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IMPROVING EU-U.S. COOPERATION IN CIVIL SOCIETY SUPPORT IN EASTERN EUROPE AND THE WESTERN BALKANS

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EXECUTIVE SUMMARY

The European Union and the United States devote considerable funds and programs to supporting civil society in Eastern Europe and the Western Balkans – support that is being confronted with old and new challenges. Closing civic space is now entrenched in many countries and the means to undermine civic actors has become more sophisticated. The sustainability of civil society organizations (CSOs) remains a challenge. This requires the EU and the United States to work with and alongside each other more efficiently to make sure that their funds are used in the most impactful way.

This report is the result of a one-year research project, supported by USAID, into the extent to which the EU and United States cooperate in supporting civil society in the region, and how, through case studies of Belarus, Serbia, and Ukraine. It is based on interviews with European and US policymakers and implementers, representatives of multilateral institutions, and international democracy-promotion organizations, and civil society representatives in the three countries as well as in Brussels and Washington.

There have been efforts to foster knowledge exchange and cooperation, but there is considerable scope and justification for the EU and the United States to cooperate more at all levels of decision-making and in designing and implementing civil society assistance, without sacrificing independence or priorities. This can take different forms and have different impacts, beyond improving the effectiveness of their programs.

The two largest outside supporters of civil society in the region visibly backing the same goals jointly as well as in parallel increases the legitimacy and political weight their efforts. It can also reduce operational risk and provide better protection to CSOs. Further cooperation could be the ultimate confirmation of the synergies in strategy between them in the region.

The gains of the existing EU-U.S. cooperation in civil society support in the region have been mostly at

the country level. It is important to progress beyond the current level of dialogue on the ground but more crucially between Brussels and Washington. The strategic discussion around the broader challenges of supporting civil society in the region should take place between capitals where larger decisions are made.

Senior policymakers have to support improving how the EU and the United States cooperate. A structured and regular technical dialogue between Brussels and Washington would improve the quality of assistance-design exchanges. A broader dialogue at the senior level is also needed for a more strategic understanding of the situation in the region and how to navigate it better. Such efforts would also send a strong message to the political actors and citizens of the region.

The EU and United States agree that supporting civil society in the region requires a comprehensive approach to building resilience through developing its financial viability and diversifying its funding. Closer EU-U.S. cooperation can have a more system-wide impact in optimizing the use of existing funds. While there are efforts to simplify EU and U.S. procedures, for most CSOs the requirements associated with application and receipt of assistance still use up much of their operational capacity – a sub-optimal use of capacity that has been required or funded by donors.

The awareness of the need to engage in a genuine dialogue with civil society on building sustainability needs to be translated into programs that respond more to its inputs. The EU and United States can improve how they reach out to emerging highly localized, non-traditional or non-institutionalized civil society. They can also increase the impact of their assistance by looking at how to tailor their programs more to the self-identified needs of a more diverse range of civic actors.

A serious challenge remains in terms of understanding and addressing the structural and societal drivers of the closing space in individual

countries. Related to this, the cooptation of civil society actors and the creation of organizations by repressive regimes needs more attention. As the EU and United States encourage government-civil society contacts, understanding more clearly the true nature of some of the actors involved and their impact on the resiliency of the sector is crucial.

Clear regional dynamics and similarities call for a regional dimension to assistance. It is important for the EU and the United States to reinforce cross-border civil society links in the region. Both back existing regional approaches, adding an important layer to their civil society assistance. However, there is room for more such mechanisms that would enable them to scale up significantly cross-border support.

Recommendations

Improving Exchanges and Mutual Inputs

The EU and the United States should build on the examples of successful in-country information exchange by requiring their missions in all countries of the region to do this in a more institutionalized way, while leaving considerable leeway to in-country staff to determine the modality that is most appropriate to the local context. It should be standard for the EU and the United States to push together for there being a technical level working group on civil society in each country. The exact way in which such groups should operate should be flexible to reflect the number of donors on the ground and the nature of their respective assistance portfolios there. While in some cases ad hoc consultations in-country may meet many of the same goals at the technical level, the process of convening a working group would also in itself put more political weight behind assistance efforts and helping drive change on the ground.

In countries where there is already good information exchange, the EU and the United States, along with other donors, could develop a simple joint due-diligence framework to identify local partners that have been established to be most trustworthy. This could also provide a basis for experimenting with joint assistance efforts in which, for example, monitoring and reporting procedures could be

simplified so that more of the capacity of these identified trusted partners can be freed for implementing projects, contributing to addressing the issue of sustainability.

The EU and the United States should also look into ways to formalize and institutionalize knowledge exchanges and dialogues between relevant regional and thematic staff at the capitals level. For example, the process by which the EU is developing its new generation of road maps for civil society in the region offers an ideal opportunity for such a discussion to take place. This should then be followed up by a reciprocal consultation of EU peers when similar strategies are being prepared by the United States.

The EU and the United States should also consider convening an annual technical-level working meeting, possibly on the sidelines of a regular transatlantic event, such as the EU-U.S. development dialogue. They should also initiate more frequent regular “virtual” meetings of regional and thematic experts, as well as those of other donors, to discuss matters or countries that are of particularly high interest.

Supporting Sustainability

The EU and the United States should develop and fund jointly a pilot mechanism to provide baseline core support over a longer period (e.g. 3–5 years) for a few trusted CSO partners working on key issues, so that these can develop and implement a more strategic agenda based on their own priorities. The funds for this could be “ring-fenced” within the EU-U.S. overall assistance budget cycles.

Within this, the EU and the United States should also test the use of new ongoing reporting, monitoring and evaluation processes that are rigorous but less onerous on these CSOs. Care should be taken not to give the impression of picking and entrenching privileged partners so as to avoid any counterproductive backlash in the rest of civil society. While still in its early stages, the USAID LocalWorks initiative could provide a valuable example of how to support CSOs in a different way for a joint EU-U.S. effort for medium-to-long-term capacity development.

The EU and the United States should also review together to what extent their requirements for how

partners can spend funds on salaries, infrastructure, and activities respectively can be amended in favor of greater discretion by partners, at least in some cases.

Diversifying Reach

The EU and the United States should entrench the initial progress they have made in working with re-granting partners to widen and diversify the reach of their civil society assistance, and should develop further their dialogue about how to expand such efforts together as well as with other donors and international implementing partners that have strong knowledge of the grassroots situation in the countries concerned.

To further widen and diversify their assistance reach to civil society in the region, the EU and the United States should look into a joint effort to produce a generic model for a basic-needs assessment of very small CSOs and non-traditional civic actors. This would identify some appropriate basic forms of support that they could provide to help them become more sustainable, which could then be provided through short-to-medium-term “light capacity building” or small project support. In this respect, it would be crucial to devise financial and administrative procedures that are simple and with limited reporting requirements – perhaps even more so than for traditional and larger CSOs.

Pushing Back against Closing Space

The EU and the United States should collaborate on activities that support a deeper analysis of the drivers of the closing space so as to inform better their current and next efforts to keep civic space open. A joint analysis could pave the way to collaborations on specific mechanisms or in specific countries. In particular, the EU and the United States should also develop a joint effort to study how and why governments in different contexts are able to implement measures to close civic space with the (at least) tacit acceptance of large segments of society, if not their actual support, and how donors can help CSOs reach out to these citizens to raise awareness of the issue and gain their support for keeping space open.

In order for this to feed more directly and quickly into their civil society support discussions and activities, such analyses should be built in as a component in the joint EU-U.S. efforts proposed above.

Furthermore, the EU and the United States should investigate the possibility of developing a new joint initiative directed specifically at how to assist civil society in innovative ways in the more extreme closing space cases.

Government-organized, Non-independent and Coopted Civil Society

The EU and the United States should pool technical expertise and resources, in-house and external, in a joint effort to map out the use by governments and political actors of government-organized, non-independent or coopted CSOs, including how they can be used to render meaningless donor efforts to foster genuine government-civil society engagement.

A further dimension of such collaboration should be working toward some broad donor guidelines for engaging with such organizations, including through any assistance channels. This exercise could also be used to provide better guidance to the work of donors and re-granting organizations when it comes to due diligence on CSO partners.

The Regional Dimension

The EU and United States should work more together in determining how to scale up and widen the reach of their initiatives to bring a greater regional dimension to their civil society support mechanisms in Eastern Europe and the Western Balkans. This should include connecting their regional assistance efforts better with the different civil society networks, platforms, and fora that operate there, as well as investigating the potential of developing a specific line of assistance dedicated to helping regional civil society diasporas. The latter could be done initially within their existing regional mechanism where they could experiment in this direction at a low cost, either together or in coordinated parallel.

INTRODUCTION

Eastern Europe and the Balkans have undergone an extraordinary transformation since 1989, supported by European and U.S. democracy assistance. Over the past decade especially, the EU and the United States have devoted more funds and programs to supporting and empowering civil society there by shifting their assistance away from top-down reform and state institutions so as to encourage locally determined progress. But, in light of complex socio-political dynamics in the region, citizens' demands for self-expression and self-determination at the grassroots level have evolved in directions that challenge any linear notion of democratic transition that donors may still hold.

Meanwhile—whether in young democracies, countries attempting transitions or authoritarian regimes—norms of democracy, human rights, self-expression rights and pluralism are confronted more assertively by potentially competing ones of national sovereignty or cultural and communitarian rights. Contestation of these norms is even growing in established democracies, under nationalist/populist pressure and out of disenchantment with the performance of governments.

At the same time, a growing number of regimes have been finding new ways of repressing civil society and their successes are being noted and imitated by sympathizers and fellow authoritarians. In the region as much as globally, the closing space is growing or is deeply entrenched in many countries, and the means to undermine civic actors become more sophisticated and widespread. European and U.S. support for democratic actors in Eastern Europe and the Western Balkans must face up to the reality that the closing space—as it stands or in a heightened form—will be the environment for the foreseeable future.

Adding to the closing space dynamic, civil society organizations (CSOs) and civic actors generally across the region have been the target of demonizing propaganda campaigns—from governments that see them as critics or challengers, but also from a wider range of political forces. This has been particularly effective where governments and their business allies have established near monopolies on national media. The result has often been to create or exacerbate a societal divide between citizens and CSOs, discouraging participation in the sector by a wider representation of the population, which is still often suspicious as a result of CSOs being perceived as representing foreign interests and pushing foreign values, or as working in favor of certain domestic elites rather than the people as a whole.

“ ***Civil society support in the region is confronted with old and new challenges that reflect how complex this work has become*** ”

The ongoing question of how civil society—at whatever level of organization or institutionalization—can

become financially sustainable in countries with low or lower-middle income levels is another challenge for it and for donors (and one that is made worse the more closed space for civil society is in a country). In most if not all countries of the region, norms concerning personal and corporate engagement with, and financial support for, civil society remain a serious obstacle to the sustainability of the sector, posing a dilemma for donors whose aim is to enable CSOs to stand on their own feet but yet find themselves faced with the reality that, without donor support, many would not survive or thrive in the medium or long term.

Therefore, today civil society support in the region is confronted with old and new challenges that reflect how complex this work has become, requiring all donors and the organizations they increasingly partner with to implement programs to adapt their strategies. These challenges cover the sustainability of CSOs and the tough socio-economic factors that undermine them, conflict legacies, problematic

Table 1: EU and USAID instruments for civil society support in Europe and Eurasia

EU	USAID
<p>All are direct to CSOs</p> <p>Bilateral funding:</p> <ul style="list-style-type: none"> • Through EU delegations in the countries • Awarded based on local competitions (calls) • Usually dedicated to local CSOs, more recently open to international CSOs for engagement (sub-granting) to smaller local civil society actors <p>Regional funding:</p> <ul style="list-style-type: none"> • Managed from Brussels • Includes funding to the European Endowment for Democracy, Eastern Partnership Civil Society Forum, Prague Civil Society Centre, a Rapid Response Mechanism, the Eastern Partnership Civil Society Facility – regional technical assistance, “Monitoring Progress. Empowering Action” project (European Centre for Non-profit Law) • Upcoming: region-wide framework partnership agreements 	<p>All are direct to CSOs</p> <p>Bilateral funding:</p> <ul style="list-style-type: none"> • Through USAID missions in the countries • Awarded directly to civic groups through a competitive process • No co-share requirements in most instances • Usually open to international and local NGOs and CSOs, recently with more emphasis on direct support to local groups <p>Regional funding:</p> <ul style="list-style-type: none"> • Managed from USAID Washington • Includes funding for GMF’s Black Sea Trust for Regional Cooperation and Balkan Trust for Democracy, Prague Centre for Civil Society, CSO Sustainability Index, NGO Legal Enabling Environment Program

engagement by civil society with the state in reform processes, the trend toward CSOs acting as service providers to or alongside the state, and political actors (in and out of country governments) fueling divides between civil society and populations.¹

As civil society support increasingly encounters this range of challenges on the ground, there needs to be a critical reassessment of, and greater flexibility in, the framing of democratic norms promoted and the strategies to promote them. U.S. and European actors engaging in this field—not least the EU institutions and U.S. government—must do more to tackle this task collectively if they are to maximize

their chances of success and to make sure that the public funds they devote to it are used in the most impactful way.

The need for donors to cooperate more closely is an increasingly unavoidable reality. If they are to ensure that their shared goals are translated into policies and programs that stay ahead of either societal change on the ground or governments’ repressive methods, or both, they need to make progress in working together and alongside each other more efficiently. Despite the EU and the United States sharing the goal of supporting democracy and the development and empowerment of civil society—and though there are efforts in this direction, whether in countries where they are both active or between Brussels and Washington—cooperation,

¹ Rosa Balfour and Nicolas Bouchet, *Supporting Civil Society in Eastern Europe and the Western Balkans: Old and New Challenges*, German Marshall Fund of the United States, 2018, <http://www.gmfus.org/publications/supporting-civil-society-eastern-europe-and-western-balkans-old-and-new-challenges>.

especially more systematic, between them remains limited. This is for a wide range of reasons from strategic divergence to different capabilities and comparative advantages in areas of assistance, and different financial and organizational processes and structures.

While policymakers and development practitioners on both sides of the Atlantic are aware of these issues, and despite the recent efforts to address them, there is much scope for improving how U.S. and European actors work alongside each other in civil society support. In the unusually favorable environment in the first decade or so after the end of the Cold War, the limited extent of their working together effectively had few inefficiency costs or impact repercussions for the EU, its members, and the United States. In the much more difficult context they now face, globally as well as in Eastern Europe and the Western Balkans, and given the budgetary pressures they both face, it is vital for them to tackle this issue, especially given the drawbacks and costs that the failure to work together better brings. In today's environment, the EU and the U.S. government need to seek all and any efficiency gains across all their programs of democracy assistance, wherever such gains can be found.

