers in other parts of the country, and expanded use of social media by CSOs to engage the public in advocacy campaigns.

CSO-government cooperation slightly improved in some areas. The government in the North, for instance, introduced a requirement that CSOs engaged on education and health-related issues must coordinate their activities with the relevant ministry. This had the effect of increasing CSOs' cooperation with government activities and streamlining CSO projects within the government's national strategies in these two sectors.
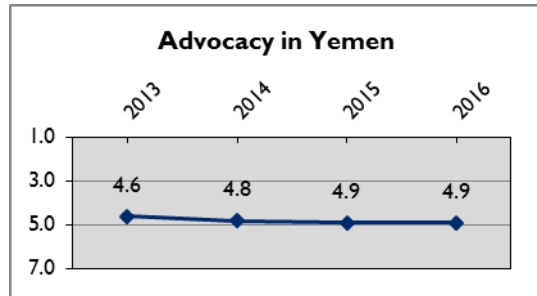
In general, however, the level of CSO-government collaboration varies from one governorate to another. Local officials in governorates such as Aden, Lahj and Hadramout are willing to work more closely with CSOs and facilitate their activities. YDN and Al Twasul, for instance, collaborated with local councils in Aden and Hadramout on projects including water storage and food assistance. In governorates under Houthi control, some CSOs complied with MoPIC's newly-enacted regulation and began coordinating more closely with the ministry.

CSO advocacy campaigns in 2016 largely focused on ending the civil war and Saudi-led offensive, which Houthis consider relatively uncontroversial and therefore allow. The We Simply Want to Live initiative launched a campaign under the title From People to People, for instance, calling for peaceful coexistence and an end to war. Peace Link Initiative campaigned against radicalism. The National Peace Building Network participated in a campaign titled Raise Your Voice and launched several smaller, related campaigns.
Some CSO advocacy on human rights and other reform issues persisted. In Aden, human rights activists staged a sit-in calling for the release of illegally-held prisoners and called for an end to torture in prisons. In general, however, rights-related advocacy has become increasingly risky, as government officials have taken steps to stifle groups expressing criticism or dissent. Organizations that campaigned for women's protection in Taiz, for instance, were forced to suspend their activities after receiving threats from the Houthis. Mwatana Organization for Human Rights in Sana'a, which continued to address human rights violations in 2016, was harassed by authorities; the organization's director was prevented from travelling and his passport was confiscated.

Given this context, CSOs feel unable to lobby for policy or legal reform, including on CSO legal issues, due to the risks involved. Government practices have led CSOs to adopt a different approach on such issues, utilizing less overt tactics and acting individually rather than in concert. For instance, when the Houthis ordered MoSAL to stop CSOs' registration and license renewal, a number of organizations raised the issue with the Political Council and succeeded in preventing the order from being implemented.

Some CSOs have used social media as a more secure means of advocating. Mwatana developed a documentary film titled False Report, which focuses on victims of torture and forced disappearance; it used YouTube and Facebook to launch the film, and further publicized it through Twitter. In Taiz, the National Organization for Humanitarian Development launched a national social media campaign against torture.

CSOs created a number of coalitions in 2016. Thirty-three CSOs formed the Yemeni Civil Society Alliance (Shoraka) to campaign against the Saudi-led coalition attacks on Yemen. Shoraka's advocacy campaigns took various forms, including rallies and sit-ins, in addition to documentary films, photography exhibitions, music, and poetry. Another coalition formed in 2016 was the Peace and Relief Partners, comprising the Yemen Polling Center, Together Foundation for Development and Rights, and Ma'an for Development and Rights (MFDR) Foundation in Aden. The coalition received funding from the EU in early 2016 to train 120 young people in five governorates on lobbying strategies, public speaking, and advocacy development.

Other lobbying efforts by CSOs in 2016 included a campaign by the National Prisoner Foundation to aid prisoners who are unable to pay bail, children who are imprisoned alongside their parents, and prisoners of war. These campaigns resulted in the release of more than 160 prisoners. CSOs also collaborated with the Ministry of Education and UNICEF in a Back to School campaign.

## SERVICE PROVISION: 4.8
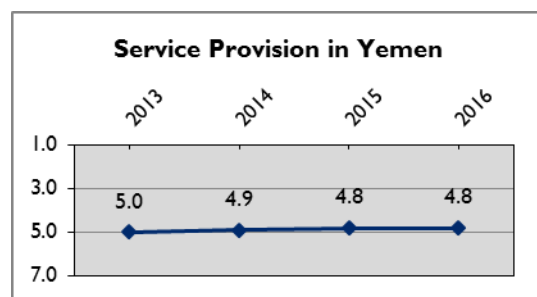
CSO service provision overall remained relatively stable in 2016. While the majority of organizations in Yemen engage in some type of service delivery, the devastating impact of war and growing number of IDPs has led many CSOs to shift their activities towards providing humanitarian aid, regardless of their original objectives. Such aid included the distribution of food, clothes, and school supplies in 2016. The ongoing and even escalating conflict in much of the country kept relief provision activities at an emergency level; only in relatively stable governorates, such as Hadramout, were CSOs able to engage in recovery activities. Some CSOs have faced issues in delivering aid to certain areas. For example, the For All Foundation team was harassed and prevented from distributing food baskets in Sanhan. In addition to that, some CSOs reported that militias aligned with the Houthi government seized humanitarian aid items and illegally sold them in local markets.

CSOs generally have a good understanding of the local context and the needs of their communities. While CSOs previously focused on providing services to specific groups, such as youth or people with disabilities, many have expanded their services to include all segments of society. Communities in need now include civil servants and military staff, many of whom have not received their salaries for months and are on the brink of famine. In a few instances, however, organizations implemented service activities according to donors who lacked complete knowledge of the local context. For example, in one project, CSOs distributed blankets in Al Hudaydah according to donor instructions, but failed to inform the donor that the city had a mild climate year-round and blankets would not be necessary.

Cost recovery for any services CSOs offer has become extremely difficult due to the current economic crisis. However, there are a few examples of organizations that have succeeded in providing services following a cost-recovery plan. CSN provides trainings at a reduced price, for instance, and managed to recover 76 percent of its cost. CSN's training workshops in 2016 targeted ninety young people in peacebuilding and conflict-resolution, twenty-five CSOs in resource mobilization, and thirty CSO representatives on humanitarian standards (Sphere). In addition, Yamaan Development Foundation subsidizes its family planning products and sells them for a reduced price, covering less than half of their cost. The majority of CSOs, however, cannot charge any fees and often offer training and other services for free as their funding allows.

## INFRASTRUCTURE: 5.1

The infrastructure supporting the CSO sector improved markedly in 2016. CSOs' role in humanitarian relief increased in 2016 as their knowledge on aid delivery and management improved. As a result, CSOs' access to grants, information, and trainings increased. The current security and political context also compelled many organizations to form alliances in order to support one another and facilitate access to conflict areas.

While there are no intermediary support organizations (ISOs) in Yemen, some organizations such as CSSW, YDN, and Alawn, to name a few, provide capacity building and support to other CSOs. For example, CSSW supported some organizations conducting a field survey in fourteen governorates by developing the survey questionnaires, identifying samples, analyzing results, writing reports, as well as providing logistical support in

administering the survey. YDN trained organizations in Marib in data collection and reporting, and proposal writing.

Additionally, OCHA established networks for CSOs engaged in nutrition, health, livelihood, water/sanitation/hygiene, shelter, and IDPs. These networks enhanced CSOs' access to information on available grants, humanitarian situation data, surveys, and security. They also increased information sharing among national CSOs, INGOs, and UN agencies.
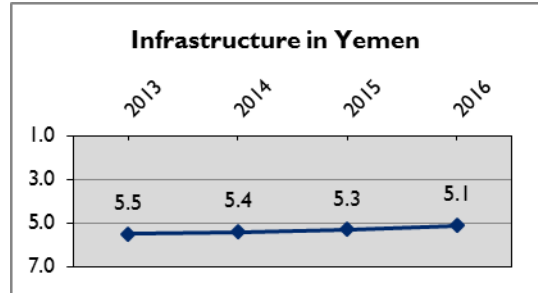


Larger CSOs and CSO consortiums often partner with smaller organizations and provide them with subgrants to carry out activities. The availability of such subgrants increased slightly in 2016, as the restricted access to some areas due to the security situation gave CSOs located in those areas more opportunities to receive subgrants. However, the number of CSOs that receive substantial funding through international donors and are able to allocate a portion of that funding to other organizations remain small.

