

A large crowd of people is gathered for a protest or demonstration. The scene is filled with various banners and signs. One prominent banner in the center reads "DO U HEAR THE PEOPLE SING". To its right, another banner says "Taiwan Forward!". Further right, a banner features the numbers "89 928" and the Chinese characters "你唔走". On the far right, a vertical banner reads "風雨中抱緊自由". The crowd is dense, and the overall atmosphere appears to be one of a significant public gathering.

THEMATIC OVERVIEW: EXCLUSION

THE CIVICUS STATE OF CIVIL SOCIETY REPORT 2016 THEMATIC OVERVIEW

1. INTRODUCTION

In September 2015, heads of government of every UN member state made a historic commitment when they agreed the Sustainable Development Goals (SDGs), arguably the broadest, most ambitious agenda the world has seen to tackle exclusion in every country. The promise of the SDGs is that they will leave no one behind. The 2016 CIVICUS State of Civil Society Report examines what civil society is doing to realise this promise, and to go beyond the framework of the SDGs.

Civil society is playing a key role in challenging exclusion. It has done so in the past, it does so today and has the potential to do more in the future. For example, Phumzile Mlambo-Ngcuka, of UN Women, makes clear that breakthroughs in women's rights would not have come without civil society activism:¹

The journey of the women's movement is made up of tales of the reshaping of the power structures that govern human interactions. Many of these stories belong to the voices of civil society activists, who have been spearheading the women's movement for over a century and continue to stand firm on its frontlines.

Civil society can do more to tackle exclusion, if provided with support and enabling conditions. But civil society faces profound challenges in overcoming exclusion, and exclusion impacts on the ability of civil society to achieve change.

As the year in review sections of our report set out, governments might have committed to leaving no one behind, but the experience of many people in many places last year was one of rising, new and entrenched exclusion. In Europe, refugees from war-torn Syria and elsewhere risked everything to seek safety, but were met with hostility, xenophobia and racism; in many African countries, lesbian, gay, bisexual, transgender and intersex (LGBTI) people continue to face criminalisation and violence; in the

¹ Unless where indicated otherwise, quotations cited in this thematic essay are drawn from the 33 specially commissioned guest contributions to the 2016 CIVICUS State of Civil Society Report, or from responses to the annual survey of members of the Affinity Group of National Associations (AGNA). In some cases, quotations have been edited from the original contributions for reasons of brevity and clarity. All analysis and conclusions drawn are the views of the author, and are not necessarily those of the contributors.

USA, unarmed black men are much more likely than unarmed white men to die at the hands of the police. All over the world, people are being left behind on the basis of their gender, ethnicity, migration status, faith, age, sexuality, disability, HIV and health status, locality and more. Meanwhile, it is clear that the world is becoming economically more unequal: in January 2016, Oxfam reported that the wealth of the poorest half of the world's population had fallen by 38 per cent since 2010; just 62 people now own the same wealth as that poorest half of the world.²

2. DEFINITION AND METHODOLOGY

The term 'exclusion' here is employed in a broad sense, encompassing experiences such as marginalisation, isolation, vulnerability and inequality, against people and groups, on the basis of an identity or experience. Our preference is to use exclusion as a term because it has a clear obverse, inclusion, which encourages a focus on the positive actions that can be taken by civil society. Each exclusion in each context has a specific character, but our focus here is on looking across different experiences of exclusion and drawing out points of commonality to inform civil society action, based on examples of what civil society is currently doing to address exclusion. Our interest, as the World Alliance for Citizen Participation, lies particularly in understanding how people are excluded from participating in decision-making processes, including within civil society itself; we believe that civil society should model best practice, and we in civil society should be scrutinised for how we deal with issues of exclusion within our ranks.

This thematic overview draws primarily from 33 guest contributions commissioned by CIVICUS on the theme of civil society and exclusion. Contributions come from civil society leaders, activists and experts, and examine different facets of how civil society works to address a diverse range of forms of exclusion, and how exclusion impacts on civil society. This overview also draws from other inputs of members of the CIVICUS alliance, notably responses from 27 national and regional civil society organisation (CSO) networks in our annual survey of members of the Affinity Group of National Associations (AGNA). This overview is therefore inspired by a wide range of civil society voices, in every global region.