Cooperation can take different forms and have different impacts, beyond the improvement of assistance programs, depending on the context in which the EU and the United States are engaged. For example, information sharing and joint analysis about local dynamics and partners would provide a common terrain to develop initiatives and to devise

responses—be they based on burden-sharing or maximizing impact through common approaches. And, most importantly, local democratic actors, including civil society organizations, are often in need of political backing, especially in polarized or closed environments; better coordination of EU and U.S. diplomacy and messaging can be of great value in this respect too.

This report is the outcome of a project combining research and policy exchanges geared toward defining the state of play in civil society support by the EU and the United States in Eastern Europe and the Balkan countries aspiring to become EU members

(defined as Western Balkans by the EU), to determining to what extent they cooperate and coordinate their work, and to offering recommendations as to how they can do so better and more productively. The goal was to identify at what level of policymaking and assistance implementation, and in which specific areas, more EU-U.S. cooperation would lead to greater effectiveness and sustainability in civil society support. The project pursued

this goal through three country cases studies looking at the EU and U.S. experience in Belarus, Serbia, and Ukraine. The data was gathered through a mix of desk research and 39 interviews with European and U.S. policymakers and development practitioners in Brussels, Washington and Berlin as well as with assistance implementers in Belarus, Serbia and Ukraine. Civil society representatives from the three countries provided their views on these issues through a combination of 45 interviews and 62 responses to a brief questionnaire survey.

“ Despite recent efforts, there is much scope for improving how U.S. and European actors work alongside each other in civil society support”

Table 2: EU and USAID lines of effort and priority areas for civil society support

EU	USAID
<p style="text-align: center;">Global</p> <ul style="list-style-type: none"> • Support for the CSO legal enabling environment • Policy dialogue and advocacy interventions • Civil society organizational and technical capacity development <p style="text-align: center;">Priority Areas (regional and bilateral)</p> <ul style="list-style-type: none"> • Active citizenship and mobilization of local resources: introducing local languages for delivery of support and diversifying outreach will help to mobilize a larger spectrum of actors and deliver better services to citizens • Public accountability, building civic expertise and intra-regional cooperation • Assisting socio-economic reforms • Leadership for the future through renewed Civil Society Fellowships and EU4Youth 	<p style="text-align: center;">Regional Priority Areas</p> <ul style="list-style-type: none"> • Support for civil society in restrictive operation environments • Support for the NGO legal enabling environment (including technical assistance to local organizations and local and international advocacy interventions) • Small grant to grass roots organizations to promote civic participation • Cross-border CSO collaboration and networking • Youth engagement and empowerment • Fellowship, exchanges and research opportunities <p style="text-align: center;">Bilateral Priority Areas</p> <ul style="list-style-type: none"> • Civil society organizational capacity development (including constituency engagement, technical capacity, and management structures) • Support for the NGO legal enabling environment • Support for improved financial diversification • National and sub-national advocacy interventions (thematic and related to the enabling environment) • Civic education • National and sub-national networking and coalition building

BELARUS

Background

For much of the 28 years since independence, Belarus has been on the margins of Western attention. The dialing back of democratic reforms from the mid-1990s led to a freeze in relations with the European Union and the United States. Belarus found itself in a geopolitical grey zone for which the West did not have a clear policy framework. In the early 2000s, several developments changed this somewhat. Democratic breakthroughs across the region renewed hopes for Belarus; EU enlargement led to renewed interest in the Eastern neighborhood; and Russia turned more assertive with Belarus in the frontline. As a result, EU and U.S. relations with Belarus have been in flux for the last decade. Crackdowns by President Alexander Lukashenko, in office since 1994, against the political opposition, civil society, and independent media led the West to isolate the country politically and to impose sanctions, as in 2006 and after 2010. Geopolitics prompted cautious rapprochements, as was the case after Russia's aggression against Georgia in 2008 and Ukraine since 2014.

Neither pressure nor rapprochements generated positive, lasting results. The authoritarian regime is too deeply entrenched. Power is fully concentrated with the presidential administration, which keeps a tight control over political institutions, state administration, and the judiciary. State media dominate the information space, the economy is overwhelmingly state-controlled, and the security apparatus squashes any dissent. Remnants of the once vibrant political opposition, civil society, trade unions, and independent civil society are harassed administratively, legislatively, judicially, and physically. Restrictions have long been imposed and steadily tightened against foreign partners that seek to assist the democratic movement. This has made Belarus a prime example in Europe of a repressive state with little space for domestic dissent and few avenues for international support for civil society. It has been a trailblazer in stifling democracy assistance that is increasingly mimicked by many of its neighbors.

Overall EU and U.S. Engagement

EU and U.S. policy toward Belarus has long combined 'selective' or 'critical' engagement with the regime and support for the political opposition, civil society, and independent media. The EU and United States responded to the return of autocracy in the 1990s by isolating Belarus politically. They froze relations and imposed targeted sanctions in response to the disappearance or jailing of Lukashenko critics. Civil society effectively became a key interlocutor in Belarusian relations with the West, and benefited from support programs launched by the United States and European countries in the 1990s. The EU initially offered little to no such support but this started to change in the early 2000s. Enlargement turned Belarus into a direct neighbor, leading to the European Neighborhood Policy, which for the first time defined the EU's approach toward its east. New members pushed for a greater democracy dimension to policy. The EU presented Belarus with conditions, including respect for democracy and human rights, if relations were to be normalized. It also created its first instruments to support civil society in Belarus directly. At the same time, with the United States making democracy more of a key foreign policy goal, the U.S. Belarus Democracy Act was adopted in 2004 and civil society assistance increased. In combination, the EU and the United States became more outspoken and proactive in support of independent civil society.

By the late 2000s, this policy was thrown into doubt. Hopes for more rapid democratization in Eastern Europe had been disappointed. The region's civil society's ability to mobilize citizens and to push for lasting democratic change had found its limits, and regimes figured out ways to neutralize civic pressures. Faced with autocracies that seemed more entrenched than ever, the United States and Europe started to question the effectiveness of their policies of isolation, sanctions, and support for civil society. Moreover, Russia's increasingly aggressive policies toward its neighbors also securitized Western policy. As a result, there was a cautious rapprochement with Belarus. In 2008-2010, there was a reduction

of U.S. sanctions as well as a major IMF loan and Belarus's inclusion in the EU's Eastern Partnership. Yet democracy, civil society, and human rights remained important staples of policy. When the regime cracked down after the 2010 presidential election, the EU and the United States were united in their condemnation, imposed sanctions, and increased support for civil society. The next period of isolation, however, was less invested with support for democratic change. If anything, policy was more geared at preventing the worst repression of civil society.

Following Russia's aggression in Ukraine in 2014, there has been another rapprochement. The regime released political prisoners and moderated repression—key demands of the West. It also hosted talks to resolve the Ukraine conflict and showed willingness to cooperate with the West on regional security. In response, the EU and the United States intensified relations. The EU, in particular, lifted most of its sanctions and effectively normalized relations. This latest rapprochement is almost fully centered on regional security, which has come to eclipse the question of democracy.

State of Civil Society

Belarus probably has the authoritarian regime in Eastern Europe with the earliest learning curve in systematically shrinking civil society space. Once the institutional consolidation of autocracy was complete when the 2004 referendum removed the presidential term limit, the regime turned its attention to actors that had some space for independent and critical action: civil society, independent media, the political opposition, and their international partners. Civil society has been the top target of repression, with the regime's approach becoming ever more refined and with wide-ranging elements.

First and oldest are legislative means. Belarus systematically denies official registration to non-governmental organizations, opposition parties and movements, and independent media. Civil society groups openly critical of the government

stand no chance of registration. The few that have been able to register typically refrain from political work, focusing on social activities instead. This has forced civic actors with a more critical or political agenda to work through non-registered and informal structures. That avenue has been complicated by the criminalization of any activity on behalf of unregistered organizations.

“ **Belarus probably has the authoritarian regime in Eastern Europe with the earliest learning curve in systematically shrinking civil society space** ”

Second are administrative pressures. The government uses the full array of state offices to harass civic activists and groups. Tax authorities scrutinize the resources at civil society's disposal, including by requesting financial data from foreign banks. In individual cases, this has led to criminal charges and jail terms for alleged tax fraud. Offices and meeting venues are regularly denied to civil society as the authorities pressure private landlords. Public gatherings and activities

by civil society are usually authorized in peripheral, hardly frequented locations. Print media have been excluded from the state distribution system, while online media are subject to harsh registration requirements for staff, contributors, and users.

This combines with systematic marginalization by the state of independent civil society in public life. Outspoken critics have long been exiled to neighboring countries. Those active inside the country are portrayed in the state media as parasites living off foreign donations and working to undermine stability on behalf of international interests.

These continuous pressures are sometimes complemented by personal intimidation and physical repression. The authorities typically conduct exemplary persecution, such as “preventive” arrests of protest leaders ahead of elections or civil society events. Whenever civic mobilization still takes place, a massive presence of riot police serves to deter the public and to crack down on protesters.

Over the last years, several elements have been added to the state strategy of containing and even eliminating independent civil society. One is designed to coopt select groups from civil society. For

example, some think tanks and experts have recently been included in dialogue formats that are tolerated or encouraged by the government. Activities such as foreign policy or business conferences shift attention away from the problem of autocracy, and advocate for cooperation with the regime for the sake of stability and security. Related to this is the imitation of civil society and open dialogue. The government created public advisory councils that pretended to discuss national problems. On occasion, these included civil society representatives, though their participation as well as the dialogues turned out to be tokenistic. Much the same applies to the recent Belarus-EU human rights dialogue, which has made no progress in addressing the actual issues. Finally, there seems to be a regime strategy to monopolize civic space through state-run organizations and nominally independent but effectively government-controlled civic structures. The intention seems to be to confuse Western attention to independent civil society, and to siphon the limited foreign funding available to civic initiatives. As a result, genuine civil society finds itself in a new competition for attention and resources with state-sponsored counterparts.

Civil society's ability to push for democratic change has been severely weakened, but it is adjusting tactics. Rather than openly confronting the government, it is pursuing social, cultural, and often local causes. Community organizing is gaining ground in the regions and partnerships with local authorities have been initiated. Segments of civil society, such as independent culture, youth participation, environmental groups, and online activism, have become better organized and engaged. Across the country, a sense of Belarusian identity and citizenship has been emerging over the last years. The more evolutionary, grassroots approach may not hasten short-term change but it bodes well for democratization in the long run.

The latest USAID CSO Sustainability Index for Central and Eastern Europe and Eurasia notes that the situation is still highly restrictive, and that "After three years of gradual improvement, the sustainability of Belarusian CSOs stagnated in 2017, with deterioration in two dimensions—legal environment and financial viability—and improvement in three dimensions—advocacy, service provision, and public image." There has been a slight improvement in Belarus's civil society rating by Freedom House since 2016. Freedom House's 2018 Nations in Transit report notes that "the

environment for civil society organizations (CSOs) has improved and selective cooperation between CSOs and the Belarusian authorities increased, although in 2017, developments in the civil society sector were ambiguous." The Bertelsmann Transformation Index 2018 also notes that "the environment for civil society improved slightly" though its activities "continue to be seriously restricted by the authorities."

Key Trends in Assistance

Over the last decade, the principal funder of international assistance to Belarusian civil society has gradually moved from the United States to the EU. This shift is the result of two major trends. First, a conceptual change has taken place in democracy assistance. Until the mid-2000s, the predominant and considerably U.S.-led approach was to build sufficient capacity in civil society and independent media to counter authoritarian regimes. The aim was for civil society to mobilize citizens at large around elections and considerable resources were made available for opposition parties and candidates, domestic election monitoring, independent media, and the mass mobilization of citizens. However, the outcomes and aftermaths of the 2001 and 2006 presidential elections proved that this was not effective in Belarus. In response, donors and civil society adopted more evolutionary approaches, avoiding open confrontation with the regime and building the social foundations for long-term democratic change. More in line with European development aid traditions, assistance prioritized social causes like the environment, independent culture, public services, and sustainable communities. This reduced assistance to the more politicized parts of civil society.

Second, the respective political weight of the EU and the United States in Belarus changed. Until the mid-2000s, the U.S. embassy was the key Western mission in Minsk. It had very engaged and publicly visible ambassadors, it effectively utilized all channels for public diplomacy, and it provided direct support to civil society in addition to that offered through implementers. Since 2008, however, the U.S. position in Belarus has been in decline. After a diplomatic spat, embassy staff was reduced drastically and civil society support was organized from Ukraine. Assistance levels started to decline, and with the Ukraine crisis, an increasingly

geopolitical and security-focused approach marked U.S. policy. At the same time, the EU stepped up its engagement with Belarus's government and civil society: as noted above, first in 2008-2010 and then since 2015. It has effectively ended the sanctions regime, re-opened full political and diplomatic relations, and retooled its civil society assistance. EU members have sustained and in some cases increased their assistance, bilaterally and within the Eastern Partnership framework. As a result, Europe now outweighs the United States—politically and financially—in Belarus.

Civil Society Assistance

Civil society in Belarus has long been supported by a diverse set of donors. The landscape of agencies providing support has remained remarkably stable, as has their total financial and technical assistance over the last 15 years. That said, the last years have seen significant fluctuations and shifts in amount and nature of European and U.S. support.

U.S. assistance levels peaked in the 2000s and have since declined. Since the eviction of USAID personnel in 2008 U.S. assistance has struggled to retain visibility and involvement in Belarus, and to justify the hitherto substantial budget allocations. After a decade of gradual reductions in assistance, USAID continues to provide civil society assistance for Belarus at a minimal funding level. This gradual reduction of the assistance has not, however, eliminated all U.S. engagement with civil society in Belarus. Several agencies that are not dependent on U.S. government allocations, including the Congress-funded National Endowment for Democracy and the German Marshall Fund of the United States, still operate large-scale grantmaking and capacity-building programs. Evicted in 2000, the Open Society network has continued grantmaking, in recent years through the Poland-based Stefan Batory Foundation. While U.S. support for civil society through these independent foundations remains substantial, this cannot fully compensate for the decreased assistance.