The Social Fund for Development (SFD) created a class of trainers who continued to provide trainings in 2016 on CSO-related topics including project planning, fundraising, and strategic planning. Additionally, donors and national CSOs worked together to offer trainings for CSOs in new areas related to the war, including conflict resolution and aid delivery. HFY was funded by the United Nations Peace Building Fund to carry out a training of trainers (ToT) on humanitarian crisis management and service delivery in conflict affected communities for around forty-five trainers representing thirty CSOs. In 2016, Partners-Yemen collaborated with UNDP to conduct the first ToT on Strengthening Resilience to Conflict and Turbulence. Studies and Economic Center received funding from UNESCO to carry out trainings for journalists reporting from conflict zones, aiming to improve safety standards and reduce fatalities among reporters.

Trainings and workshops also focused on building CSOs' capacity in humanitarian aid standards (using the Sphere standards), conflict resolution, and documentation of war crimes. Other training topics included health education on transmitted diseases, first aid, women's rights in conflict situations, and women's participation in local government. CSOs also continued providing training in financial management, proposal writing, and fundraising.

CSOs and government institutions signed some new partnership contracts in 2016. Yamaan Development Foundation, for instance, entered a partnership with the Ministry of Public Health and Population to conduct a program for expectant mothers, including distributing educational manuals on infant health and safety. However, these were isolated cases, and were limited to large and well-connected CSOs. Past CSO experiences indicate that partnerships with government institutions have a better chance of success if an international donor is involved. For instance, the partnership of Ramz with state-owned radio stations to air messages to protect women in conflict zones with funding from the US-based National Endowment for Democracy was successful. Similarly, KFD entered into a partnership with MoE and MoSAL, funded by UNICEF, and successfully implemented a child protection program.

CSO-private sector partnerships are increasing, though they remain mainly dependent on personal connections. However, CSOs' partnerships with private entities are more likely to be long-term. YDN for example, has had a partnership with MTN, a GSM company, to build technology institutes since 2013. Yamaan has a partnership with NATCO, a pharmaceutical company, to disseminate family planning products.

# PUBLIC IMAGE: 4.7

**Public Image in Yemen**

| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| | 4.8 | 4.8 | 4.7 | 4.7 |
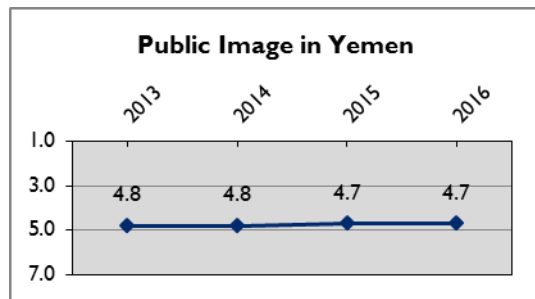
The overall image of CSOs remained stable in 2016. Public opinion of the sector remained divided and the government's perception deteriorated somewhat, but CSOs' relations with the private sector improved.

While CSOs located in Aden and Hadramout receive positive coverage of their events on local television and radio stations, CSOs elsewhere in the country try to avoid media coverage in order to protect themselves from negative attention. While donors used to consider media coverage to be a positive indicator of CSO efforts, they now prefer that CSOs not receive widespread media coverage for the projects they fund. In addition, the official state television channel cancelled its daily local news segment on civil society. Most organizations tend instead to promote their events and activities through online news platforms and social media, allowing them to disseminate coverage to a smaller, targeted audience.

The public perception of CSOs is currently divided. Some individuals believe CSOs are corrupt and have a hidden agenda, or are aligned with foreign governments. Others have greater knowledge of CSOs' contributions, especially as they now meet significant basic needs for food, shelter, and clothing. Humanitarian aid donors have demanded that national CSOs be transparent in their operations, which has helped to improve the public perception of CSOs. SFD's creation of Cooperative Village Councils in various rural areas has enhanced local communities' participation in CSO development of recovery and development activities. The Councils helped launch 1,800 initiatives at the rural level, including projects to build wells, roads, and schools, according to community needs. The initiatives together received around 18 million Yemeni Rial (approximately $72,000). They also brought together CSOs and local communities in planning and executing projects, fostering greater public awareness of CSOs' efforts.

In general, the Houthi government's perception of CSOs is negative, and 2016 witnessed a further deterioration of trust between the government and CSOs in Houthi-controlled governorates. The government views CSOs as corrupt and lacking accountability and transparency. Its partnerships with CSOs often take place under the pressure of international donors and not as part of a set policy. Government employees realize that donors prefer to deal with CSOs, and in some cases have begun to form their own organizations.

In contrast with the government, the private sector in Yemen perceives CSOs positively and considers them to be competent and reliable partners. The current economic and political situation, however, has limited the private sector's capacity to partner with or sponsor CSOs' activities. The increase in the number of CSOs engaged in humanitarian aid also increased competition for private sector funding and raised concerns about their capacity and integrity. Thus, many companies prefer to either support CSOs they have a history of supporting or carry out relief work directly through their social responsibility departments.

A growing number of CSOs feel the need for a system of self-regulation with guidelines for transparency and accountability. The CSOs' Code of Conduct developed in 2014 has been signed by around 170 CSOs and continues to draw support. That said, the Code of Conduct is not widely implemented in practice. The few CSOs that have taken steps to put the code into practice include Partners for Peace and Relief and the National Organization for Humanitarian Development in Taiz. The National Organization for Humanitarian Development in Taiz recently published reports containing information on the organization's programs as well as the funding it received. Other organizations, especially those addressing human rights issues, such as Mwatana and Yemen Organization for Promoting Integrity, have developed their own codes of conduct. CSSW and other organizations that are engaged in humanitarian aid are working closely together to adopt an honor code specific to aid organizations. Although the code has not been drafted, the group has taken practical steps

toward sharing information, adhering to humanitarian assistance standards, and fostering coordination among different actors.

# ANNEX A: CSO SUSTAINABILITY INDEX METHODOLOGY

## I. OVERVIEW

USAID works in close cooperation with local CSOs to develop the *CSO Sustainability Index*. In each country, a local implementing partner convenes a panel consisting of at least eight representatives of a diverse range of CSOs and related experts to assess the sector's performance in each of seven dimensions. USAID has developed indicators for each dimension, and the panel discusses and scores each indicator of a dimension, averaging these together for a preliminary dimension score. Dimension scores are averaged together for a preliminary score for overall CSO sustainability. The implementing partner drafts a country report based on the expert panel's discussion, as well as outside knowledge of the sector.

USAID convenes an Editorial Committee, made up of specialists on civil society in the region and the *Index* methodology from USAID, MSI, ICNL, and at least one regional expert. The Editorial Committee reviews the narrative and scores to ensure that scores are adequately supported, and accurately reflect the category of CSO sector development. The Editorial Committee further considers a country's score in relation to the proposed scores in other countries, providing a regional perspective that ensures comparability of scores. In some cases, the Editorial Committee proposes adjustments to the proposed scores based on the information provided and trends affecting CSO sustainability in the region overall. The Editorial Committee also raises points for clarification and requests additional information to complete the report. The project editor edits the report and sends it, along with these score recommendations and requests, to the local implementing partner for comment and revision.

If the local implementing partner and expert panel disagree with the Editorial Committee's score recommendations, they have a chance to strengthen their narrative to better justify the proposed score. The Editorial Committee has final say over the score.

The complete instructions sent to the implementing partners, as well as the questionnaire used by the expert panels, are found below.

## II. DIMENSIONS OF CSO SUSTAINABILITY

The *CSO Sustainability Index* measures the strength and overall viability of civil society sectors. The *Index* is not intended to gauge the sustainability of individual CSOs, but to fairly evaluate the overall level of development of the CSO sector as a whole. Seven different dimensions of the CSO sector are analyzed in the *CSO Sustainability Index*. A brief description of each dimension of sustainability follows:

**Legal Environment**

For a CSO sector to be sustainable, the legal and regulatory environment should support the needs of CSOs. It should facilitate new entrants, help prevent governmental interference, and give CSOs the necessary legal basis to engage in appropriate fundraising activities and legitimate income-producing ventures. Factors shaping the legal environment include the ease of registration; legal rights and conditions regulating CSOs; and the degree to which laws and regulations regarding taxation, procurement, and other issues benefit or deter CSOs' effectiveness and viability. The extent to which government officials, CSO representatives, and private lawyers have the legal knowledge and experience to work within and improve the legal and regulatory environment for CSOs is also examined.