European civil society assistance to Belarus has fluctuated in recent years, but support has

increased overall. After many years of de facto absence in this sphere, the EU has made a strong entry over the last decade. It provided important emergency support to political prisoners, emigrés and victims of political repression following the 2010 crackdown, with funding through the office of the Nordic Council of Ministers in Vilnius. If initially the only available format was the European Instrument for Democracy and Human Rights, 2011 saw the mobilization of significant funds for human rights groups and assistance to victims of repression. The latest thaw in relations led the EU to launch substantial civil society support through its delegation in Minsk, with grantmaking programs in 2016 and 2017. Large-scale funding programs now also exist through implementing partners, such as Germany's Konrad Adenauer Foundation. In design and funding levels, EU programming has become increasingly refined and adjusted to the complicated civil society environment in Belarus. Some larger European actors, including the United Kingdom's Westminster Foundation, the Norwegian Helsinki Committee, and the Danish development agency

DANIDA, have phased out activities. But the last decade has seen the arrival of new donors. Poland established the International Solidarity Fund, a government-funded agency for democracy assistance, with Belarus as a priority. Estonia, the Czech Republic, Lithuania, and Slovakia have modest funding programs for

civil society through their embassies or foreign ministries. The International Visegrad Fund expanded its operations to cover the EU's Eastern neighbors, including Belarus. This has added to the substantial assistance provided by European countries. The Swedish International Development Cooperation Agency, the Matra program of the Dutch government, Germany's Konrad Adenauer Stiftung, and the German-Belarusian international education center IBB, have operated large-scale programs that have remained stable or even expanded in the last years.

In sum, U.S. and European support to Belarusian civil society has shifted considerably in recent years. Overall levels of financial and other assistance have not decreased. The bulk of support is now provided by European donors, while U.S. support rests with a small number of foundations and implementing

“ U.S. and European support to Belarusian civil society has shifted considerably in recent years ”

partners. Aid is now almost fully concentrated on enabling civil society to address social, economic, cultural, and community problems that are of immediate concern to citizens rather than on equipping it to pursue swift political change.

Coordination

The evolution of civil society assistance in Belarus is reflected in changing formats and intensity of coordination between EU and the United States, among governments and implementers. Broadly, donor coordination originated on the U.S. side and gradually expanded to include European counterparts. With the scaling-back of U.S. involvement in Belarus, systematic coordination has lost some of its earlier momentum.

The first to regularly exchange information and coordinate their assistance were the U.S. government and the various implementers it used. In the 2000s this took the form of annual (or more frequent) implementers meetings for representatives of the State Department, USAID, NDI, IRI, IREX, Internews, Pact, and GMF, and others, ensuring a permanent flow of information on assistance work and plans. This mechanism benefited from a very stable landscape of U.S. donors and personnel over many years. From the mid-2000s, EU-U.S. coordination meetings in Brussels brought together development agencies and foreign policy departments of the United States, the EU, and EU members. This was mirrored by intensifying coordination among embassies in Minsk, facilitated by engaged ambassadors. Coordination also expanded at the non-governmental level. The annual Belarus International Implementers Meeting (BIIM) was launched for U.S. and European donors, foundations, and NGOs engaged in support for, and cooperation with, Belarusian civil society. The initial format was to devote one day to an update by, and information exchange with, Belarusian partners and experts, while another day was reserved for discussions of assistance strategies among donors only. Given the great diversity among European actors, this format was adjusted to a smaller set of key assistance agencies, and to feature separate discussions focused on political parties and independent media.

Since about 2012, coordination on all these levels has weakened. Shrinking U.S. assistance made dedicated

implementers meetings redundant and government-level coordination with Europe less meaningful. Ambassadorial engagement and visibility in Minsk reduced, owing to the small size of the U.S. mission and continued absence of an ambassador as well to EU ambassadors refraining from any political role. The BIIM format did not succeed in providing for intensive donor coordination, owing to the diversity in implementers' profiles, resources, and approaches, as well as to politics on the European side. More positively, there is closer-than-ever coordination among European governments. Within the Eastern Partnership framework, a very detailed plan and division of labor has been drafted as to which EU member state and agency supports which thematic areas and actors. This combines with a new openness on the part of the EU delegation in Minsk and relevant departments of the European Commission to discuss assistance strategies for civil society.

Civil Society Views

A survey of 24 civil society representatives produces a generally critical judgment of EU-U.S. cooperation in assistance in Belarus. In first answering a short questionnaire on this subject, a large majority said the EU and the United States cooperate in civil society support "a little" or "not at all". None said they did this "very well"; mostly "not very well" or "quite well". None said they were "very consistent" over time in cooperating and only a small minority said they were "quite consistent". There was an even split on whether the EU and the United States have "quite different" or "quite similar" conceptions of civil society, as displayed in the assistance they provide, but hardly any of those interviewed saw them as having "very different" or "very similar" conceptions. A clear majority said EU and U.S. methods for supporting civil society were "very/quite different" as opposed to "very/quite similar". Twice as many said that the EU and the United States make civil society support a "quite important" or "very important" part of relations with the country, as opposed to a "not very important" part or "not at all". However, a large majority said their support for civil society is undermined "a lot" by other issues in the relations between the EU, the United States, and Belarus. Twice as many said it would make "a big difference" if the EU and the United States worked more closely together in civil society support, as opposed to it to making "not a big difference" or none.

In accompanying interviews, the civil society representatives surveyed said that the EU has not always seen civil society as important so its support has been inconsistent. The United States is seen as more consistent but its interest in Belarus is seen

as declining; there is concern that the country has stopped being a focus for U.S. democracy support in its own right.

Table 3: Civil Society Views in Belarus				
1: Do the European and U.S. providers of civil society support in your country work together?				
Not at all	A little	A lot	All the time	Do not know
3	16	3	1	1
2: If they work together, how well do they do this?				
Not well at all	Not very well	Quite well	Very well	Do not know
1	11	7	0	2
3: If they work together, has this been consistent over time?				
Not consistent at all	Not very consistent	Quite consistent	Very consistent	Do not know
1	7	4	0	9
4: Do European and U.S. providers of civil society support in your country have different or similar conceptions of civil society?				
Very different	Quite different	Quite similar	Very similar	Do not know
1	8	8	2	3
5: Do European and U.S. providers of civil society support in your country have different or similar methods for doing so?				
Very different	Quite different	Quite similar	Very similar	Do not know
2	12	4	3	4
6: Do European and U.S. donors make civil society support an important part of relations with your country?				
Not at all	Not very important	Quite important	Very important	Do not know
1	5	7	6	1
6.1: How much is support for civil society undermined by other issues in the relations between European and U.S. governments and your government?				
Not at all	A little	A lot	Do not know	
1	2	18	1	
7: Does it make a difference if European and U.S. civil society supporters work more closely together in your country or not?				
No difference	Not a big difference	A small difference	A big difference	Do not know
3	1	1	16	2

Those interviewed generally saw EU-U.S. cooperation as growing over time but nonetheless remaining dependent on the efforts of specific donor personnel as well as crisis- or event-driven. This increase in cooperation has led to less duplication of efforts and double funding of some partners, and it has encouraged CSOs to cooperate among themselves too. They said the EU and the United States seem to have defined better common strategic priorities as well as identified and plugged some funding gaps. But, civil society representatives said, cooperation is still limited and there remains duplication and double-funding in some cases, and it is still difficult for smaller CSOs to access support. According to them, limited cooperation also perpetuates the tendency of donors to switch support to “flavor of the month” topics, making life difficult for CSOs, especially smaller ones.

For those respondents who said the EU and the United States had different conceptions of civil society and of who should be supported, this was not necessarily a bad thing; some said this can help a wider range of CSOs find support and encourages diversity in the civic sector. They said the EU sees civil society more as a provider of services the state does not provide, or does so but not well, while the United States sees it more as an agent of political change. The EU is seen as covering a wider range of issues in its support, but its model and concepts lead to support going to big NGOs that are able to apply for and handle bigger grants. Both the EU and, in particular, the United States are seen as preferring to fund partners they are familiar with (regardless of whether past results in their projects were successful or not), making it difficult for new initiatives to get support.

The EU is seen by more civil society representatives interviewed as having a more bureaucratic approach and more formal projects. On the other hand, they see the United States as harder to deal with during the implementation and management of projects. This could be because partners chafe at the more frequent contacts during implementation of U.S.-funded projects, compared to the EU approach of being more hands-off once projects are approved. The United States is seen as less flexible and interested in supporting a narrower range of issues, but it also believed to be willing to support more political and independent civil society, as well as unregistered or less institutionalized CSOs, because it has less need than the EU to engage with the state.

The civil society representatives argued that the EU’s need to balance its civil society support with engaging with the state leads to a focus on encouraging CSOs to enter into dialogue with the state and a preference for dealing with “safe”, more institutionalized CSOs. They said this creates a risk that EU assistance could enable government-organized NGOs or non-independent CSOs that the government uses in its efforts to attract resources from the West, and it could thus inadvertently help the government squeeze out independent and genuine CSOs. The interviewees also expressed the concern that genuine CSOs have little chance of getting EU support. Furthermore, they said that when intergovernmental relations are better, as is the case now, they get less support and funds are redirected to other areas like socio-economic projects. On the positive side, they also noted that the current rapprochement between the EU, the United States and Belarus has also allowed the U.S. actors to be more present on the ground.

Conclusion

This overview sheds some light on the state of civil society in Belarus, and on the challenges facing U.S. and European democracy assistance in the hostile conditions of this Eastern European autocracy. It should have become clear that, over the last 15-20 years, the domestic and regional political context for such assistance, the approach by Belarusian civil society and its external supporters to pursuing democratic change, and the roles played by U.S. and European partners in Belarus has undergone considerable evolution, for the better on some accounts and for the worse on others.

On the upside, a more realistic assessment of how civil society can work toward democratic change in Belarus has emerged among civic actors in the country and their partners abroad. There is broad agreement now that confrontational strategies aimed at challenging the Lukashenko regime will not succeed and may, at worst, risk Russian interference that may well end Belarusian statehood. Instead, the emphasis of domestic civil society and international donors will have to be, for many years to come, on engaging with Belarusian society at large to build and expand a constituency of citizens that acknowledges the need for, and eventually demands, political, economic and social reforms.

This more evolutionary approach by Belarusian civil society is now, more than ever, embedded in a broader EU policy toward Belarus. That policy acknowledges the geopolitical constraints that Belarus, and its domestic political situation and development, faces from Russia. Its primary objective, consequently, is not regime change but engagement on all possible political, economic and social levels including civil society. This approach is being resourced on a substantially larger scale than in the past, both by the EU and individual EU member states. This provides for a European political and material framework for Belarus, and its civil society, that had long been weak or even absent.

There is a critical downside, however, in the far-reaching departure of U.S. democracy assistance to Belarus, for various reasons. First, U.S. support has traditionally gone toward those in Belarusian civil society that were more outspoken in their criticism of the authoritarian status quo. Such open dissent remains important even under an evolutionary approach to democratic change, yet such voices will find it much harder to sustain themselves when, with dramatically shrunk U.S. funding, they have

to rely on much more politically cautious European aid.

Second, U.S. support to civil society and democracy has traditionally placed strong emphasis on the empowerment of citizens at the very grassroots level, while European assistance has typically been geared toward civic organizations as intermediaries between society and the state. Both orientations remain crucial for developing civil society in Belarus but it remains to be seen if European assistance will adjust and expand to compensate for diminishing U.S. engagement.

Finally, systematic coordination among all those interested in, working with, and supporting civil society in Belarus owed more to U.S. than to European initiative. The various formats of coordination that once existed—on the political level, among Western embassies in Minsk, and among donors and implementers—have already much reduced in recent years. The further scaling-back of U.S. involvement in Belarus makes it only more imperative for European partners to re-establish systematic coordination of all efforts to assist civil society and democracy in Belarus.

“ ***A more realistic assessment of how civil society can work toward democratic change in Belarus has emerged among civic actors in the country and their partners abroad*** ”

SERBIA

Background

Serbia is a pivotal state for stability in the Western Balkans, and it has long had a central role in European and U.S. policies toward the region. Since the popular uprising that led to the fall of President Slobodan Milošević in 2000, the country has struggled with the twin challenges of implementing political and economic reforms while at the same time redefining its shrinking statehood, first after the peaceful divorce from Montenegro in 2006 and then with the ongoing question of Kosovo's independence.

Democratic backsliding has been noted in recent years. Many domestic and foreign observers describe a “managed democracy in all but name”¹ and a slow return to the one-party or even one-man authoritarianism in the mold of the Milošević era. This has been happening alongside the country's progress toward joining the EU, which is supposedly based on meeting democratic criteria. Corruption and organized crime also remain major problems for the development of Serbia's society, economy and political system. In the absence of a significant opposition in parliament and in political life, civil society, among the most vibrant in the region, is increasingly affected by the deteriorating political environment and frequently bears the consequences of rising polarization.

Overall EU and U.S. Engagement

On the whole, the United States tends to have a sharper foreign-policy focus on security and the role of Russia in the Western Balkans and in Serbia, whereas the EU pursues a broader-spectrum approach because of geography – the region essentially being an enclave within the EU – and because of the holistic nature of the accession process. EU and U.S. strategies are based on similar goals, developed over two decades of involvement

in the wars of the dissolution of the former Yugoslavia: stabilization of the region and support for its integration into Euro-Atlantic institutional structures with the political and economic reforms this entails. The EU and the United States share concerns about the legacies of past conflicts and their impact on stability, as well over more recent issues, such as the position of the Western Balkans on the Eastern Mediterranean migration route, and the threat of Islamist radicalization. They are also increasingly preoccupied with the growing economic and geopolitical influence of especially Russia but also China, Turkey, and the Gulf states in the region. Russia enjoys a positive public image as a partner bound by historical ties and as a security and investment provider, which is not commensurate with tangible ties that are mostly in the energy sector. Serbia is a NATO partner but membership would be ruled out because of negative views about the alliance among the population due to the NATO intervention in the country during the Milošević era. This ambivalence helps the government pursue a strategy of strengthening relations with Russia while maintaining the commitment toward integration with the EU and seeking good relations with the United States.

Serbia started accession talks to join the EU in 2014. Since then 12 of the 35 negotiating chapters have been opened, starting from those dealing with judiciary and fundamental rights, and justice, freedom and security (chapters 23 and 24 of the EU acquis). Talks have continued despite the deterioration of democracy in Serbia. In February 2018 the European Commission warned of the risks of ‘state capture’ in the Western Balkans in its revised enlargement strategy, which, among other things, signaled a renewed attention toward the region and a commitment to greater engagement there.²

Broadly speaking, over the years U.S. Serbia policy has been in line with the EU's enlargement approach. Compared to during the 2000s, the Western Balkans has been less of a U.S. priority as the region became

1 Jasmin Mujanovic, “Vucic's Brand of ‘Stability’ Will be Short-lived”, Balkan Insight, 19 April 2017, <http://www.balkaninsight.com/en/article/vucic-s-brand-of-stability-will-be-short-lived-04-18-2017>.

2 European Commission, “2018 Communication on EU Enlargement Policy”, 17 April 2018, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417_strategy_paper_en.pdf.

more stable, but there have been signs of greater U.S. attention to it in the last few years, in great part as a consequence of the worsening of relations with Russia, which has revived attention to the Balkans as a traditional locus of geopolitical rivalry. While the United States has been a steady supporter of Kosovo's independence, the issue remains a problem in its relations with Serbia. This is also divisive among EU member states (five of which do not recognize its independence).³ Until recently this important division between the member states has seemingly not affected the EU approach to Serbia centered on the enlargement process and the 'normalization' of relations between it and Kosovo. However, the constitutional crisis in Spain over Catalonia's bid for independence appears to be spilling into EU relations with Kosovo.