**Organizational Capacity**

A sustainable CSO sector will contain a critical mass of CSOs that are transparently governed and publicly accountable, capably managed, and that exhibit essential organizational skills. The organizational capacity dimension of the *Index* addresses the sector's ability to engage in constituency building and strategic planning, as well as internal management and staffing practices within CSOs. Finally, this dimension looks at the technical resources CSOs have available for their work.

**Financial Viability**

A critical mass of CSOs must be financially viable, and the economy must be robust enough to support CSO self-financing efforts and generate philanthropic donations from local sources. For many CSOs, financial viability may be equally dependent upon the availability of and their ability to compete for international donor support funds. Factors influencing the financial viability of the CSO sector include the state of the economy, the extent to which philanthropy and volunteerism are being nurtured in the local culture, as well as the extent to which government procurement and commercial revenue raising opportunities are being developed. The sophistication and prevalence of fundraising and strong financial management skills are also considered.

**Advocacy**

The political and advocacy environment must support the formation of coalitions and networks, and offer CSOs the means to communicate their messages through the media to the broader public, articulate their demands to government officials, and monitor government actions to ensure accountability. The advocacy dimension looks at CSOs' record in influencing public policy. The prevalence of advocacy in different sectors, at different levels of government, as well as with the private sector is analyzed. The extent to which coalitions of CSOs have been formed around issues is considered, as well as whether CSOs monitor party platforms and government performance.

**Service Provision**

Sectoral sustainability will require a critical mass of CSOs that can efficiently provide services that consistently meet the needs, priorities, and expectations of their constituents. The service provision dimension examines the range of goods and services CSOs provide and how responsive these services are to community needs and priorities. The extent to which CSOs recover costs and receive recognition and support from the government for these services is also considered.

**Infrastructure**

A strong sectoral infrastructure is necessary to provide CSOs with broad access to local CSO support services. Intermediary support organizations (ISOs) providing these services must be able to inform, train, and advise other CSOs; and provide access to CSO networks and coalitions that share information and pursue issues of common interest. The prevalence and effectiveness of CSO partnerships with local business, government, and the media are also examined.

**Public Image**

For the sector to be sustainable, government, the business sector, and communities should have a positive public image of CSOs, including a broad understanding and appreciation of the role that CSOs play in society. Public awareness and credibility directly affect CSOs' ability to recruit members and volunteers, and encourage indigenous donors. The public image dimension looks at the extent and nature of the media's coverage of CSOs, the awareness and willingness of government officials to engage CSOs, as well as the public's knowledge and perception of the sector as a whole. CSOs' public relations and self-regulation efforts are also considered.

# III. METHODOLOGY FOR THE IMPLEMENTER

The following steps should be followed to assemble the Expert Panel that will meet in person to discuss the status of civil society over the reporting year, determine scores, and prepare a country report for the *CSO Sustainability Index.*

1. **Carefully select a group of not less than 8 representatives of civil society organizations to serve as panel experts.**

Implementers are free to select panel members based on the following guidelines. The panel may include representatives from the USAID Mission, but they will not have the ability to cast their vote in terms of scores. They are welcome to provide some words of introduction to open the event, as it is funded by USAID, and they are welcome to observe and participate in the discussion. The panel members should include representatives of a diverse range of civil society organizations including the following types:

• local CSO support centers, resource centers or intermediary civil society support organizations (ISOs);

• local CSOs, community-based organizations (CBOs), and faith-based organizations (FBOs) involved in a range of service delivery and/or advocacy activities;

• academia with expertise related to civil society and CSO sustainability;

• CSO partners from government, business, or media;

• think tanks working in the area of civil society development;

• member associations such as cooperatives, lawyers' associations and natural resources users groups;

• international donors who support civil society and CSOs; and other local partners.

It is recommended that at least 70 percent of the Expert Panel be nationals. CSOs represented on the panel can be those whose work is heavily focused on either advocacy or social service delivery. To the extent possible, panelists should represent both rural and urban parts of the country. To the extent possible, panelists should be representative of women's groups, minority populations, and marginalized groups, as well as sub sectors such as women's rights, community-based development, civic education, microfinance, environment, human rights, and youth. The panel should to the extent possible include an equal representation of men and women.

In some instances, it may be appropriate to select a larger group in order to reflect the diversity and breadth of the civil society sector in the country. Please keep in mind, however, that a significantly larger group may make building consensus within the panel more difficult. Alternatively, if regional differences within a country are significant, implementers may want to consider holding regional panels.

2. **Ensure that panel members understand the objectives of the exercise.**

The objective of the panel is to develop a consensus-based rating for each of the seven dimensions of civil society sustainability covered by the *Index* and to articulate a justification or explanation for each rating consistent with the methodology described below. The overall goal of the *Index* is to track and compare progress in the sector over time, increasing the ability of local entities to undertake self-assessment and analysis. It also aims to develop an increased understanding of the civil society sector among donors, governments, and CSOs for the purposes of better support and programming.

It is recommended to distribute the instructions and rating description documents to the members of the Expert Panel a minimum of three days before convening the panel so that they may develop their initial scores

for each indicator before meeting with the other panel members. If possible, it may be useful to hold a brief orientation session for the panelists prior to the panel discussion. Some partners choose to hold a formal training session with panel members, reviewing the methodology document and instructions, other partners provide more of a general discussion about the objectives of the exercise and process to the panelists.

The project team is very interested in using the preparation of this year's *Index* to track lessons learned for use in improving the monitoring process in upcoming years. It would appreciate implementers recording and submitting to MSI and USAID any observations they might have that will increase the usefulness of this important tool.

3.  **Convene a meeting of the CSO Expert Panel.**

4.  **At the Expert Panel meeting, please remind panelists that each indicator and dimension of the CSOSI should be scored according to evidence-based, country-relevant examples of recent or historical conditions, policies, and events**.

The rating process should take place alongside or directly following a review of the rating process and categories provided in "Ratings: A Closer Look." For each indicator of each dimension, allow each panel member to share his or her initial score and justification with the rest of the group. At the end of the discussion of each indicator, allow panel members to adjust their scores, if desired. Then, eliminate the highest score and the lowest score, and average the remaining scores together to come up with one score for each indicator. Once a final score has been reached for each indicator within a given dimension, calculate the average or arithmetic mean of these scores for a preliminary score for the dimension. Be sure to take careful notes during the discussion of each indicator, detailing the justifications for all scores, as this should serve as the basis of the written report. Please keep all scores on record, making sure that personal attribution cannot be made to individual panel members. Implementers may use a table, similar to the one provided below, to track panel member scores without personal attribution. Ultimately, every rating awarded should be supported by evidence in the country report (see #8 below), and should reflect consensus among group members.

| Panel Member | Legal Environment | Organizational Capacity | Financial Viability | Advocacy | Service Provision | Infrastructure | Public Image |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 4 | 5 | 2 | 2 | 6 | 3 |
| 2 | 4 | 3 | 4 | 3 | 3 | 4 | 3 |
| 3 | 3 | 2 | 4 | 1 | 3 | 6 | 2 |

5.  **Once scores for each dimension are determined, as a final step, review the description of that dimension in "Ratings: A Closer Look." Discuss with the group whether the score for a country matches that rating description.**

For example, a score of 2.3 in Organizational Capacity would mean that the civil society sector is in the "Sustainability Enhanced" phase. Please read the "Sustainability Enhanced" section for Organizational Capacity in "Ratings: A Closer Look" to ensure that this accurately describes the civil society environment. If not, discuss as a group to determine a more accurate score that fits the description for that dimension.

6.  **Discuss each of the seven dimensions of the *Index* and score them in a similar manner**.

Once all seven dimensions have been scored, average the final dimension scores together to get the final country *Index* score. Be sure to include a synopsis of this discussion in the draft country report.