State of Civil Society

As Serbia was making earlier progress on democracy and then began the EU accession process, some donors shifted their attention and funds away from the country. With a poor local economy, a passive and unengaged wider society, a tradition of distrust in CSOs (which are seen as being at the service of specific individuals or foreign interests), civil society has been uneven since the early 2000s. There are highly skilled CSOs but the sector generally does not enjoy much societal support (e.g. in one 2017 poll, 57 percent of Serbs said NGOs were affected by corruption)⁴ and remains dependent on foreign donors. This fragility of civil society was not detected early by international observers. In fact, the struggles many in civil society see with respect to closing space in Serbia is not universally recognized by external actors.

The context in which civil society operates is a source of vulnerability. CSOs are heterogeneous but remain concentrated in Belgrade and the major cities, which is partly the result of the highly centralized nature of the state and partly because donor funding is geared toward larger organizations. CSOs are dominated

by an elite that has the skills to apply for foreign funding and implement donor-supported projects, but is often as seen as not having good standing in society, and preaching to a narrow audience of the converted. CSOs are therefore seen by parts of the public as serving donors rather than the population. Civil society more generally also suffers from the country's serious brain-drain problem, which is driven by poor employment prospects. Furthermore, poverty, social segregation in rural areas and the urban-rural gap are eroding the fabric of society, which can lead to citizens putting socio-economic issues ahead of political ones.

“ The struggles many in civil society see with respect to closing space in Serbia is not universally recognized by external actors ”

Freedom House's 2018 Nations in Transit report records a decline in Serbia's democratic governance rating due to the massive centralization of power in the hands of President Vučić. It also records a drop in the country's civil society rating for the first time since the fall of Milošević. It notes that "Serbia's civil society remained vibrant and lively" but also that "long-standing problems continued to plague CSOs" and that there is a hostile atmosphere toward civic actors (especially those critical of the government). According to the 2018 Bertelsmann Transformation Index, "Serbia's current political system is characterized by the dominant rule of one political party [while] Civil society exerts only a weak impact on public policies". The latest USAID CSO Sustainability Index for Central and Eastern Europe and Eurasia notes that "Although the overall sustainability of CSOs did not change in 2017, the legal environment and ability of CSOs to partake in advocacy deteriorated as a result of impediments imposed by the state [and that the] space for CSO participation in public decision making continued to close, with some long-term partnerships between state institutions and CSOs coming to an end." Media freedom has also declined in recent years. There have been continuing harassment of independent journalists, the creation of a stifling atmosphere and financial and other pressures on the few remaining independent outlets.⁵

³ Cyprus, Greece, Romania, Slovakia and Spain.

⁴ Regional Cooperation Council Secretariat, Balkan Opinion Barometer, 2017, http://www.rcc.int/seeds/files/RCC_BalkanBarometer_PublicOpinion_2017.pdf.

⁵ Western Balkans Regional Platform for Advocating Media Freedom and Journalists' Safety, "Serbia: Indicators on the Level of Media Freedom and Journalists' Safety," 2017, <http://seenpm.org/wp-content/uploads/Indicators-on-the-level-of-media-freedom-and-journalists-safety-2017-Serbia.pdf>.

The above shows that in recent years the closing space for civil society has become a worrying reality in Serbia. Furthermore, it also manifests itself in two more ways. First, in a form of double-talk by the government when it agrees to dialogue with civil society, as requested by the EU and encouraged by all donors, but in parallel encourages smear campaigns run in or reported by friendly or state-controlled media against critical civic actors so as to undermine their work vis-à-vis their communities of reference. Second, more recently, in the attempt to undermining independent civic actors through the creation of and support for pro-government CSOs.

Key Trends in Assistance

In the 2000s, U.S. and European democracy support to Serbia was initially framed within the overarching goal conflict resolution and post-conflict recovery. Later, it was framed within the EU accession process, making the European role more important, while the United States' foreign policy focus shifted toward other regions. Nevertheless, the United States has backed Serbia's aspiration to EU membership and devised its engagement with the country accordingly.

Since the region has stayed relatively stable and Serbia is seen as the cornerstone for this, there has been little appetite on the part of donors to the country to publicly criticize backsliding or to support more critical or oppositional civil society. The EU is seen by many in Serbia as prioritizing stability, especially with respect to Kosovo and since the start of the migration crisis in 2015, and the United States as doing so more for geopolitical reasons, notably concerns about growing Russian influence. According to local observers, the United States is more willing to criticize the government for the deterioration of democracy publicly, while the EU is either less willing to do so or mostly does this in private because of its perceived priority of ensuring stability. Local civil society representatives point out that the dilemma between stability and democracy is a false one, as Balkan societies are showing, in the words of one of them, the 'stability of a graveyard'.

The EU's position is complicated by having to face two simultaneous challenges: keeping Serbia committed to accession reforms in the absence of much member-state appetite for enlargement and democratic backsliding occurring while the country

is making progress in the accession negotiations. A further challenge for the EU is that not all member states view the political situation in Serbia as deteriorating: member-state diplomacy often jars with Brussels' recommendations on reform. Although in a less pressing way, the United States also faces the challenges of keeping Serbia in the Euro-Atlantic security orbit while addressing its political deterioration, all this at a time of strong pressure on its foreign aid budget.

There is a general critique over the wide disconnect between the political engagement by the EU and the United States with the government and their support for civil society. The guidelines for the EU's support to civil society in enlargement countries make steps toward ensuring a participatory approach to EU aid and toward making aid disbursement procedures better fit to the local environment. But they do not change the gap between diplomacy and assistance. This issue may be less salient for the United States, because Serbia is less of a priority country in its foreign policy. There is a widespread perception among Serbian CSOs that the EU could do more to address human rights, the state of the media, and pressure on civil society through the diplomatic engagement of its institutional representatives and member states. EU and U.S. support to Serbia's civil society is seen as genuine and far from negligible but local actors feel vulnerable when government behavior that fuels backsliding is not clearly criticized at the diplomatic level.

Civil Society Assistance

Having started accession negotiations in 2014, Serbia gained access to large amounts of EU funding to support economic, political and institutional reforms. The EU Instrument for Pre-accession Assistance (IPA) has Democracy and Governance and Rule of Law and Fundamental Rights as key funding goals for the country, being allocated about one-third of the funds dedicated to Serbia for 2014-2020. Civil society does not have a funding header in its own right but is rather a crosscutting goal. The EU provides assistance to it via the Civil Society Facility (CSF). Between 2009 and 2017, the CSF Technical Assistance to Civil Society Organizations office (TACSO) also provided capacity-building support and tries to promote a civil society-friendly environment. This assistance has targeted a gradually widening range of issues, including

rule of law, vulnerable and discriminated-against groups, regional cooperation, civic actors in rural and remote areas, public administration reform, and cultural diversity.

In recent years, the EU has also shifted from supporting political NGOs to supporting citizen participation in governance. In the accession process this includes enhancing the capacity of CSOs to monitor reform, widening support to actors in a variety of policy issues. This is also seen by the EU as a way to improve dialogue between the state and civil society, but critics argue that centralization of power in the hands of the president and the government's lack of genuine engagement render such dialogue void of substance. The EU together with the United States promoted the creation of a new government Office for Cooperation with Civil Society (OCCS), which is supposed to build the capacity of public administration to involve civil society in implementing reforms. (See the next section for more on the OCCS.) CSOs have grouped in the National Convention on the European Union, through which they monitor each chapter of the accession process, but they do not receive EU (or U.S.) funding for this.

While the EU's approach to civil society is not contested by member states, not all prioritize civil society development. The United Kingdom, the Netherlands and Sweden (as well as Norway and Switzerland) have small, and in some cases declining, civil society-related support within other aid lines but not specific programs for this sector. (So do the OSCE and UN agencies). Only in 2017 did civil society get a place at the summit for the Berlin Process (a member-state-driven initiative that aims to keep up the level of intergovernmental engagement with the region), following pressure from CSOs and non-governmental donors.

The United States has provided substantial aid to Serbia since 2000, and this has had a significant emphasis on democracy, governance, rule of law, civil society and media development. But the total amount of aid has fluctuated, and decreased in more recent years, partly because the EU was seen

as being the main provider of such assistance to an accession candidate. Broadly speaking, U.S. assistance programs to Serbia have matched EU accession priorities; for instance, supporting the work on the judiciary and fundamental rights, and justice, freedom and security.

The United States, through USAID principally, has taken an approach of more direct support to civil society than that EU has. In a succession of multi-year support programs, USAID placed greater emphasis on supporting civil society as a sector in its own right rather than one subsumed in others, and it tries to engage with a wide range of civic actors through project implementation and more general capacity building.

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While the EU's approach to civil society is not contested by member states, not all prioritize civil society development”

A Reintegration and Leadership Development in Serbia project (2001-06) sought to build the capacity of new democratic leaders, especially focusing on NGOs. The Community Revitalization through Democratic Action (2001-07) program aimed to encourage local communities and citizens become involved in development and reconciliation processes. The Civil Society Advocacy Initiative (2006-11) tried to help CSOs better represent citizens and be more influential in engaging the state. The Civil Society Forward (2012-16) program took this approach further to enable civil society to develop more effective advocacy and input into institutional reforms and policymaking. In 2015, the USAID mission in Serbia was among the first four country missions around the world selected for the agency's new LocalWorks five-year programming to work directly with local communities so they can better lead in solving the development needs of citizens. USAID also supported the setting up the OCCS and provided a direct grant to it for supporting the consultation process around the development of the civil society strategy

Coordination

At the level of donor capitals, there is a degree of regular bilateral communications among U.S., EU, and member-state ministries and development agencies, mostly for sharing information, but also

in some case to share ideas on programs. In recent years, there was also an effort by USAID to foster a regular EU-U.S. development dialogue, including with EU's Directorate-General for Neighborhood and Enlargement Negotiations (DG NEAR). These efforts have not been institutionalized, and their impact does not necessarily trickle down to the EU units responsible for country policy.

In Belgrade, officials from the EU institutions and member states meet regularly with their U.S. counterparts through different formats to discuss political developments in the country and the region (including, for example, the Quint format).⁶ The level and regularity of consultation and cooperation on civil society remains less systematic than on broad political issues. Officials from the EU member-state embassies and the EU delegation meet regularly to discuss and coordinate policy. Representatives from the U.S. embassy are regularly included in these meetings, even if their participation is not institutionalized. The EU also organizes consultations with civil society and all donors for every program.

There are also irregular consultations (many EU-driven around the IPA) among embassy personnel and staff of implementing organizations that deal with civil society support. The EU delegation has sometimes asked others to fund things it cannot. It also organizes consultations with civil society and others donors for every program. There has also been ad hoc convening within the framework of CSF-TACSO, whose local advisory board includes USAID. Finally, there are also frequent informal contacts between EU and U.S. staff, more for sharing information than discussing policies, priorities and interventions.

At the in-country level, there is more coordination on donor support for the rule of law than for civil society, and there is no working group on the latter, partly because the donor pool for civil society is small and dominated by the EU and the United States. The USAID mission coordinates with European donor embassies on specific issues and with the EU delegation on sectoral assistance. It also consulted with the EU prior to designing its media program.

Since its creation, encouraged by the EU and the United States, the OCCS has received funding from both. With their support, it developed in 2014 a first

“Strategy for enabling environment for development of CSOs in Serbia 2015-2018”, after consultation with over 500 CSOs. However, this most notable instance of EU-U.S. cooperation has not had the impact hoped for. After an initial period of activity, the OCCS has showed no effectiveness due to a mix of political and bureaucratic factors, and it is unclear if or when strategy will be adopted and implemented (CSOs fear it is already outdated).

Civil Society Views

A survey of 17 civil society representatives produces a mixed judgment of EU-U.S. cooperation in assistance in Serbia. In first answering a short questionnaire on this subject, a majority said the EU and the United States cooperate in civil society support “a little”, with only one answering “a lot”. None said they did this “very well” while those answering “not very well” or “quite well” were evenly matched, but more said they did not know. No one answered that EU and U.S. cooperation was “very consistent”; the most prevalent opinion was that it was either “not very consistent” or else respondents said they did not know. Clearly more of the civil society representatives answered that the EU and the United States have “very similar” or “quite similar” conceptions of civil society. They were more evenly divided as to whether EU and U.S. methods for supporting civil society are “very/quite different” or “very/quite similar”. A clear majority answered that the EU and the United States make civil society support a “quite/very important” part of their relations with Serbia, with none saying it was not a part of relations at all. But most also said support for civil society is undermined “a lot” by other issues in the relations between the EU, the United States, and Serbia. A large majority answered it would make “a big difference” if the EU and the United States worked more closely together in civil society support.

In accompanying interviews, the civil society representatives surveyed tended to say that the EU and the United States mostly do not have very different conceptions of civil society and its role or different overall goals, but rather that they have differing emphases and procedural approaches. Belgrade-based CSOs show themselves to be very knowledgeable about EU and U.S. policy, programming, and procedures. The EU's support is clearly seen as more technical, procedural, and

⁶ France, Germany, Italy, the United Kingdom and the United States.

Table 4: Civil Society Views in Serbia

1: Do the European and U.S. providers of civil society support in your country work together?

Not at all	A little	A lot	All the time	Do not know
1	10	1	0	1

2: If they work together, how well do they do this?

Not well at all	Not very well	Quite well	Very well	Do not know
0	4	4	0	6

3: If they work together, has this been consistent over time?

Not consistent at all	Not very consistent	Quite consistent	Very consistent	Do not know
0	7	2	0	5

4: Do European and U.S. providers of civil society support in your country have different or similar conceptions of civil society?

Very different	Quite different	Quite similar	Very similar	Do not know
2	2	4	7	3

5: Do European and U.S. providers of civil society support in your country have different or similar methods for doing so?

Very different	Quite different	Quite similar	Very similar	Do not know
1	6	4	4	1

6: Do European and U.S. donors make civil society support an important part of relations with your country?

Not at all	Not very important	Quite important	Very important	Do not know
0	5	6	6	0

6.1: How much is support for civil society undermined by other issues in the relations between European and U.S. governments and your government?

Not at all	A little	A lot	Do not know
1	1	9	3

7: Does it make a difference if European and U.S. civil society supporters work more closely together in your country or not?