7.  **Please remind the group at this stage that reports will be reviewed by an Editorial Committee (EC) in Washington, DC.**

The Editorial Committee will ensure that all scores are adequately supported and may request adjustments in scores and/or additional justification to support scores.

8. **Prepare a draft country report**.

The report should cover the calendar year. The draft report should include an overview statement and a brief discussion of the current state of sustainability of the civil society sector with regard to each dimension. The section on each dimension should include a discussion of both accomplishments and strengths in that dimension, as well as obstacles to sustainability and weaknesses.

In the overview statement, please include an estimated number of registered and active CSOs, as well as an overview of the primary fields and geographic areas in which CSOs operate.

Please limit the submissions to MSI to a maximum of five pages in English. Please keep in mind that the process relies on implementers to ensure that reports are an appropriate length and are well written, as the project does not have the capacity to do extensive editing.

Please include a list of the experts and their organizational affiliation who served on the panel with the report. This will be for our reference only and will not be made public.

While the individual country reports for the *CSO Sustainability Index* must be brief, implementers may write longer reports for their own use to more fully describe the substance of the panel meetings. In addition, the project will introduce a public launch event or electronic distribution (e.g., listserves or websites) to promote the release of the report in implementers' countries.

Deliver the draft country reports with rankings via email to MSI. The project editor will be in contact with you following receipt of the report to discuss any outstanding questions and clarifications regarding the scoring and the report's content.

9. **In Washington, an Editorial Committee (EC) will review the scores and draft country reports, and will discuss any issues or concerns with the implementer.**

The EC consists of representatives from USAID, MSI, ICNL, and at least one regional expert well versed in the issues and dynamics affecting civil society in the region. Further description of the EC is included in the following section, "The Role of the Editorial Committee." If the EC determines that the panel's scores are not adequately supported by the country report, particularly in comparison to the scores and reports of other countries in the region, the EC may request that the score be adjusted, thereby ensuring cross-country comparability. The implementer will be responsible for responding to all outstanding comments from the EC, as communicated by the project editor, until the report is approved and accepted by USAID. A USAID representative chairs the EC.

## IV.   THE ROLE OF THE EDITORIAL COMMITTEE

As a final step in the *CSO Sustainability Index* process, all country reports are reviewed and discussed by an Editorial Committee composed of regional and sector experts in Washington, DC. This committee is chaired by a USAID Civil Society Advisor and includes rotating members from USAID (past members have included experts from the USAID Bureau for Democracy, Conflict and Humanitarian Assistance's Center of Excellence on Democracy, Human Rights and Governance (DCHA/DRG), USAID Africa Bureau, USAID Middle East Bureau, and USAID Democracy, Human Rights and Governance foreign service officers). The committee also includes a representative from the Aga Khan Foundation and civil society experts representing MSI and ICNL.

The Editorial Committee has three main roles. It reviews all reports and scores to ensure that narratives are adequate and compelling from the standpoint of supporting the proposed score. A compelling narrative demonstrates that a score results from evidence of systematic and widespread cases and is not based on one or

two individual cases. For example, a country environment characterized by a large number of CSOs with strong financial management systems that raise funds locally from diverse sources is a compelling justification for an elevated Financial Viability score. A country in which one or two large CSOs have the ability to raise funds from diverse sources is not. The Editorial Committee also checks that scores for each dimension meet the criteria described in "Ratings: A Closer Look," to ensure that scores and narratives accurately reflect the actual category of CSO sector development. Finally, and most importantly, the Editorial Committee considers a country's score in relation to the proposed scores in other countries, providing a regional perspective that ensures comparability of scores.

All final scores are discussed with drafting CSOs. USAID/Washington has the final say on all scores.

CSOs are encouraged to remind their panels from the outset that the Editorial Committee may ask for further clarification of scores and may modify scores, where appropriate. However, by adding the step for each panel to compare their scores with "Ratings: A Closer Look" (which is essentially what the Editorial Committee does), it is hoped that there will be fewer differences between proposed scores and final scores. Ensuring that the narrative section for each dimension includes an adequate explanation for a score will also limit the need for the Editorial Committee to ask for further clarification.

# V.   INSTRUCTIONS FOR THE EXPERT PANEL MEMBERS

Use the following steps to guide you through the individual rating process. This same process will be repeated during the CSO Expert Panel meeting, where panel members will discuss their initial scores, evidence for these scores, and determine by consensus the final scores for each of the indicators and dimensions.

**Step 1:** Please rate each of the seven dimensions and each of the indicators within each dimension on the following scale from 1 to 7, with a score of 1 indicating a very advanced civil society sector with a high level of sustainability, and a score of 7 indicating a fragile, unsustainable sector with a low level of development. Fractional scores to one decimal place are encouraged.

> *Definition of CSO:*
>
> Civil society organizations are defined "broadly as any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice. Both member-serving and public-serving organizations are included. Embraced within this definition, therefore, are private, not-for-profit health providers, schools, advocacy groups, social service agencies, anti-poverty groups, development agencies, professional associations, community-based organizations, unions, religious bodies, recreation organizations, cultural institutions, and many more."
>
> *Toward an Enabling Legal Environment for Civil Society, Statement of the 16th Annual Johns Hopkins International Fellows in Philanthropy Conference, Nairobi, Kenya. The International Journal of Not-for-Profit Law, Volume 8, Issue 1, November 2005.*

| Sustainability Enhanced | | Sustainability Evolving | | | Sustainability Impeded | |
|:---:|:---:|:---:|:---:|:---:|:---:|:---:|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

**Step 2**: When rating each indicator, please remember to consider each one carefully and make note of any specific, country-relevant examples of recent or historical conditions, policies, or events that you used as a basis for determining this score.

**Step 3:** When you have rated all of the indicators within one of the seven dimensions, calculate the average of these scores to arrive at an overall score for that dimension. Record this overall score in the space provided.

**Step 4:** Once the overall score for a dimension has been determined, as a final step, review the description of that dimension in "Ratings: A Closer Look" to ensure that this accurately describes the environment. For example, a score of 2.3 in Organizational Capacity would mean that the civil society sector is in the "Sustainability Enhanced" phase. If after reviewing "Ratings: A Closer Look" you determine that the score does not accurately depict the description, work together to determine a more accurate score that better fits the description for that dimension.

**Step 5:** Once you have scores for each dimension, average these seven scores together to arrive at an overall country rating and document all scores and discussion

## SCORING SCALE:

The *CSO Sustainability Index* uses a seven-point scale to facilitate comparisons to the Freedom House indices, with 1 representing the highest and 7 the lowest level of sustainability. The following broad guidelines can be used in determining scores for individual indicators and dimensions:

1. The civil society sector's sustainability is enhanced significantly by practices/policies in this area. While the reforms or developments that are needed may not yet be achieved, the local CSO community recognizes the need for them and has a plan and the ability to pursue them itself.

2. The civil society sector's sustainability is enhanced by practices/policies in this area. The local CSO community demonstrates a commitment to pursuing reforms and developing its professionalism in this area.

3. The civil society sector's sustainability is somewhat enhanced by practices/policies in this area, or its commitment to developing the aspect in question is significant.

4. The civil society sector's sustainability is minimally affected by practices/policies in this area. Progress may be hampered by a stagnant economy, a passive government, a disinterested media, or a community of good-willed but inexperienced activists.

5. The civil society sector's sustainability is somewhat impeded by practices/policies in this area. Progress may be hampered by a contracting economy, an authoritarian leader and centralized government, a controlled or reactionary media, or a low level of capacity, will, or interest on the part of the CSO community.

6. The civil society sector's sustainability is impeded by practices/policies in this area. A hostile environment and low capacity and public support may prevent the growth of the CSO sector.

7. The civil society sector's sustainability is significantly impeded by practices/policies in this area, generally as a result of an authoritarian government that aggressively opposes the development of independent CSOs.

For more specific information about the meaning of ratings for individual dimensions, please refer to "Ratings: A Closer Look" below.

## VI.   DIMENSIONS AND INDICATORS

The following section is the worksheet that members of the Expert Panel use to keep track of the scores they propose for each indicator of each dimension. Each panel member should rate each of the seven dimensions and each of the indicators within each dimension on a scale from 1 to 7, with a score of 1 indicating a very

advanced civil society sector with a high level of sustainability, and a score of 7 indicating a fragile, unsustainable sector with a low level of development. Fractional scores to one decimal place are encouraged.