No difference	Not a big difference	A small difference	A big difference	Do not know
1	1	1	12	1

driven by the accession process. It is also seen as more focused on developing the administrative capacities of CSOs and in have national/state-level impact. It is seen as seeking out and helping build up “expert” CSOs that will be able to support the accession process while not treating grassroots movements and local communities as a priority. The United States is seen as more focused on local impact, community development, capacity building, and supporting CSOs to have diversified funding and partnerships with local authorities. It is also seen as taking civil society’s role as that of a force for democratic development and a watchdog, and thus as more open to supporting grassroots.

The administrative requirements that CSOs need to fulfill for EU-funded projects are widely seen as more complex and burdensome than those for U.S. ones. In general, the EU is seen as being in more frequent contact with CSOs while preparing and deciding calls, but not during implementation (except on technical aspects of project management). By contrast, the United States is seen as being much more in frequent contact with partners during implementation. Some CSOs appreciate the ongoing U.S. engagement; others are satisfied with the EU approach. Recent changes to procedures, especially regarding the administrative burden of running projects are welcomed. USAID’s projects, such as LocalWorks, which awards funding directly to local organizations, are seen as ahead of the curve. The EU’s changes to its granting model are still to meet the test of implementation.

The visibility of the civil society support by the EU and the United States is also seen as an issue, with CSOs having different views on this depending on which donor relationships they have developed most. USAID is seen as building more visibility requirements in the projects it supports and being more effective in this than the EU (which is designing a new communication strategy toward the Western Balkans to address this perceived problem). Most of the civil society representatives see EU and U.S. visibility strategies that use social media or information leaflets as unnecessary because they

reach out to audiences already involved in supported civil society activities but miss communities that are not engaged with donors. Conversely, in provincial and smaller towns and in villages, traditional methods such as leaflet distribution as well as regular mission-staff visits are seen as appropriate for addressing the poor image of the EU and the United States in Serbian society.

From the point of view of many of the civil society representatives interviewed, whether the EU and the United States cooperate on programs and projects is less significant than whether they coordinate on analysis and knowledge sharing as well as on messaging. Knowledge sharing and joint analysis about the situation of CSOs and local developments, the emergence of new actors (e.g. pro-government ones or local grassroots organizations), and the specific challenges CSOs and activists face are viewed as crucial to improve civil society support. Equally important is the impact the EU and the United States could have if they coordinated more their political messaging about the relationship

between civil society and the government as well as about any targeting of civil society through the media or other proxies.

Ultimately, though, the issues seen as most critical with respect to EU and U.S. civil society support are less in the field of implementation of programs and projects than in the political support offered to civil society development. Civil society criticizes the government for ignoring its input or for setting up meaningless consultations only

so as to tick the boxes on the list of EU requirements and to satisfy donors generally. The experience of the Office for Coordination with Civil Society is one example; the current public consultations on constitutional reform are another. At the same time, and related to this, there is a widespread perception that the EU’s engagement with CSOs is pro forma. EU-U.S. coordination in overall political messaging is seen as critical by CSOs, not only as a way to reaffirm their positions on the importance of democracy to the government and to civil society, and on genuine dialogue between them, but also

“ ***Equally important is the impact the EU and the United States could have if they coordinated more their messaging about the relationship between civil society and the government*** ”

because any cracks in their unity with regard to their overall goals in Serbia would be exploited by actors that undermine civil society and the transformation of the country.

Conclusion

While the stated aims of overall EU and U.S. policy for the Western Balkans and Serbia are similar, they run on parallel tracks, rather than being based on systematic cooperation and knowledge exchange, whether at capitals' level or between their missions in the country. What is more, there is less of a problem in terms of EU-U.S. cooperation in assistance that with respective diplomatic relations with Serbia's government. The level of EU-U.S. consultation and cooperation in civil society support has increased significantly, but differences in programming approaches remain. To date, this cooperation does not appear to include designing jointly the interventions and methodologies, even if there is exchange of information on the areas of intervention. It is an open question whether this amounts to a strategic problem for the EU and the United States in the presence of a shared overall agenda.

Further cooperation through joint funding of individual projects or more wide-ranging and longer-lasting programs could be the ultimate confirmation of the synergies in strategy between the United States and the EU. For Serbia, this could have a significant impact at a time in which other donors are shifting their attention to other parts of the world and when other actors are upping their involvement in the country, including in areas that affect the health of civil society, most notably the media.

EU-U.S. cooperation would have more impact if it were strengthened in terms of systematic sharing of analysis and information about political dynamics within civil society and between civil society and the government. Persistent challenges for donors, especially when local staff is overstretched, regard

building and maintaining knowledge about CSOs (especially outside Belgrade and Novi Sad), engaging with smaller and less professional organizations, being flexible enough to understand and meet local needs and demands. Particularly in light of the democratic backsliding in recent years, suggestions that state resources are being used to build up government-friendly CSOs should be a cause of concern for all providers of assistance to civil society.

The absence of a working group on civil society in Belgrade, even with the small number of donors concerned, seems to be due to no one having the ability or will to take the lead in convening. In-country donor staff tend to not see the lack of such a mechanism as a problem since donors push for the overall goals of accession and peace. What is more, staff, especially from smaller embassies, have limited time for meetings, and say that they can find out what they need to know informally in a small community.

The EU has designed much of its assistance, including civil society support, toward the overarching goal of accession, and the United States has largely supported this path. There are compelling reasons to do so: to maximize impact and to focus on reforms needed for joining the EU, which remains the most important prospect the country has. In doing so, the EU has also widened its conception of civil society beyond that of a traditional organization pursuing a political agenda of human rights and democracy toward that of CSOs engaged

on a wider range of societal issues. At the same time, civil society needs to identify its space beyond simply engagement in the process of Europeanization. There are risks that some societal issues become marginalized if they are not prioritized on the EU agenda. A sustainable civil society also requires identifying its own agenda and initiatives regardless of the priorities established in by the EU. It needs to address its own internal dynamics – regeneration, connection with the relevant local communities, inclusion of diverse societal representatives – if it wants to improve its standing in society.

“
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UKRAINE

Background

Since the breakup of the Soviet Union, Ukraine has gone through a cycle of authoritarianism and revolution as it progresses toward becoming a fully democratic independent state. Its efforts to break free from Soviet legacies have been hampered at different times by economic stagnation, corruption, contested national identity, and failures of political leadership. Ukraine has also suffered from Russia's geopolitical ambitions, which has influenced its domestic politics and economics as well as constrained its foreign policy, especially with regard to Euro-Atlantic integration. This culminated with Russia illegally annexing Crimea and launching military hostilities in eastern Ukraine in 2014.

Ukraine's democratic trajectory has had considerable ups and downs. Deterioration under President Leonid Kuchma led to the 2004 Orange Revolution, which was followed by the disappointing performances of the governments under President Viktor Yushchenko. This helped the election of Viktor Yanukovich, whose kleptocratic, authoritarian rule and ultimate refusal to sign an Association Agreement with the EU prompted the 2013-14 Revolution of Dignity. There has been significant progress since 2014, helped considerably by pressure from civil society and donors, but opinion remains divided as to how deep the impact of reforms is. There are domestic and international concerns about democratic backsliding, lack of reform, reassertion of oligarchic power, backtracking in the fight against corruption, and the rise of radical-nationalist forces.

Donors face a "glass half-full, glass half-empty" dilemma with regard to pushing Ukraine's authorities and political actors further and faster along the reform path. Meanwhile, vested interests have become adept at deflecting reform pressures and at slow-rolling engagement with civil society and donors, while some reformers who came into influential positions from 2014 have been pushed out. Many observers now question whether the window of opportunity for significant reform

is closing and momentum is fading as the 2019 elections cycle approaches.

Overall EU and U.S. Engagement

Since the 1990s, the EU and the United States have supported Ukraine's triple (political, economic and independence) transition. Initially, the United States played more of a leading role in this. The EU saw Ukraine primarily in security terms and not as an accession candidate. Overall, both have supported with diplomacy and assistance Ukraine's right and capacity to pursue a Euro-Atlantic economic and security orientation. There has long been a question of "Ukraine fatigue" among donors, though, because of recurring lack of progress in the country. Nonetheless, there was a significant surge in economic, humanitarian, security and democracy assistance after the 2014 Revolution of Dignity. The United States and EU members have also since collaborated closely on diplomatic efforts to end the conflict in Donbas.

EU policy toward Ukraine fluctuated over the years, in part because of the difficulty in coming to any agreement among members over offering it a membership perspective (and, related to this, a path to NATO membership), and in part because of divergent policies toward the country but also toward Russia among members, not least the "big four" of France, Germany, Italy and the United Kingdom. Nevertheless, the EU has over the years provided considerable aid for Ukraine's economic transformation. The United States has been a strong supporter of Ukraine in economic, diplomatic and security terms since its independence. The two countries established a strategic partnership in 2008. The United States has supported Ukraine's integration with the EU, and kept the door open to the possibility of it joining NATO one day. Over the years, U.S. engagement has been influenced by political fluctuations in Ukraine under its different presidents, and also by the trends in U.S.-Russian relations. Since the Revolution of Dignity, the United States has offered Ukraine renewed economic,

humanitarian and reform assistance as well as diplomatic backing in the conflict with Russia.

State of civil society

Until the 2014 revolution, there was a sense that Ukraine's civil society (meaning mostly the NGO sector) was cut off from the population, elitist, too technocratic, and closer to donors and politicians than to citizens. Since then, unlike after the 2004 Orange Revolution, there has been a rise in civic activism and civil society initiatives, including at the very grassroots level, as well as unprecedented CSO innovation and participation in policymaking, such as the coordination and monitoring of progress by the Reanimation Package of Reforms coalition. Civil society has also become more networked and capable. Some observers note progress in CSOs beginning to be able to tap more local funding. Donors strongly encourage civil society and the authorities to collaborate, though CSOs often express doubt as to how genuine the authorities are in the resulting engagement. Public Councils that had been created before the 2014 revolution to encourage civil society participation in policy processes at the national and local levels have been widely seen as irrelevant and also as being manipulated by the authorities through the participation of GONGOs.

Civil society remains affected by longstanding problems: a post-Soviet legacy of apathy and lack of trust within society (including distrust of NGOs, although they are more trusted than public institutions other than the army and the church), a gap between Kyiv and the regions as well as an urban-rural divide, and limited financial sustainability and reliance on foreign funds. Some analysts still see a gap between CSOs and citizens. There is also criticism that, driven by donors, NGOs and CSOs – especially Kyiv-based ones – focus on subject areas, including some related to EU integration, that do not always directly resonate with citizens in their daily lives. More recently, there has been pushback by political actors against civil society, e.g. in the effort to require activists to declare their assets publicly.

The latest USAID CSO Sustainability Index for Central and Eastern Europe and Eurasia records a stable situation for civil society since 2014, which itself was the latest stage in a process of slow incremental improvement over several years. It finds that “Civil society remains one of the strongest

actors and drivers of reform in Ukraine [and that in] 2017, CSO sustainability improved slightly, with progress noted in both organizational capacity and sectoral infrastructure.” The Bertelsmann Transformation Index 2018 notes: “Civil society in Ukraine has become a real driving force behind the reform process” and “popular acceptance of and involvement in civil society has improved”. By comparison, Freedom House's 2017 and 2018 Nations in Transit reports each note a slight deterioration in the civil society rating, back to the level it was before the Revolution of Dignity. Freedom House notes that “Nongovernmental organizations (NGOs) continued to play a strong role in promoting national governance reform” but “political pressure on civil society has intensified” and “The number of attacks on NGOs and their leaders increased in 2017.”

Key Trends in Assistance

Since the 1990s, U.S. assistance to Ukraine has been broad and substantial. Beyond the security and humanitarian sphere, it has focused on the market economy, inclusive development, and a democratic political system. The United States has led in democracy and governance assistance with Ukraine one of its top recipients in the last decades. Within this field, U.S. support has covered a wide range of topics that has not changed over the years: corruption, elections, human rights, independent media, judicial reform, local government and political parties. Supporting the growth of independent civil society has been central to this and financed accordingly. Funding for overall U.S. assistance peaked in the early 1990s and then remained broadly stable at a lower level, despite budget pressures at different times. USAID has been the primary channel for assistance, including in the democracy sphere, in which the State Department, the National Endowment for Democracy and its affiliated organizations have also played a steady role. Assistance has also been implemented by many U.S. and international NGOs, as well as Ukrainian partners.

EU assistance to Ukraine in the democracy sphere has increased in the last decade, and especially since 2014. EU aid was initially heavily focused on economic transformation and there was very little attention to democracy in the Technical Assistance to the Commonwealth of Independent States

(TACIS) program in the 1990s and early 2000s. The EU's approach took a greater democracy dimension gradually with the adoption of the European Neighborhood Policy (2004), the EU-Ukraine Action Plan (2005), the Association Agenda (2009), and the Eastern Partnership (2009). The European Neighborhood and Partnership Instrument (now the European Neighborhood Instrument, ENI) replaced TACIS in 2007 and brought in a greater democracy focus, but assistance remained more state-centric and top-down. The Eastern Partnership framework has seen a better inclusion of democracy support. In 2016, the EU identified 20 key deliverables for 2020 for the Eastern Partnership that include deliverables for strengthening institutions and good governance, with more engagement with civil society and grassroots as a crosscutting deliverable. With Ukraine committing itself to wide-ranging reforms under the Association Agreement (signed in 2014, ratified in 2017), the EU has substantially increased its financial and technical assistance across several democracy and governance sectors. The EU has also innovated with the creation of the Support Group for Ukraine in 2014, which has played an important role in coordinating EU actions and providing advice in key reform sectors.

“ EU and U.S. assistance aims to give civil society a greater role in development and input in policymaking”

Civil Society Assistance

Support to Ukrainian civil society took a larger share of democracy assistance for the United States and the EU and its member states after the Orange Revolution, and it has increased since the Revolution of Dignity. EU and U.S. assistance aims to give civil society a greater role in development and input in policymaking, through capacity building in areas such as advocacy and monitoring reforms, and creating an enabling environment. The substantial donor efforts in the fields of decentralization, corruption, and judicial/rule of law reforms have also offered entry points for greater engagement with CSOs. While there have been efforts to diversify modes of supporting civil society, the EU and the United States still rely on well established technical assistance project approaches.

U.S. funding and technical assistance for civil society cover capacity building, an enabling legal environment, independent media, and local community organizations. The bulk of this was channeled through the Ukraine National Initiatives to Enhance Reforms project (UNITER) between 2008 and 2016, implemented by PACT International, primarily to support CSOs that ensure citizen interests are included in governance decisions and that there is progress toward an enabling environment. The Ukraine Media (U-Media) Project focuses on media NGOs. Both initiatives have marked a move toward making fewer, larger grants to organizations that can play a leading role within their respective sectors. Both projects included a re-granting element. In 2016 USAID and PACT launched the

Enhance Non-governmental Actors and Grassroots Engagements (ENGAGE) program for capacity building and sustainability, civic education, and connecting citizens to CSOs. USAID assistance includes separate capacity-building tracks for established and emerging CSOs. For the latter, this increasingly is through the NGO Marketplace with its voucher system to access service providers. The United States has also supported the advocacy and monitoring work of the likes of the Reanimation Package of Reforms, the Anti-Corruption Action Center and Transparency International Ukraine.

The State Department's Bureau of Democracy, Human Rights and Labor funds some Ukraine projects while the U.S. embassy in Kyiv offers small grants to civil society. Alongside PACT, much U.S. civil society assistance has also been implemented by U.S. NGOs, like the National Endowment for Democracy, the National Democratic Institute, the International Republican Institute, and Internews, as well as international implementing partners, including the German Marshall Fund's Black Sea Trust. Some key sectoral functions are also supported through direct USAID grants to local partners: the Initiative to Support Social Action Ednannia for capacity building and the Ukrainian Center for Independent Political Research for an enabling environment.

As it has stepped up in efforts to support civil society in Ukraine, the EU has been able to use a growing

number of instruments that were developed or augmented in recent years. It has also tried to reach a wider range of partners in a more flexible manner, including through re-granting projects. Following the Revolution of Dignity, in 2014 the EU adopted a Civil Society Support Program for Ukraine and a Country Roadmap for Engagement with Civil Society in order to pursue a more strategic approach in this sector and to promote the role of civil society in advocating and monitoring reforms. The EU provides assistance to CSOs for capacity building as well as for improving their ability to advocate for, have policy input, and monitor the reform process across a range of sectors. It does so through the Civil Society Facility, the European Neighborhood Instrument, the Civil Society Support Program, the European Instrument for Democracy and Human Rights, and the CSOs and Local Authorities program (previously Non-State Actors and Local Authorities) – all of which have their respective specific focus under the broader civil society umbrella. The EU also conducts a Civil Society Dialogue with Ukrainian partners, and supports the participation of local CSOs in the Eastern Partnership Civil Society Forum. It also helps fund the secretariat of the Reanimation Packages of Reforms.

EU funds for civil society are also channeled through projects run by the Council of Europe, the Organization for Security and Cooperation in Europe, and the UN Development Program. The European Endowment for Democracy also funds and offers technical assistance to civil society not supported by EU instruments and in a more flexible way; Ukraine is the biggest recipient of EED assistance. Canada, Denmark, Germany, the Netherlands, Poland, Sweden, the United Kingdom and the Baltic states have at various times and to varying degrees also provided assistance in to civil society within their overall support to Ukraine, including through diverse national and international implementers. Grant-making organizations like the International Renaissance Foundation also play a significant role. The EU and the United States also provide civil society-related support in their assistance relating to the conflict in Donbas, through the EU Instrument

contributing for Stability and Peace and the USAID Office of Transition Initiatives.

Coordination

There has been a reasonable but not extensive degree of coordination of assistance for Ukraine at the donor-capitals level. There is now close communication between USAID and DG NEAR. Since 2014 the Support Group for Ukraine has played a strong coordinating role within the EU. There are frequent contacts between EU officials with their counterparts in the United States and in other donor countries (e.g. Canada) but less regular ones at the highest policymaking level. Staff on the Ukraine desks in the foreign ministries and development agencies of key donors often discuss political issues and obtain information ad hoc, either directly from each other or via their embassies in the different capitals.

There is a clearly higher level of formal coordination on democracy and civil society in-country, with bi-monthly meetings in Kyiv for government and multilateral donors as well as large implementers (often with input from CSOs). The EU and the United States jointly lead coordination on civil society support. Meetings discuss major issues concerning

this field of activity as well as smaller technical matters. There can also be smaller, ad hoc donor meetings on specific subjects. Kyiv meetings are useful for smaller and/or newer donors that have less capacity to gather information across the country, but they are also useful for the EU and the United States to learn from other donors or implementers that sometimes have a better sense of what is happening on the ground on some issues. The G7 embassies have set up a support

group that has played an important coordinated role at the political level (though not all see it as working well). Further meetings between ambassadors also help the coordination of support to reforms and civil society. The Reanimation Package of Reforms platform as well as other NGOs sometimes convenes donors to discuss certain civil society issues.

“ ***There are frequent contacts between EU officials with their counterparts in the United States but less regular ones at the highest policymaking level*** ”

In-country coordination is widely seen as working as well as it could because donors have the same agenda of supporting integration with EU and see the need for this given the range of donors, activities, and issues addressed since 2014. Unlike in most other countries, this is not dependent on the ad hoc interests or motivations of some key staff. Nonetheless, EU and U.S. assistance still overlap somewhat on some issues. In-country coordination is also still complicated by the differences in donors' respective cycles of funding and decision as well as in their time frames. The greater number of projects and activities carried out since 2014 also means that even staff in larger donor missions only have so much time to devote to finding ways to increase coordination in a longer-term perspective.

“
In-country coordination is widely seen as working as well as it could because donors have the same agenda”

Civil Society Views

A survey of 21 civil society representatives produces a mixed picture of EU-U.S. cooperation in assistance in Ukraine. In answering a short questionnaire on this subject, a clear majority said the cooperated “a little”. However, an equally large majority also answered that the EU and the United States did this “quite well” or “very well”, with none saying they did it “not well at all”. The picture is more mixed when it comes to the views of the civil society representatives as to whether they cooperate consistently, with an even number saying they were “quite/very consistent” or “not very consistent/not consistent at all”. More than half of those surveyed said the EU and the United States had “quite/very similar” conceptions of civil society and methods of supporting it. Almost all of them answered that both make civil society support a “quite/very important” part of their relations with Ukraine, with none saying it was not a part of relations at all. Just over half also said that other issues in the relations between the EU, the United States, and Ukraine undermined this support either “not at all” or “a little”. A majority answered it would make “a big difference” if the EU and the United States worked more closely together in civil society support, with none saying it would make “no difference”.

In accompanying interviews, the civil society representatives surveyed mostly expressed a strong belief that the EU and the United States see civil society support as an important part of their relations with and policies toward Ukraine, and that it would make a significant difference if they would work more closely together in supporting civil society. Both are seen as having complementary approaches (whereas there are more differences noted among EU members and among international implementers, which complicates things for CSOs in – especially U.S. and European – co-fund situations).

For those civil society representatives interviewed, U.S. assistance is generally seen as more focused on service delivery and sub-grants to communities, on civic participation in political processes and governance, and on going beyond NGOs to grassroots. While EU assistance is also seen as including these, it is seen as prioritizing more structural governance topics in relation to the state, expert services and technical advice, and the development of more analytical CSOs to support the integration process. The EU and the United States are seen as trying to be flexible in dealing with civil society, but the latter is seen as perhaps more successful in this because of its longer experience on the ground.

While EU and U.S. funding processes are not seen as fundamentally different, EU assistance and its focus on bigger projects are seen as slower, more complicated, and more bureaucratic with less communications with CSOs. The EU is seen as focusing on bigger NGOs and the demands of co-funding are seen as too much for smaller CSOs, including finding partners for different projects, especially if they have conflicting timelines. The EU is however seen as good on transparency and audit. Some CSOs representatives say EU staff was helpful in developing applications, others complain that there was not feedback on failed applications. The degree of EU and U.S. engagement with partners during implementation of projects is seen as different, but this is not necessarily considered a bad thing by all those interviewed. Some see more frequent U.S. contacts as a show of support and useful for ongoing feedback; others find this level on

Table 5: Civil Society Views in Ukraine

1: Do the European and U.S. providers of civil society support in your country work together?

Not at all	A little	A lot	All the time	Do not know
1	15	5	0	0

2: If they work together, how well do they do this?

Not well at all	Not very well	Quite well	Very well	Do not know
0	3	8	6	4

3: If they work together, has this been consistent over time?

Not consistent at all	Not very consistent	Quite consistent	Very consistent	Do not know
3	4	6	1	6

4: Do European and U.S. providers of civil society support in your country have different or similar conceptions of civil society?

Very different	Quite different	Quite similar	Very similar	Do not know
0	5	9	4	1

5: Do European and U.S. providers of civil society support in your country have different or similar methods for doing so?

Very different	Quite different	Quite similar	Very similar	Do not know
1	5	9	4	1

6: Do European and U.S. donors make civil society support an important part of relations with your country?

Not at all	Not very important	Quite important	Very important	Do not know
0	5	6	12	0

6.1: How much is support for civil society undermined by other issues in the relations between European and U.S. governments and your government?

Not at all	A little	A lot	Do not know
5	6	1	4

7: Does it make a difference if European and U.S. civil society supporters work more closely together in your country or not?

No difference	Not a big difference	A small difference	A big difference	Do not know
0	2	2	14	1

engagement can divert CSO staff time from other tasks and prefer the EU's more hands-off approach during implementation.

Civil society representatives say that, while coordination among donors has improved, the latter still have a tendency to switch support focus from one subject area to another every so often, and to aim for the same ones at same time, meaning that at different points in time some topics are strongly covered and some are under-covered. There is a feeling this can create capacity issues with CSOs in "now less popular" subject areas having to refocus on new ones to the detriment of building on work they have been doing previously. On the other hand, some of those interviewed also see the EU and the United States as sometimes slow to address rapid change on the ground, and that the issues they focus their support on can lose relevance while their administrative processes are playing out

The EU and the United States are seen by many as risk-averse with regard to identifying potential new partners or new kinds of projects, with CSOs – especially those they are unfamiliar with – needing to prove something works before be able to access support. On the other hand, some say both can be too focused on seeking innovative or "different" projects, sometimes at the expense of continuing, or expanding the coverage of, projects that have proved their worth but may not look cutting-edge.

Conclusion

Donors could press Ukraine's government more on reforms, even if they have are still taking an understandable "glass half-full" view. Some reforms could be made at little or no major political cost for donors but they accept the arguments of domestic vested interests for slowness, including the Donbas "excuse" even when this has nothing to do with reform areas. Related to this, a few highly visible joint EU-U.S. civil society projects could have impact by sending a political message as well as providing assistance. One example of this, which includes other donors, is the support to the launch of the Ukrainian public service broadcaster.

While in-country coordination is unusually high, more at the capitals level to match it would allow

a more strategic approach. There is only so far in-country coordination can go in addressing issues beyond the technical, tactical and short-term level. Greater coordination at the level of donor capitals could make a real difference in addressing the issue of strategic and long-term capacity building for CSOs through core support, to determine how and for whom this might be done prudently, and to try out experimental models for this. It could also serve for a discussion on, if not harmonizing, narrowing the gap between donors' respective evaluations and reporting standards.

More strategic donor coordination would also make it more possible to address the call of CSOs for support to be based more on their own strategic plans, and it would mitigate the impact of donors focusing heavily on certain popular topics at a given time. Short-term project funding means for most CSOs that a significant portion of project time can be spent on building up staff capacity rather than implementation (including if some staff leave for next jobs as the end of the project nears).

One downside of the large interest in Ukraine is that local CSOs feel they cannot compete for funds with big international NGOs and implementers, and that on big calls talk of local inclusion by donors is not entirely genuine. This seems to discourage some CSOs from applying for some funds or seeking co-applicants. CSOs can also lose capacity if staff join international NGOs and implementers moving into the country.

Finally, while the problem of government-organized NGOs and non-independent CSOs does not appear to be an issue in Ukraine compared to in other countries in the region, many organizations and groups are closely associated with certain political and economic actors. Even if this does not seriously affect the health of the civil society sector, the EU and the United States together need to remain vigilant as to their potential to do so, especially if the political climate in the country deteriorates. As elsewhere, donors must make sure that such organizations that are more political vehicles than independent civic actors are not empowered through any donor or government engagement mechanisms.

CONCLUSIONS AND RECOMMENDATIONS

The three cases studies conducted, and a review of their broader policies in the region, show that the EU and the United States have very similar agendas based on similar interests and common values when it comes to civil society support in Eastern Europe and the Western Balkans. Their foreign policies in the region have been mutually supportive and so has their democracy support, and their efforts to assist civil society are broadly complementary. They also face the same challenges, whether at the level of what is happening in the societies and political landscapes in the different countries concerned, or at the level of their institutional and procedural issues on the ground and in their own capitals. There are no significant differences between the EU and the United States when it comes to the macro-level analysis of these countries' problems, though there is scope for them to develop a more fine-grain understanding of specific situations and issues.

There have been over the years efforts on both sides to foster a greater degree of knowledge exchange and, where possible, cooperation among them on supporting democracy in the region. These have gathered some momentum more recently, whether in-country or directly between Brussels and Washington. Nonetheless, these efforts remain mostly unstructured, un-institutionalized, and contingent on staff initiatives or the personal interest of senior decision-makers at given points in time. This means that EU-U.S. cooperation has fluctuated over time and across countries.

Transatlantic cooperation in the democracy sphere is also to a disappointing degree still hindered by broader legacies on both sides: the EU and its member states can be too wary that such cooperation will be interpreted as uncritical alignment with unrelated U.S. policies and interests; the United States can be too quick to frustration about perceived European reluctance to be more forward without sufficiently taking into account the reasons for the EU's different approach.

Globally and in the region, it is abundantly clear that there is ongoing deterioration in the environment for the growth and protection of healthy democratic

civil societies as well as for efforts by donors to support this. The closing of space is the most noted part of this though the problems range more widely. It is also problematic that this situation has arisen broadly at the same time as most donors have been facing strong domestic financial and political pressure to show that their foreign assistance and use of taxpayers' money are optimized for impact. For example, the U.S. Congress is paying greater attention to the question of how the U.S. government could work more with other donors.

Altogether, this situation clearly offers strong incentives and a good basis for the EU and the United States to seek ways to work together in democracy and civil society support. There is considerable scope and justification for them to cooperate more at all levels of decision-making and in designing and implementing assistance, in their own respective interests, and without sacrificing any of their independence of action or their thematic and procedural preferences.

The State of Play

Despite fluctuations, and despite changing demands on its budget, the United States' diplomatic and financial commitment to supporting the development of democratic civil society in Eastern Europe and the Western Balkans remains significant after almost three decades. Though it has a long record of trying to support grassroots organizations as well as more developed and formal CSOs, the United States is trying to diversify further its partners in individual countries, as well as looking to do more through multilateral and regional initiatives, including through partnerships with organizations such as the German Marshall Fund of the United and the Prague Civil Society Center that run programs for those parts of civil society that U.S. government agencies cannot reach as flexibly. Having come more recently than the United States to a comprehensive inclusion of civil society in its overall engagement, and particularly in its democracy assistance, to the region, the EU has increasingly supported CSOs and civic actors in the last decade. It is working to become

more flexible in its approach and is also seeking to reach a greater number of more diverse local partners, including through using more regional mechanisms and intermediary organizations.