## LEGAL ENVIRONMENT

- *REGISTRATION.* Is there a favorable law on CSO registration? In practice, are CSOs easily able to register and operate?

- *OPERATION.* Is the internal management, scope of permissible activities, financial reporting, and/or dissolution of CSOs well detailed in current legislation? Does clear legal terminology preclude unwanted state control over CSOs? Is the law implemented in accordance with its terms? Are CSOs protected from the possibility of the State dissolving a CSO for political/arbitrary reasons?

- *ADMINISTRATIVE IMPEDIMENTS AND STATE HARASSMENT.* Are CSOs and their representatives allowed to operate freely within the law? Are they free from harassment by the central government, local governments, and tax police? Can they freely address matters of public debate and express criticism?

- *LOCAL LEGAL CAPACITY.* Are there local lawyers who are trained in and familiar with CSO law? Is legal advice available to CSOs in the capital city and in secondary cities?

- *TAXATION.* Do CSOs receive any sort of tax exemption or deduction on income from grants, endowments, fees, or economic activity? Do individual or corporate donors receive tax deductions?

- *EARNED INCOME.* Does legislation exist that allows CSOs to earn income from the provision of goods and services? Are CSOs allowed legally to compete for government contracts/procurements at the local and central levels?

## ORGANIZATIONAL CAPACITY

- *CONSTITUENCY BUILDING.* Do CSOs clearly identify and actively seek to build local constituencies for their initiatives? Are they successful in these endeavors?

- *STRATEGIC PLANNING.* Do CSOs have clearly defined missions to which they adhere? Do CSOs have clearly defined strategic plans and incorporate strategic planning techniques in their decision-making processes?

- *INTERNAL MANAGEMENT STRUCTURE.* Is there a clearly defined management structure within CSOs, including a recognized division of responsibilities between the Board of Directors and staff members? Does the Board actively engage in the governance of the CSO? Do the Boards of Directors operate in an open and transparent manner, allowing contributors and supporters to verify appropriate use of funds?

- *CSO STAFFING.* Are CSOs able to maintain permanent, paid staff? Do CSOs have adequate human resources practices for staff, including contracts, job descriptions, payroll and personnel policies? Are potential volunteers sufficiently recruited and engaged? Do CSOs utilize professional services such as accountants, IT managers or lawyers?

- *TECHNICAL ADVANCEMENT.* Do CSOs' resources generally allow for modernized basic office equipment (relatively new computers and software, cell phones, functional fax machines/scanners, Internet access, etc.)?

**FINANCIAL VIABILITY**

- *LOCAL SUPPORT:* Do CSOs raise a significant percentage of their funding from local sources? Are CSOs able to draw upon a core of volunteer and non-monetary support from their communities and constituencies? Are there local sources of philanthropy?

- *DIVERSIFICATION*: Do CSOs typically have multiple/diverse sources of funding? Do most CSOs have enough resources to remain viable for the short-term future?

- *FINANCIAL MANAGEMENT SYSTEMS*: Are there sound financial management systems in place? Do CSOs typically operate in a transparent manner, including independent financial audits and the publication of annual reports with financial statements?

- *FUNDRAISING:* Have many CSOs cultivated a loyal core of financial supporters? Do CSOs engage in any sort of membership outreach and philanthropy development programs?

- *EARNED INCOME:* Do revenues from services, products, or rent from assets supplement the income of CSOs? Do government and/or local business contract with CSOs for services? Do membership-based organizations collect dues?

**ADVOCACY**

- *COOPERATION WITH LOCAL AND FEDERAL GOVERNMENT.* Are there direct lines of communication between CSOs and policy makers? Do CSOs and government representatives work on any projects together?

- *POLICY ADVOCACY INITIATIVES.* Have CSOs formed issue-based coalitions and conducted broad-based advocacy campaigns? Have these campaigns been effective at the local level and/or national level at increasing awareness or support for various causes? (Please provide examples, if relevant.)

- *LOBBYING EFFORTS.* Are there mechanisms and relationships for CSOs to participate in the various levels of government decision-making processes? Are CSOs comfortable with the concept of lobbying? Have there been any lobbying successes at the local or national level that led to the enactment or amendment of legislation? (Please provide examples, if relevant.)

- *LOCAL ADVOCACY FOR LEGAL REFORM.* Is there awareness in the wider CSO community of how a favorable legal and regulatory framework can enhance CSO effectiveness and sustainability? Is there a local CSO advocacy effort to promote legal reforms that will benefit CSOs, local philanthropy, etc.?

**SERVICE PROVISION**

- *RANGE OF GOODS AND SERVICES.* Do CSOs provide services in a variety of fields, including basic social services (such as health, education, relief, housing, water, or energy) and other areas (such as economic development, environmental protection, or governance and empowerment)? Overall, is the sector's "product line" diversified?

- *COMMUNITY RESPONSIVENESS.* Do the goods and services that CSOs provide reflect the needs and priorities of their constituents and communities?

- *CONSTITUENCIES AND CLIENTELE.* Are those goods and services that go beyond basic social needs provided to a constituency broader than CSOs' own memberships? Are some products, such as publications, workshops or expert analysis, marketed to other CSOs, academia, churches, or government?

- *COST RECOVERY.* When CSOs provide goods and services, do they recover any of their costs by charging fees, etc.? Do they have knowledge of the market demand -- and the ability of distinct constituencies to pay -- for those products?

- *GOVERNMENT RECOGNITION AND SUPPORT.* Does the government, at the national and/or local level, recognize the value that CSOs can add in the provision and monitoring of basic social services? Do they provide grants or contracts to CSOs to enable them to provide such services?

## INFRASTRUCTURE

- *INTERMEDIARY SUPPORT ORGANIZATIONS (ISOS) AND CSO RESOURCE CENTERS.* Are there ISOs, CSO resource centers, or other means for CSOs to access relevant information, technology, training, and technical assistance throughout the country? Do ISOs and CSO resource centers meet the needs of local CSOs?  Do ISOs and resource centers earn some of their operating revenue from earned income (such as fees for service) and other locally generated sources? (Please describe the kinds of services provided by these organizations in your country report.)

- *LOCAL GRANT MAKING ORGANIZATIONS.* Do local community foundations and/or ISOs provide grants, from either locally raised funds or by re-granting international donor funds, to address locally identified needs and projects?

- *CSO COALITIONS.* Do CSOs share information with each other? Is there a network in place that facilitates such information sharing? Is there an organization or committee through which the sector promotes its interests?

- *TRAINING.* Are there capable local CSO management trainers? Is basic CSO management training available in the capital city and in secondary cities? Is more advanced specialized training available in areas such as strategic management, accounting, financial management, fundraising, volunteer management, and board development? Do trainings meet the needs of local CSOs? Are training materials available in local languages?

- *INTERSECTORAL PARTNERSHIPS.* Are there examples of CSOs working in partnership, either formally or informally, with local business, government, and the media to achieve common objectives? Is there awareness among the various sectors of the possibilities for and advantages of such partnerships?

## PUBLIC IMAGE

- *MEDIA COVERAGE.* Do CSOs enjoy positive media coverage at the local and national levels? Is a distinction made between public service announcements and corporate advertising? Do the media provide positive analysis of the role CSOs play in civil society?

- *PUBLIC PERCEPTION OF CSOS.* Does the general public have a positive perception of CSOs? Does the public understand the concept of a CSO? Is the public supportive of CSO activity overall?

- *GOVERNMENT/BUSINESS PERCEPTION OF CSOS.* Do the business sector and local and central government officials have a positive perception of CSOs? Do they rely on CSOs as a community resource, or as a source of expertise and credible information?

- *PUBLIC RELATIONS.* Do CSOs publicize their activities or promote their public image? Have CSOs developed relationships with journalists to encourage positive coverage?

- *SELF-REGULATION.* Have CSOs adopted a code of ethics or tried to demonstrate transparency in their operations? Do leading CSOs publish annual reports?