The main gains of the efforts at EU-U.S. cooperation in civil society support so far have been mostly observed at the ground level in the different countries of the region. This has been seen in terms of avoiding inefficient duplication of programs and projects, and detecting and preventing instances of funding “double-dipping” by some local civil society partners. (However, it should not be automatically assumed that duplication of support activities is always a negative factor; in some cases it can be good for donors to double up so as to increase impact in a specific issue area or in a particular local context. It can also mitigate risk where one donor may be expelled or targeted by the authorities.) Progress has also been seen in terms of cooperation and information exchange, more often than not ad hoc, between missions that have in some cases led to improvement in planning, project design, implementation, and monitoring.

Examples of the EU and the United States working together in the different countries they both assist in the region also has symbolic and political value. The more the representatives of the two largest outside supporters of civil society are clearly seen to back the same goals through joint efforts, and not just in parallel, matters. This increases the legitimacy of their efforts and gives them greater political weight. For the EU and the United States, working together, either in pair or within a group of donors, can also reduce operational risk they may face in a particular country, and it provides better protection to CSOs in environments where they are at risk from state and political pressure.

While the progress made by the EU and the United States along the learning curve in this field is visible, and the greater flexibility in their new initiatives is welcome, the pace of change has not been as fast as that of the closing down of space for civil society. This also provides a compelling reason to enhance their efforts of cooperation and to build stronger alliances in support of the values the EU, the United States, and other actors working toward open societies in the region are trying to promote.

Based on the three case studies and the broader review of EU and U.S. policies and programs in the

region, this section makes recommendations in the following six areas:

- Improving information exchanges and inputs,
- Supporting sustainability,
- Diversifying reach,
- Pushing back against closing space,
- Understanding government-sponsored, non-independent and coopted civil society, and
- Regional approaches.

Improving Exchanges and Mutual Inputs

Even though there has been an increase in their level of interaction, there is still scope for the EU and the United States to coordinate their efforts more on the ground in individual countries of the region and especially at the level of their own capitals. There are many factors on both sides that make closer coordination difficult to achieve, and there is mutual understanding that these include unavoidable natural differences between them due to their respective political and institutional environments. In that context, it is not possible or desirable to aim always for the closest possible cooperation between the EU and the United States. Nonetheless, it is possible and desirable to progress beyond the current level of dialogue that is now occurring mostly at the technical level, whether between missions in countries or between regional and thematic desks in Brussels and Washington. This should also be supplemented by efforts at more discussions at the senior policy level; this requires a degree of political and institutional commitment that should not be very demanding.

At the country level, progress in donor cooperation has been made through efforts – ad hoc but sometimes more systematic too – to share information about partners applying for support and avoid the problem of duplicated funding. However, attempts to initiate such in-country dialogue on civil society support have been taken up unevenly by donor representations across the region. There appears to be a tendency for in-country staff to be more ready

to convene around a political or thematic issue than for a dialogue on assistance processes. The extent of take-up of convening efforts in each country also seems to depend on one of the major donors, usually the EU or the United States, taking the lead.

The inefficient duplication of projects, ‘double-dipping’ by some partners, or due diligence over potentially problematic local partners are matters that can relatively easily be solved or managed at the ground level. EU and U.S. missions in individual countries should continue to exchange information, and should also be encouraged by their capitals to do so more systematically across the region, especially in those countries where the practice is more ad hoc and less frequent. It is important that existing efforts at in-country exchanges continue, and be institutionalized as much as feasible, so that funding for assistance is used in a more rational way. The experience in very different local contexts in Belarus and Ukraine provide some guidance as to how this can be achieved and what are the pitfalls to be avoided.

But there are limits to what can be achieved through in-country cooperation alone. While more technical and country-specific aspects of assistance can be addressed adequately at this level, the discussion around the broader, long-term challenges of supporting civil society in the region is best done at the capitals level where larger programmatic, strategic and budgetary decisions are made.

The willingness shown in recent years by the EU and the United States to improve how they work side by side or even together in civil society support at the capitals levels has to be encouraged and supported by senior policymakers on both sides, but a more structured and regular dialogue at the middle technical level is also important to improve the quality of program and policy design. Regional and thematic staff in the respective institutions should be empowered and enabled to deepen their technical-level exchanges and collaboration. Done more systematically, this can produce greater efficiency in planning and programming on both sides as well

as a more effectively targeted use of resources. Early efforts in this direction are beginning to produce results but there are more gains in efficiency and impact to be had at this level of collaboration. Not only would the assistance programs of the EU and the United States would benefit from reciprocal technical inputs from their respective experts at the design stage; such a collaborative experience would also provide a platform that the two sides could use to then investigate the potential co-creation of joint programs projects.

“ ***There are limits to what can be achieved through in-country cooperation alone. The discussion around broader, long-term challenges is best done at the capitals level”*** ”

At the same time, developing a dialogue at the senior political level is needed for a more strategic understanding of the situation regarding democracy, governance, and civil society in the region, and how to navigate it better. Such a senior-level dialogue could also, for example, open the path to some select EU and U.S. actions that are either more collaborative or better coordinated on a larger scale with the potential to produce larger, more systemic gains across the region. Senior

policymakers on both sides should discuss how they can empower their institutions to seek ways for the EU and the United States to collaborate on a quantitatively and qualitatively larger scale in civil society support, at least by testing the ground through initial targeted and clearly defined knowledge exchange mechanisms and joint assistance initiatives.

Such efforts would not only serve as pilots to establish how greater, more strategic collaboration in EU-U.S. civil society support can have more impact while maximizing the use of resources, their example would also be important for building momentum behind the principle of the EU and the United States working together in an important region and in a crucial issue sphere in which they have many common interests and goals. It would also send a strong message to the political actors and citizens of the region as to the seriousness of their commitment to supporting reforms toward the countries being governed more democratically and inclusively.

Knowledge exchange between the EU and the United States should not be limited to technical issues but

also embrace sharing analysis about developments in civil society, political dynamics between civil society and governments, efforts to broaden the range of partners, identify new actors and local organizations. This would be helpful not just for programming but also for designing common strategies and diplomacy toward individual countries. While the role of country-based staff in this is crucial, such information sharing and political analysis needs to be channeled at the capitals level, especially given the importance of regional dynamics on democracy and civil society trends as well as that of formulating strategies at the senior level of decision-making.

Recommendations

The EU and the United States should build on the examples of successful in-country information exchange by requiring their missions in all countries of the region to do this in a more institutionalized way, while leaving considerable leeway to in-country staff to determine the modality that is most appropriate to the local context. It should be standard for the EU and the United States to push together for there being a working group on civil society in each country. The exact way in which such groups should operate should be flexible to reflect the number of donors on the ground and the nature of their respective assistance portfolios there. While in some cases ad hoc consultations in-country may meet many of the same goals at the technical level, the process of convening a working group would also in itself put more political weight behind assistance efforts and helping drive change on the ground.

In countries where there is already good information exchange, the EU and the United States, along with other donors, could develop a simple joint due-diligence framework to identify local partners that have been established to be most trustworthy. This could also provide a basis for experimenting with joint assistance efforts in which, for example, monitoring and reporting procedures could be simplified so that more of the capacity of these identified trusted partners can be freed for implementing projects, contributing to the addressing the issue of sustainability.

The EU and the United States should also look into ways to formalize and institutionalize

knowledge exchanges and dialogues between relevant regional and thematic staff at the capitals level. For example, the process by which the EU is developing its new generation of road maps for civil society in the region offers an ideal opportunity for such a discussion to take place. This should then be followed up by a reciprocal consultation of EU peers when similar strategies are being prepared by the United States.

The EU and the United States should also consider convening an annual technical-level working meeting, possibly on the sidelines of a regular transatlantic event, such as the EU-U.S. development dialogue. They should also initiate more frequent regular “virtual” meetings of regional and thematic experts, as well as those of other donors, to discuss matters or countries that are of particularly high interest.

Supporting Sustainability

While there is often concern expressed about the need for donors to maintain a certain level of financial commitment to supporting civil society in the region, the scale of funding – though it should be appropriate – is not the paramount issue. Compared to most if not all areas of development assistance, in civil society support even small amounts of funding can have a lasting impact. What is more important is that donors’ financial commitment is sustained and stable over time, and that funds are invested based on an understanding that is informed by a constant assessment of donor practices and how they fit in to the context of the beneficiary countries. In addressing the persistent issue of the sustainability of CSOs, closer cooperation between donors, beginning with the EU and the United States, can have a more system-wide impact in terms of optimizing the use of existing funds. (Donors also need to go beyond avoidance of duplication and ‘double-dipping’ as a main focus of discussions on cooperation. This matters but it is not the most important issue in civil society support, and efforts at increasing cooperation should not be disproportionately directed at it.)

There is clearly awareness in the EU and the United States that supporting civil society requires a more comprehensive and truly long-term approach to building its resilience through developing its financial viability and diversifying its sources of funding. There is also awareness that donors have

tended, and often still tend, to direct funding to civil society too much on the basis of their own priorities rather than that of local actors, and that this can contribute to maintaining the distance between CSOs and the population.

There is a need for all donors to the region to make a greater effort in identifying how to encourage a culture of local philanthropy and a conducive legal environment for it so as to promote civil society sustainability. Together with local CSOs and governments, the EU and the United States should also analyze how much the legal framework in each country encourages or stymies transparency of civil society funding, or for example whether it offers a special tax regime for non-profit activities – and if this is not the case how the situation can be improved. However, donors should also not forget, when encouraging the diversification of civil society funding from national sources, that in many countries of the region, private money is not really separate from political or public money. Transparency procedures are another area that requires a deeper reflection by donors.

There is also still a tendency on the part of donors to switch their thematic emphasis every few years, even under the overall umbrella of civil society support. This undermines the long-term capacity building of CSOs by often effectively asking them to develop new issue expertise in order to have a greater chance of retaining funding support, rather than allowing them to keep building up their excellence in their own prioritized themes. Just as they often chase the “issue of the moment”, there can be a tendency on the part of donors also to want to support the new CSOs or new types of civic actors, sometimes at the expense of those that they have supported in the past. It is more resource-costly for CSOs where they feel they have little choice but to learn to apply for calls on subjects that are not directly their expertise. Overall, this issue of donor issue switches undermines the ability of CSOs to think and act strategically and in response to constituency based-needs. It is important therefore – as new issues arise and grow in importance, which is a natural part of the political evolution of countries – that donors maintain some focus on those issues and partners

“ **There is also still a tendency on the part of donors to switch their thematic emphasis every few years”**

they have supported over the longer term so that the results of their earlier investments do not wilt.

Donors to the region also need to build on the awareness they have already of the limitations and challenges for civil society that are associated with a principally project-based assistance model (recognizing that it is very difficult for them for a variety of reasons to move away significantly from this model). Channeling assistance mostly through project support has limitations when it comes to creating and maintaining civil society expertise; it can perpetuate dependency on donors as much as build capacity for CSOs; and it can reinforce the tendency of donors setting priorities rather than empower CSOs to determine their own priorities based on constituency feedback.

While the EU and the United States have made efforts to simplify their diverse application, implementation and reporting processes, the unavoidable fact that they have dissimilar ones means that for CSOs that

receive assistance from both – concurrently or a different times – more of their time and capacity is taken up by this. This effectively amounts to a diversion of some of the CSO capacity that has been supported by donors into donor-partner processes and away from the work toward the actual goals of the assistance. This is a problem in the case of project support, not least

where projects are on a shorter time frame and the share of time spent on donor processes is thus proportionately greater, but also in instances of core or capacity-building support. The administrative requirements for CSOs in reporting back on projects to donors, alongside the requirement to use the larger portion of funding on project expenditure rather than staff and office support, can also paradoxically encourage the proliferation of intermediaries and bad administrative practices.

The EU and the United States speak more of the need to engage in a genuine dialogue with civil society actors on the ground and listen to what they see as their goals and needs, and to how they want to build long-term sustainability. This needs to be translated into mechanisms and programs that not only seek and absorb this input from local actors,

but also operate in a way that responds more to it. One way in which the EU and the United States are doing so is by working more through partner intermediaries to fund civil society. This model has obvious advantages in terms of maximizing responsiveness in support to civic actors, including newer, smaller and non-traditional ones, and in allowing intermediaries and local actors to seek innovative things to support.

Alongside this, the EU and the United States could also profit from identifying one or more major issue for which joint, medium-to-long-term support for some traditional partner CSOs can be provided more flexibly, e.g. in a manner between existing core support models and the smaller-scale re-granting through partners. This could meet better the need to support the development and sustainability of a few larger CSOs, especially ones that work in a strategic area (e.g. media, anti-corruption) and have the potential to become poles for their local sectors if they can establish a secure basis for their operations over time. In order for this not to reinforce the problems of donor dependency and CSO-citizens gaps, assistance under such an approach should be set at a low level that enables CSOs to have longer-term minimum financial perspective but does not dis-incentivize them to diversify their funding sources locally.

Recommendations

The EU and the United States should develop and fund jointly a pilot mechanism to provide baseline core support over a longer period (e.g. 3–5 years) for a few trusted CSO partners working on key issues, so that these can develop and implement a more strategic agenda based on their own priorities. The funds for this could be “ring-fenced” within the EU-U.S. overall assistance budget cycles.

Within this, the EU and the United States should also test the use of new ongoing reporting, monitoring and evaluation processes that are rigorous but less onerous on these CSOs. Care should be taken not to give the impression of picking and entrenching privileged partners so as to avoid any counterproductive backlash in the rest of civil society. While still in its early stages, the USAID LocalWorks initiative could provide a valuable example of how to support CSOs in

a different way for a joint EU-U.S. effort for medium-to-long-term capacity development.

The EU and the United States should also review together to what extent their requirements for how partners can spend funds on salaries, infrastructure, and activities respectively can be amended in favor of greater discretion by partners, at least in some cases.

Diversifying Reach

In addition to joint efforts to support the medium-to-long-term sustainability of strategically important CSOs, there is much potential for increasing the impact of assistance to civil society through joint efforts to reach a wider and more diverse range of civic actors, especially those that are grassroots and located outside of the capital cities. Despite recent progress in this, there is room for improvement in how the EU and United States react to the emergence of new or highly localized civic actors across the region, and also how they engage more with non-traditional or non-institutionalized civil society, especially those that are out of beneficiary-country capitals.

The urban-rural divide has emerged as one major challenge for donors and also as a major problem in many countries of the region. Furthermore, many of the Western-oriented CSOs that have benefited most from EU and U.S. assistance have become increasingly disconnected from communities, especially those outside capitals and major cities. This feeds into the problem of hostility toward CSOs, which is exploited by political actors working against the empowerment of civil society. Addressing donors’ procedural issues is key to bridging the gap between professionalized, Western-oriented, capital-based, English-speaking CSOs and those groups and organizations active at the local and grassroots levels.

The EU and the United States need to address the challenges of diversifying their reach by simultaneously supporting established actors with the local capacity to aggregate networks while taking steps to move out of their comfort zone and engage with local, grassroots, and emerging actors that may be less willing to adapt to the language and operational models the EU and the United States have been used to. More partnerships with

local re-granting intermediaries is one approach that could be developed to reach out and offer small grants to local and grassroots organizations and civic actors. Another approach would aim to develop further civic networks in provincial and rural areas, with EU and U.S. country staff empowered to visit more often actors in their local communities rather than relying on them travelling to capitals for consultations.

A greater staff presence on the ground, such as at public consultations or in town hall debates, especially outside of capitals, would enhance the visibility of donor efforts and simultaneously send a message about their belief in the importance of civil society. Such presence could also provide opportunities for donors to engage in debates at the community level about the value of civil society in empowering citizens to be able to make choices, to access important services, and to support the development of institutions that will protect their rights.

The United States has a long record of seeking to diversify the reach of its civil society assistance. At the same time, the EU has been trying not to let its usually more complex procedures get in the way of increasing engagement with grassroots actors. It is also trying to engage with civil society more deeply and broadly (e.g. through re-granting and through the European Endowment for Democracy) and has expressed openness to seeking more partnerships not only with the United States but also with international partner organizations that have expertise on the ground.

Recommendations

The EU and the United States should entrench the initial progress they have made in working with re-granting partners to widen and diversify the reach of their civil society assistance, and should develop further their dialogue about how to expand such efforts together as well as with other donors and international implementing partners that have strong knowledge of the grassroots situation in the countries concerned.

To further widen and diversify their assistance reach to civil society in the region, the EU and the United States should look into a joint effort to produce a generic model for a basic-needs

assessment of very small CSOs and non-traditional civic actors. This would identify some appropriate basic forms of support that they could provide to help them become more sustainable, which could then be provided through short-to-medium-term “light capacity building” or small project support. In this respect, it would be crucial to devise financial and administrative procedures that are simple and with limited reporting requirements – perhaps even more than those for traditional and larger CSOs.

Pushing Back against Closing Space

As the phenomenon of the closing space for civil society has become more evident, globally and in the region, the EU and the United States have sought ways to counter this. The United States has reacted through supporting adaptation (helping local actors through such things as legal support, relevant capacity building, and emergency assistance), re-affirming solidarity with targeted civic actors, including through multilateral efforts such as the Stand With Civil Society initiative, and adapting existing modes of assistance and developing new ones. It has supported the Legal Enabling Environment Program, which was implemented by the International Center for Non-profit Law, to promote regulatory frameworks that protect civil society and provides technical assistance for CSOs. The United States is also seeking to make its already-adopted mechanisms more suited to the challenges encountered in different countries and more comprehensive, as well as looking to develop new ones.

The EU has also used, and added more flexibility to, its existing assistance mechanisms to react to the closing space and in particular to provide assistance to targeted human-rights defenders, especially through the European Instrument for Democracy and Human Rights, the European Neighborhood Instrument and the European Endowment for Democracy.¹ The EU is raising with other donors the issue of the lack of specific international standards for foreign funding, rather than incidental ones (e.g. derived on Financial Action Task Force standards), and how to build a critical mass of donors behind

1 Richard Youngs and Ana Echagüe, *Shrinking Space for Civil Society: the EU Response*, European Parliament, 2018, [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU\(2017\)578039_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf).

this. At the same time, it is making efforts to address the closing space issue in neighborhood countries where this has not been a particular focus of policy previously, such as Belarus. At the same time, though, the EU increasingly faces a changing reality in those enlargement countries where civic space had once been thought no longer vulnerable to state or political targeting.

The EU and the United States have made some good responses in developing ways to support civic actors in national environments with varying degrees of closure. They are also pushing back at the international level by reaffirming the principles of civil society freedom and transnational support for this.

In countries experiencing restrictions in civic space, the EU and the United States should favor a strategy that places more emphasis in civil society support on social issues as opposed to explicitly political ones, and that lets consciousness about civil society emerge from citizens and their concerns rather than be just encouraged by donor and NGO advocacy; for example, from community organizing around citizens' local concerns or constituency organizing for citizens around specific issues and interests.

Regimes that close civic space operate in a highly centralized way; donors decentralizing responses, including support to local groups outside the capitals, makes it more possible to bypass their space-closing measures. EU and U.S. assistance to civil society should aim to be more horizontal and de-centralized than it currently is; for example, supporting more than one or two implementing partners per such country. On the donor side too, more numerous and less sizeable support instruments would contribute to a more decentralized approach. Rather than civil society assistance being channeled only through a few professional implementers, it should be spread more widely and seek to employ the full array of EU and U.S. presence in and conduits into a country. For all, local donor representation, whether through embassies, development agency mission, or cultural offices, should all be given some resources for making small grants.

Ultimately, there is a need for the EU, the United States, and other donors to demonstrate visibly to the political class and citizens of the different countries of the region that their assistance toward civil society and their pushback against closing space is backed by a political strategy. Donors to closing space countries should make technical cooperation and economic assistance, which their regimes want, conditional on also being able to support civil society. In the context of EU accession or integration, they should strengthen the monitoring of the implementation of reforms and new legislation, and the genuineness of civil society engagement in the processes involved. Public and private bilateral talks between different donors and governments also need to constantly reaffirm the importance they attach to meaningful participatory reform. Public diplomacy by the EU, the United States, and others could also be better geared to assuring civil society that its role is taken into account by donors and defended in their dealings with governments.

At the same time, while donor understanding of and response to closing space has improved considerably, a serious challenge remains in terms of understanding and addressing the structural and societal drivers of the closing space in individual countries. There is a need to develop a finer-grain understanding of what drives the closing space in each country, at whichever level of closure, in terms of whether particular sectors or sub-sectors of civil society are targeted differently or are more or less resilient in the face of pressures. This can help map the growth of the closing space within countries in a way closer to real time by tracking the status of particular sectors of civil society where the efforts at curtailment or repression may not be so immediately obvious as for other ones.

“ ***A serious challenge remains in terms of understanding and addressing the structural and societal drivers of the closing space in individual countries*** ”

What is more, the efforts to analyze and react to the closing space for civil society in the region are still slanted toward the most difficult cases (like Azerbaijan, Belarus, or Russia) as opposed to the more numerous less extreme cases. There remains much to be learned about the particular political and societal dynamics in countries at different degrees of

"closure", including, crucially whether and why they are likely to stabilize at any particular level.

Related to this, large segments of the citizenry in different countries that had experienced democratization progress for up to two decades have been willing to accept (and, in some cases, even welcomed) the gradual erosion of civic rights and the vilification by governments of civil society groups from which citizens have benefitted. Designing responses to the closing space and more effective civil society support activities requires also a better understanding of why so many citizens in the countries of the region accept or even support the closing of space for civil society. Related to this, it is important also to acknowledge political exiles and diasporas as an integral part of civil society of the countries, and to ensure that they are not excluded from assistance strategies, including because of the role they can play in changing societal views on tolerating regimes measures to close civic space.

Recommendations

The EU and the United States should collaborate on a deeper analysis of the drivers of the closing space so as to inform better their current and next efforts to keep civic space open. A joint analysis could pave the way to collaborations on specific mechanisms or in specific countries. In particular, the EU and the United States should also develop a joint effort to study how and why governments in different contexts are able to implement measures to close civic space with the (at least) tacit acceptance of large segments of society, if not their actual support, and how donors can help CSOs reach out to these citizens to raise awareness of the issue and gain their support for keeping space open.

In order for this to feed more directly and quickly into their civil society support discussions and activities, such analyses should be built in as a component in the joint EU-U.S. efforts proposed above.

Furthermore, the EU and the United States should investigate the possibility of developing a new joint initiative directed specifically at how to assist civil society in innovative ways in the more extreme closing space cases.

Understanding Government-organized, Non-independent and Coopted Civil Society

A dimension of the closing space, and of the health of civil society in general, that is beginning to receive sustained attention is that of cooptation of civil society actors or the outright creation of organizations by governments (or their affiliates) that repress independent, critical civil society. The issue is further complicated in many countries by the blurring of the lines in the case of some actors between civic activity and electoral activity. It is understandably difficult in most situations with issues that are political in nature to draw a clear line for civil society between what constitutes partisan and non-partisan actions. Nevertheless the closer CSO actions come to being seen as part of political competition, the greater the risk this poses with regard to their credibility with the population or parts of it. In some cases, there is also the issue of apparently "civic" organizations or groups being in fact vehicles for the goals of certain political actors, including democratic ones.

As the EU and the United States engage with the countries of the region which display varying levels of civil society "closure", and especially as they encourage the creation and use government-civil society platforms and dialogues, the issue of understanding more clearly the landscape in terms of the exact nature of some of the actors involved becomes more salient and one that could consume donor resources in time and expertise to deal with. There is also a danger of donor funds ending up supporting government-organized, non-independent or coopted CSOs as part of their support for government-civil society engagement platforms.

Monitoring state resources being used to build up government-organized or government-friendly CSOs closely, and developing measures to prevent donor funds being diverted to them would be a highly desirable goal of closer EU-U.S. cooperation. Donors in general also need to revise their information-sharing practices and their analysis to address the issues of regime-supporting civil society and cooptation by governments, including in the context of donor-encouraged engagement between the two sides. The phenomenon is still recent enough for

counter-strategies to be lagging; notwithstanding the urgency of addressing this lag, it does afford the EU and the United States the opportunity from the start to develop and test out creative potential solutions together and side-by-side. For example, they could engage a joint reflection upon whether a careful and selective engagement on their part with government-created and government-friendly organizations, including through specific projects, could serve to encourage these to a degree of independence and critical distance from governments, especially those that are closing civic space.

Recommendations

The EU and the United States should pool technical expertise and resources, in-house and external, in a joint effort to map out the use by governments and political actors of government-organized, non-independent or coopted CSOs, including how they can be used to render meaningless donor efforts to foster genuine government-civil society engagement.

A further dimension of such collaboration should be working toward some broad donor guidelines for engaging with such organizations, including through any assistance channels. This exercise could also be used to provide better guidance to the work of donors and re-granting organizations when it comes to due diligence on CSO partners.

The Regional Dimension

Finally, while the drivers behind the various dysfunctions and weaknesses of civil society, including the closing space, in different countries are deeply tied to their own circumstances and history, these phenomena are also global and regional – not least when it comes to Eastern Europe and the Balkans, regions that share many political legacies and dynamics. The importance of country specificity cautions against a simplistic transfer of analysis of and response to civil society problems from one country to others, but nevertheless the presence of clear regional dynamics and similarities calls for a regional dimension to understanding and addressing the challenges. The different civil society platforms and fora, including ones supported by the EU and the United States, that already exist in Eastern Europe and the Balkans play an important

role – one that could be considerably developed by more local and outside support. One question for donors is how to provide these platforms with incentives and methodologies that can make them more than a means to exchange experiences, as well as to identify more clearly to what end they do so.

While political and institutional dynamics follow regional logics to a considerable degree, and donors' foreign policy too, assistance approaches are "under-regionalized". For example, the EU's overall approach to the countries considered here reflect regional thinking, whether with the Western Balkans strategy or the Eastern Partnership, yet this is not the case to the same extent for its democracy assistance, which follows principally a country approach. Assistance mechanisms to civil society are trying to catch up with regional thinking but still lag behind.

It is important for donors like the EU and the United States to systematically reinforce civil society links across borders in the region, including engaging a large number of civil society groups inside the EU to cooperate with peers beyond EU borders. This can go beyond the transfer of experience to include also people-to-people contacts, channeling funds, building confidence, and providing for early warning and advocacy in the EU and the United States about developments in the region. The closing space phenomenon also typically generates civil society diasporas in neighboring countries, from where they continue their work. These are important actors and conduits for civil society in their countries of origin, yet they often fall outside of the assistance mechanisms dedicated to these countries. More regionalized mechanisms can help to support diaspora civic actors and also to enable them to access assistance to work with their countries of origin. Altogether, denser cross-border webs of contacts and cooperation will be impossible to control for non-democratic governments, whatever their level of control inside of their country.

In improving their analysis and assistance to the countries of the region, there is a strong rationale for donors to give a greater role than they currently do to regional platforms and mechanisms as well as more support for cross-border exchanges and convening. This applies not only among Eastern Europe and West Balkans countries but also between them and countries of Central and even Western Europe. Regional mechanisms can also provide an additional conduit of cooperation not only between

the EU and the United States but with individual EU member states. The latter are often very selective about which countries of a region they are interested in, for a variety of reasons. Regional mechanisms provide a cost-effective way for EU members, especially smaller ones, to increase and widen their support to civil society, as well as their cooperation with other donors, without sacrificing their respective focal point and priorities.

A few existing regional mechanisms for civil society assistance already add an important layer to EU and U.S. efforts to support to civil society in the region by connecting civic actors facing similar constraints through knowledge exchange and mutual support networks, enabling them to share experiences and best practices. They can even provide emergency assistance to endangered civic actors, whether in their own country or outside it.

The Eastern Links program of the German Marshall Fund's Black Sea Trust, which is backed by USAID, supports the development of connections and knowledge and expertise exchanges between civil society in the Black Sea region and those in Central and Eastern Europe and the Baltic states. Similarly, the Prague Civil Society Centre, which is also supported by USAID, runs a regional Transitions Program for civic actors from the post-Soviet region, with international seminars, fellowships and professional exchanges, aiming to generate reform ideas and build a network of experts and practitioners across the countries concerned. On the EU side, DG NEAR is rolling out a program to team up CSOs in the Eastern Partnership countries with

ones from within the EU that have faced similar experiences.

“ A few existing regional mechanisms for civil society assistance already add an important layer to EU and U.S. efforts to support to civil society in the region”

However, there is still a lack of such support mechanisms and programs that would enable the EU, the United States, and other government or private donors, alongside implementing organizations and local partners, to scale up significantly cross-border civil society support and development. As well as enabling more wide-reaching and flexible assistance delivery, such initiatives contribute to fostering or protecting an enabling environment at the

country level through facilitating the growth of regional coalitions and networks of civic actors and CSOs, connected to more international coalitions.

Recommendations

The EU and United States should work more together in determining how to scale up and widen the reach of their initiatives to bring a greater regional dimension to their civil society support mechanisms in Eastern Europe and the Western Balkans. This should include connecting their regional assistance efforts better with the different civil society networks, platforms, and fora that operate there, as well as investigating the potential of developing a specific line of assistance dedicated to helping regional civil society diasporas. The latter could be done initially within their existing regional mechanism where they could experiment in this direction at a low cost, either together or in coordinated parallel.

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