# VII.   RATINGS: A CLOSER LOOK

The following section goes into greater depth about the characteristics in each of the seven dimensions of the sector's development. These characteristics and categories are drawn from empirical observations of the sector's development in the region, rather than a causal theory of development. Given the decentralized nature of civil society sectors, many contradictory developments may be taking place simultaneously. Therefore the characteristics of the seven dimensions are not considered as seven distinct steps of development. Instead, these characteristics are clustered into three basic categories: Sustainability Enhanced, Sustainability Evolving, and Sustainability Impeded. The Sustainability Enhanced category, the highest level of sustainability and development, corresponds to a score between 1 and 3 points; the Sustainability Evolving category corresponds to a score between 3.1 and 5 points; and the lowest level of development, the Sustainability Impeded category, corresponds to a score of 5.1 to 7 points on the scale.

## LEGAL ENVIRONMENT

**Sustainability Enhanced:** The legislative and regulatory framework makes special provisions for the needs of CSOs or gives not-for-profit organizations special advantages such as: significant tax deductions for business or individual contributions, significant tax exemptions for CSOs, open competition among CSOs to provide government-funded services, etc. Legal reform efforts at this point are primarily a local CSO advocacy effort to reform or fine-tune taxation laws, procurement processes, etc. Local and comparative expertise on the CSO legal framework exists, and legal services and materials are available.

**Sustainability Evolving:** CSOs have little trouble registering and do not suffer from state harassment. They are permitted to engage in a broad range of activities, although taxation provisions, procurement procedures, etc. may inhibit CSO operations and development. Programs seek to reform or clarify existing CSO legislation, to allow CSOs to engage in revenue raising and commercial activities, to allow national or local governments to privatize the provision of selected government services, to address basic tax and fiscal issues for CSOs, etc. The local CSO community understands the need to coalesce and advocate for legal reforms benefiting the CSO sector as a whole. A core of local lawyers begins to specialize in CSO law by providing legal services to local CSOs, advising the CSO community on needed legal reforms, crafting draft legislation, etc.

**Sustainability Impeded:** The legal environment severely restricts the ability of CSOs to register and/or operate, either through the absence of legal provisions, the confusing or restrictive nature of legal provisions (and/or their implementation), or government hostility towards and harassment of CSOs.

## ORGANIZATIONAL CAPACITY

**Sustainability Enhanced**: Several transparently governed and capably managed CSOs exist across a variety of sectors. A majority of organizations have clearly defined mission statements, and many CSOs utilize strategic planning techniques. Boards of directors exist, and there is a clear distinction between the responsibilities of board members and staff. CSOs have permanent well-trained staff, and volunteers are widely utilized. Most CSOs have relatively modern equipment that allows them to do their work efficiently. Leading CSOs have successfully developed strong local constituencies.

**Sustainability Evolving:** Individual CSOs demonstrate enhanced capacity to govern themselves and organize their work. Some individual CSOs maintain full-time staff members and boast an orderly division of labor between board members and staff. CSOs have access to basic office equipment, including computers and fax machines. While these efforts may not have reached fruition yet, leading CSOs understand the need and are making an effort to develop local constituencies.

**Sustainability Impeded:** CSOs are essentially "one-man shows," completely dependent upon the personality of one or two major figures. They often split apart due to personality clashes. CSOs lack a clearly defined sense of mission. In this category, CSOs reflect little or no understanding of strategic planning or program formulation. Organizations rarely have a board of directors, by-laws, staff, or more than a handful of active members. CSOs have no understanding of the value or need of developing local constituencies for their work.

## FINANCIAL VIABILITY

**Sustainability Enhanced:** A critical mass of CSOs have sound financial management systems in place, including independent audits and the publication of annual reports with financial statements, to win potential donors' confidence. CSOs raise a significant percentage of their funding from local sources, including government, corporate and individual philanthropy, and earned income. Most CSOs have multiple sources of funding, which allow them to remain viable in the short term. A growing economy makes growth in domestic giving possible.

**Sustainability Evolving:** CSOs pioneer different approaches to financial independence and viability. While still largely dependent on foreign donors, individual CSOs experiment with raising revenues through providing services, winning contracts and grants from municipalities and ministries to provide services, or attempting to attract dues-paying members or domestic donors. However, a depressed local economy may hamper efforts to raise funds from local sources. Training programs address financial management issues and CSOs begin to understand the importance of transparency and accountability from a fundraising perspective, although they may be unable to fully implement transparency measures.

**Sustainability Impeded:** New CSOs survive from grant to grant and/or depend financially on one foreign sponsor. While many CSOs are created in the hopes of receiving funding, most are largely inactive after attempts to win foreign donor funding fail. Local sources of funding are virtually nonexistent, in part due to a depressed local economy. CSOs have no financial management systems and do not understand the need for financial transparency or accountability.

## ADVOCACY

**Sustainability Enhanced:** The CSO sector demonstrates the ability and capacity to respond to changing needs, issues and interests of the community and country. As CSOs secure their institutional and political base, they begin to 1) form coalitions to pursue issues of common interest, including CSO legislation; 2) monitor and lobby political parties; and 3) monitor and lobby legislatures and executive bodies. CSOs demonstrate the ability to mobilize citizens and other organizations to respond to changing needs, issues, and interests. CSOs at this category of development will review their strategies, and possess an ability to adapt and respond to challenges by sector. A prime motivator for cooperation is self-interest: CSOs may form alliances around shared issues confronting them as nonprofit, nongovernmental organizations.

**Sustainability Evolving:** Narrowly defined advocacy organizations emerge and become politically active in response to specific issues. Organizations at the evolving level of development may often present their concerns to inappropriate levels of government (local instead of national and vice versa). Weakness of the legislative branch might be revealed or incorrectly assumed, as activists choose to meet with executive branch officials instead ("where the power truly lies"). Beginnings of alternative policy analysis are found at universities and think tanks. Information sharing and networking within the CSO sector to inform and advocate its needs within the government begins to develop.

**Sustainability Impeded:** Broad umbrella movements, composed of activists concerned with a variety of sectors, and united in their opposition to the Government fall apart or disappear. Some countries in this category have not even experienced any initial burst of activism. Economic concerns are predominant for most citizens. Passivity, cynicism, or fear exist within the general public. CSO activists are afraid to engage in dialogue with the government, feel inadequate to offer their views and/or do not believe the government will listen to their recommendations. CSOs do not understand the role that they can play in public policy or do not understand the concept of public policy.

## SERVICE PROVISION

**Sustainability Enhanced:** Many CSOs provide a wide range of goods and services, which reflect community and/or local donor priorities. Many CSOs deliver products beyond basic social services in such sectors as economic development, environmental protection or democratic governance. CSOs in several sectors have developed a sufficiently strong knowledge of the market demand for their services, the ability of government to contract for the delivery of such services or other sources of funding including private donations, grants and fees, where allowed by law. A number of CSOs find it possible to cross-subsidize those goods and services for which full cost recovery is not viable with income earned from more lucrative goods and services, or with funds raised from other sources. Government bodies, primarily at the local level, recognize the abilities of CSOs and provide grants or contracts to enable them to provide various services.

**Sustainability Evolving:** The contribution of CSOs to covering the gap in social services is recognized by government, although this is only rarely accompanied by funding in the form of grants or contracts. CSOs recognize the need to charge fees for services and other products—such as publications and workshops—but even where legally allowed, such fees seldom cover their costs. While CSO-provided goods and services respond to community needs, needs are generally identified by foreign donors, or by CSOs in an unsystematic manner. The constituency for CSO expertise, reports and documents begins to expand beyond their own members and the poor to include other CSOs, academia, churches, and government.

**Sustainability Impeded:** A limited number of CSOs are capable of providing basic social services—such as health, education, relief, or housing—although at a low level of sophistication. Those that do provide such services receive few if any government subsidies or contracts. CSOs that produce publications, technical services or research do so only for their own members or donors. There are rarely attempts to charge fees for goods and services.

## INFRASTRUCTURE

**Sustainability Enhanced:** CSO intermediary support organizations (ISOs) and/or CSO resource centers are active in all areas of the country and provide advanced training, informational services, legal support and advice, and philanthropic development activities. Efforts are underway to establish and endow community foundations, indigenous grant-making institutions, and/or organizations to coordinate local fundraising. A professional cadre of local experts, consultants, and trainers in nonprofit management exists. CSOs recognize the value of training, although the lack of financial resources may remain a constraint to accessing locally provided training. Topics of available training cover: legal and tax issues for CSOs, accounting and bookkeeping, communication skills, volunteer management, media and public relations skills, sponsorship, and fundraising. CSOs work together and share information through networks and coalitions. CSOs are beginning to develop intersectoral partnerships with business, government, and the media to achieve common objectives.

**Sustainability Evolving:** ISOs and resource centers are active in major population centers, and provide services such as distributing grants, publishing newsletters, maintaining a membership database, running a library of CSO literature, and providing basic training and consulting services. Other umbrella organizations and networks are beginning to be formed to facilitate networking and coordinate activities of groups of CSOs. Local trainers have the capacity to provide basic organizational training. Donors' forums are formed to coordinate the financial support of international donors, and to develop local corporate philanthropic activities. The value of intersectoral partnerships has not yet been realized.

**Sustainability Impeded:** There are few, if any, active ISOs or resource centers, networks and umbrella organizations. Those that do operate work primarily in the capital city and provide limited services such as access to computer equipment, faxes, e-mail, and meeting space. Local training and CSO development capacity is extremely limited and undeveloped. Primarily programs of international donors provide training and technical assistance. There is no coordinated effort to develop philanthropic traditions, improve fundraising, or establish community foundations. CSO efforts to work together are limited by a perception of competition for foreign donor support and mistrust of other organizations.

## PUBLIC IMAGE

**Sustainability Enhanced:** This category is characterized by growing public knowledge of and trust in CSOs, and increased rates of volunteerism. CSOs coalesce to mount campaigns to increase public trust. Widespread examples of good working relationships between CSOs and national and local governments exist, and can result in public-private initiatives or CSO advisory committees for city councils and ministries. Media covers the work of CSOs, and CSOs approach media and public relations in a professional manner. Increased accountability, transparency, and self-regulation exist within the CSO sector, including existence of a generally accepted code of ethics or a code of conduct.

**Sustainability Evolving:** The media does not tend to cover CSOs because it considers them weak and ineffective, or irrelevant. Individual CSOs realize the need to educate the public, to become more transparent, and to seek out opportunities for media coverage, but do not have the skills to do so. As a result, the general population has little understanding of the role of CSOs in society. Individual local governments demonstrate strong working relationships with their local CSOs, as evidenced by their participation in advisory committees, consultations, public-private initiatives, and the funding of an occasional grant, but this is not yet widespread.

**Sustainability Impeded:** The public and/or government are uninformed or suspicious of CSOs as institutions. Most of the population does not understand the concept of "nongovernmental," "nonprofit," or "civil society," including government officials, business leaders and journalists. Media coverage may be hostile, due to suspicion of a free but uninformed media, or due to the hostility of an authoritarian government-controlled media. Charges of treason may be issued against CSOs. Due to a hostile atmosphere caused by an authoritarian government, if individuals or businesses donate to CSOs at all, they do so anonymously.

# ANNEX B: CSOSI 2016 DATA

| Score | Status |
|---|---|
| 1.0-3.0 | Enhanced |
| 3.1-5.0 | Evolving |
| 5.1-7.0 | Impeded |

| 2016 Middle East and North Africa | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Country | CSO Sustainability | Legal Environment | Organizational Capacity | Financial Viability | Advocacy | Service Provision | Infrastructure | Public Image |
| Egypt | 5.5 | 6.5 | 5.5 | 5.8 | 5.5 | 4.9 | 4.2 | 5.9 |
| Iraq | 4.8 | 4.5 | 4.9 | 5.4 | 3.7 | 4.6 | 5.2 | 5.1 |
| Jordan | 5.1 | 5.4 | 5.4 | 5.2 | 5.1 | 4.7 | 5.0 | 4.6 |
| Lebanon | 3.9 | 4.0 | 4.0 | 4.8 | 3.6 | 3.4 | 3.8 | 3.9 |
| Morocco | 4.6 | 4.6 | 5.1 | 5.6 | 3.8 | 4.5 | 4.9 | 4.3 |
| West Bank-Gaza | 4.3 | 5.0 | 4.0 | 5.0 | 4.3 | 3.7 | 4.0 | 4.2 |
| Yemen | 5.1 | 5.2 | 5.2 | 5.7 | 4.9 | 4.8 | 5.1 | 4.7 |

# COUNTRIES RANKED BY 2016 SCORES

## CSO SUSTAINABILITY

| SUSTAINABILITY ENHANCED | | |
|---|---|---|
| | | |
| **SUSTAINABILITY EVOLVING** | | |
| | Rank | Score |
| Lebanon | 1 | 3.9 |
| West Bank-Gaza | 2 | 4.3 |
| Morocco | 3 | 4.6 |
| Iraq | 4 | 4.8 |
| **SUSTAINABILITY IMPEDED** | | |
| Jordan | 5 | 5.1 |
| Yemen | 5 | 5.1 |
| Egypt | 7 | 5.5 |

## LEGAL ENVIRONMENT

| SUSTAINABILITY ENHANCED | | |
|---|---|---|
| | | |
| **SUSTAINABILITY EVOLVING** | | |
| | Rank | Score |
| Lebanon | 1 | 4.0 |
| Iraq | 2 | 4.3 |
| Morocco | 3 | 4.7 |
| West Bank-Gaza | 4 | 4.8 |
| **SUSTAINABILITY IMPEDED** | | |
| Yemen | 5 | 5.1 |
| Jordan | 5 | 5.1 |
| Egypt | 7 | 5.4 |

## ORGANIZATIONAL CAPACITY

| SUSTAINABILITY ENHANCED | | |
|---|---|---|
| | | |
| **SUSTAINABILITY EVOLVING** | | |
| | Rank | Score |
| Lebanon | 1 | 4.0 |
| West Bank-Gaza | 1 | 4.0 |
| Iraq | 3 | 4.9 |
| **SUSTAINABILITY IMPEDED** | | |
| Morocco | 4 | 5.1 |
| Yemen | 5 | 5.2 |
| Jordan | 6 | 5.4 |
| Egypt | 7 | 5.5 |

## FINANCIAL VIABILITY

| SUSTAINABILITY ENHANCED | | |
|---|---|---|
| | | |
| **SUSTAINABILITY EVOLVING** | | |
| | Rank | Score |
| Lebanon | 1 | 4.8 |
| West Bank-Gaza | 2 | 5.0 |
| **SUSTAINABILITY IMPEDED** | | |
| Jordan | 3 | 5.2 |
| Iraq | 4 | 5.4 |
| Morocco | 5 | 5.6 |
| Yemen | 6 | 5.7 |
| Egypt | 7 | 5.8 |

| ADVOCACY | | |
|---|---|---|
| SUSTAINABILITY ENHANCED | | |
| | | |
| SUSTAINABILITY EVOLVING | | |
| | Rank | Score |
| Lebanon | 1 | 3.6 |
| Iraq | 2 | 3.7 |
| Morocco | 3 | 3.8 |
| West Bank-Gaza | 4 | 4.3 |
| Yemen | 5 | 4.9 |
| SUSTAINABILITY IMPEDED | | |
| Jordan | 6 | 5.1 |
| Egypt | 7 | 5.5 |

| SERVICE PROVISION | | |
|---|---|---|
| SUSTAINABILITY ENHANCED | | |
| | | |
| SUSTAINABILITY EVOLVING | | |
| | Rank | Score |
| Lebanon | 1 | 3.4 |
| West Bank-Gaza | 2 | 3.7 |
| Morocco | 3 | 4.5 |
| Iraq | 4 | 4.6 |
| Jordan | 5 | 4.7 |
| Yemen | 6 | 4.8 |
| Egypt | 7 | 4.9 |
| SUSTAINABILITY IMPEDED | | |

| INFRASTRUCTURE | | |
|---|---|---|
| SUSTAINABILITY ENHANCED | | |
| | | |
| SUSTAINABILITY EVOLVING | | |
| | Rank | Score |
| Lebanon | 1 | 3.8 |
| West Bank-Gaza | 2 | 4.0 |
| Egypt | 3 | 4.2 |
| Morocco | 4 | 4.9 |
| Jordan | 5 | 5.0 |
| SUSTAINABILITY IMPEDED | | |
| Yemen | 6 | 5.1 |
| Iraq | 7 | 5.2 |

| PUBLIC IMAGE | | |
|---|---|---|
| SUSTAINABILITY ENHANCED | | |
| | | |
| SUSTAINABILITY EVOLVING | | |
| | Rank | Score |
| Lebanon | 1 | 3.9 |
| West Bank-Gaza | 2 | 4.2 |
| Morocco | 3 | 4.3 |
| Jordan | 4 | 4.6 |
| Yemen | 5 | 4.7 |
| SUSTAINABILITY IMPEDED | | |
| Iraq | 6 | 5.1 |
| Egypt | 7 | 5.9 |

## Scores by Year and Country

| Country | CSO Sustainability | | | | | | Legal Environment | | | | | | Organizational Capacity | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| Egypt | Impeded | Impeded | Impeded 5.3 | Impeded 5.3 | Impeded 5.4 | Impeded 5.5 | Impeded | Impeded | Impeded 6.2 | Impeded 6.3 | Impeded 6.4 | Impeded 6.5 | Impeded | Impeded | Impeded 5.4 | Impeded 5.4 | Impeded 5.4 | Impeded 5.5 |
| Iraq | Evolving | Evolving | Evolving 4.9 | Evolving 4.8 | Evolving 4.8 | Evolving 4.8 | Evolving | Evolving | Evolving 4.4 | Evolving 4.4 | Evolving 4.4 | Evolving 4.5 | Impeded | Impeded | Impeded 5.1 | Evolving 5.0 | Evolving 5.0 | Evolving 4.9 |
| Jordan | Impeded | Impeded | Evolving 5.0 | Evolving 5.0 | Impeded 5.1 | Impeded 5.1 | Evolving | Evolving | Evolving 5.0 | Evolving 5.0 | Impeded 5.2 | Impeded 5.4 | Impeded | Impeded | Impeded 5.5 | Impeded 5.4 | Impeded 5.4 | Impeded 5.4 |
| Lebanon | Evolving | Evolving | Evolving 4.1 | Evolving 4.0 | Evolving 3.9 | Evolving 3.9 | Evolving | Evolving | Evolving 3.8 | Evolving 3.9 | Evolving 3.9 | Evolving 4.0 | Evolving | Evolving | Evolving 4.2 | Evolving 4.1 | Evolving 4.0 | Evolving 4.0 |
| Morocco | Evolving | Evolving | Evolving 4.8 | Evolving 4.7 | Evolving 4.7 | Evolving 4.6 | Evolving | Evolving | Evolving 4.7 | Evolving 4.6 | Evolving 4.6 | Evolving 4.6 | Impeded | Impeded | Impeded 5.2 | Impeded 5.2 | Impeded 5.2 | Impeded 5.1 |
| West Bank - Gaza | Evolving | Evolving | Evolving 4.3 | Evolving 4.3 | Evolving 4.3 | Evolving 4.3 | Evolving | Evolving | Evolving 4.9 | Evolving 5.0 | Evolving 5.0 | Evolving 5.0 | Evolving | Evolving | Evolving 4.0 | Evolving 4.0 | Evolving 4.0 | Evolving 4.0 |
| Yemen | Impeded | Impeded | Impeded 5.1 | Impeded 5.1 | Impeded 5.1 | Impeded 5.1 | Evolving | Evolving | Evolving 4.9 | Evolving 4.9 | Impeded 5.1 | Impeded 5.2 | Impeded | Impeded | Impeded 5.5 | Impeded 5.4 | Impeded 5.3 | Impeded 5.2 |

| Country | Financial Viability | | | | | | Advocacy | | | | | | Service Provision | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| Egypt | Impeded | Impeded | Impeded 5.6 | Impeded 5.6 | Impeded 5.7 | Impeded 5.8 | Impeded | Evolving | Impeded 5.1 | Impeded 5.4 | Impeded 5.5 | Impeded 5.5 | Evolving | Evolving | Evolving 4.7 | Evolving 4.7 | Evolving 4.7 | Evolving 4.9 |
| Iraq | Impeded | Impeded | Impeded 5.5 | Impeded 5.4 | Impeded 5.4 | Impeded 5.4 | Evolving | Evolving | Evolving 3.9 | Evolving 3.9 | Evolving 3.8 | Evolving 3.7 | Evolving | Evolving | Evolving 4.7 | Evolving 4.6 | Evolving 4.6 | Evolving 4.6 |
| Jordan | Impeded | Impeded | Impeded 5.3 | Impeded 5.2 | Impeded 5.2 | Impeded 5.2 | Impeded | Impeded | Impeded 5.1 | Impeded 5.1 | Impeded 5.2 | Impeded 5.1 | Evolving | Evolving | Evolving 4.7 | Evolving 4.6 | Evolving 4.7 | Evolving 4.7 |
| Lebanon | Evolving | Evolving | Evolving 4.8 | Evolving 4.8 | Evolving 4.8 | Evolving 4.8 | Evolving | Evolving | Evolving 3.9 | Evolving 3.8 | Evolving 3.7 | Evolving 3.6 | Evolving | Evolving | Evolving 3.6 | Evolving 3.5 | Evolving 3.4 | Evolving 3.4 |
| Morocco | Impeded | Impeded | Impeded 5.5 | Impeded 5.6 | Impeded 5.6 | Impeded 5.6 | Evolving | Evolving | Evolving 4.1 | Evolving 4.0 | Evolving 4.0 | Evolving 3.8 | Evolving | Evolving | Evolving 4.6 | Evolving 4.5 | Evolving 4.5 | Evolving 4.5 |
| West Bank - Gaza | Evolving | Evolving | Evolving 4.9 | Evolving 4.8 | Evolving 4.9 | Evolving 5.0 | Evolving | Evolving | Evolving 4.4 | Evolving 4.3 | Evolving 4.4 | Evolving 4.3 | Evolving | Evolving | Evolving 3.7 | Evolving 3.6 | Evolving 3.7 | Evolving 3.7 |
| Yemen | Impeded | Impeded | Impeded 5.6 | Impeded 5.6 | Impeded 5.7 | Impeded 5.7 | Evolving | Evolving | Evolving 4.6 | Evolving 4.8 | Evolving 4.9 | Evolving 4.9 | Evolving | Evolving | Evolving 5.0 | Evolving 4.9 | Evolving 4.8 | Evolving 4.8 |

Middle East and North Africa

| | Middle East and North Africa | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Country** | Infrastructire | | | | | | Public Image | | | | | |
| | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| Egypt | Evolving | Evolving | Evolving 4.0 | Evolving 4.2 | Evolving 4.2 | Evolving 4.2 | Impeded | Impeded | Impeded 5.8 | Impeded 5.7 | Impeded 5.7 | Impeded 5.9 |
| Iraq | Impeded | Impeded | Impeded 5.3 | Impeded 5.2 | Impeded 5.2 | Impeded 5.1 | Impeded | Impeded | Impeded 5.4 | Impeded 5.3 | Impeded 5.2 | Impeded 5.1 |
| Jordan | Evolving | Evolving | Evolving 5.0 | Evolving 4.9 | Evolving 5.0 | Evolving 5.0 | Evolving | Evolving | Evolving 4.7 | Evolving 4.6 | Evolving 4.7 | Evolving 4.6 |
| Lebanon | Evolving | Evolving | Evolving 4.0 | Evolving 3.9 | Evolving 3.8 | Evolving 3.8 | Evolving | Evolving | Evolving 4.2 | Evolving 4.1 | Evolving 4.0 | Evolving 3.9 |
| Morocco | Impeded | Evolving | Evolving 5.0 | Evolving 4.9 | Evolving 4.9 | Impeded 4.9 | Evolving | Evolving | Evolving 4.4 | Evolving 4.3 | Evolving 4.3 | Evolving 4.3 |
| West Bank-Gaza | Evolving | Evolving | Evolving 4.1 | Evolving 4.0 | Evolving 4.0 | Evolving 4.0 | Evolving | Evolving | Evolving 4.4 | Evolving 4.3 | Evolving 4.2 | Evolving 4.2 |
| Yemen | Impeded | Impeded | Impeded 5.5 | Impeded 5.4 | Impeded 5.3 | Impeded 5.1 | Evolving | Evolving | Evolving 4.8 | Evolving 4.8 | Evolving 4.7 | Evolving 4.7 |