² '62 people own the same wealth as half the world, reveals Oxfam Davos report', Oxfam, 18 January 2016, <http://bit.ly/1PAVKgX>.

3. UNDERSTANDING THE DIMENSIONS OF EXCLUSION

EXCLUSION AS COMPLEX AND DYNAMIC

Exclusion matters because so many people experience it, and they experience it today in new and complex ways. Indeed, it can be said that exclusion matters now more than ever before, because while there have undoubtedly been gains in addressing aspects of exclusion, such as advances in equal marriage and girls' education, there is also ample evidence that exclusion is increasing in other spheres, such as economic inequality. Exclusion matters urgently because, despite advances in development, it is part of the contemporary lived experience of millions upon millions of people. Wherever exclusion happens, people are being denied their rights.

Exclusion sometimes has underpinnings in traditions and cultures, but it is important not to see exclusion as simply a given. Exclusion arises from a complex interplay of political, economic, social and cultural currents, and is dynamic and contemporary: it has current wellsprings as well as traditional bedrocks, and as discussed below, new forms of exclusion often pattern onto traditional and cultural structures.

Exclusion needs to be understood as something that is multi-layered and relational: exclusions intersect and compound, and the most excluded people experience multiple forms of exclusion. For example, Lene Steffen and Jennifer Grant of Save the Children point out that children are excluded from decision-making processes, but girl children and children with disabilities are particularly so. Gender reinforces other forms of exclusion.

GENDER AS AN ONGOING DIMENSION

Kathy Mulville of the Women's Global Network for Reproductive Rights sets out the ways in which women activists, and activists who challenge gender norms, experience threats that are specific to their gender:

For many, demanding rights for women or simply being a woman activist can be life-threatening. This is especially true for those who challenge societal gender and social norms. These can include

norms relating to reproductive rights, sexuality, freedom of expression, or the right to dress a certain way. For example, activists can be threatened for campaigning against female genital mutilation, early marriage or abortion, or for advocating for the rights of transgender people. Those who are themselves gender non-conforming are particularly targeted both for their advocacies and their identities

Marie Becher of Peace Brigades International similarly assesses that women human rights defenders, and women indigenous human rights defenders, are particularly vulnerable:

Indigenous women who defend the rights of their communities face all the risks that their male colleagues experience. In addition, they are targeted with gender-based violence and have to cope with gender-specific consequences of attacks, particularly when their activism challenges gender norms and roles. Indigenous women's rights defenders have reported that threats and attacks also take place in the private sphere, including in the home, often perpetrated by non-state actors, and in some cases by family or community members.

In essence, in any excluded group, women are more likely to experience exclusion than men, and when women challenge exclusion, they face heightened risk of violence. As Henri Myrtilinen of International Alert puts it:

Politically active women are far more likely than men, even in peaceful societies, to be subjected to violent and sexualised intimidation, ranging from verbal or physical abuse to gender-based violence, abduction or death.

Violence forms part of a larger and ongoing pattern of female exclusion. Phumzile Mlambo-Ngcuka sets out the profound changes women still face, despite decades of breakthroughs:

Women still do 2.5 times as much unpaid care work as men and make an average of 24 per cent less for the same work; around the globe, some 35 per cent of women live with sexual or physical violence, usually at the hands of an intimate partner, with this number rising to 70 per cent in some societies.

CIVICUS has pointed to the very difficult situation for women human rights defenders in Egypt, for example, with the scale of the problem probably being under-reported because it occurs within a general climate of the suppression of women's rights. A number of women human rights defenders have been imprisoned or detained, and this comes within a broader context, in which sexual violence is deployed as a routine weapon against women activists, female genital mutilation is still widespread, rape and sexual harassment are insufficiently addressed in the legal system and the judiciary has wide discretion to grant clemency in cases of domestic violence.³ This experience is repeated in many other contexts.

The SDGs offer fresh impetus to challenge these ingrained denials of rights. Goal 5 promises to end all forms of discrimination against all women and girls everywhere, while committing to reforms to give women equal rights to economic resources, as well as access to ownership and control over land and property, financial services, inheritance and natural resources. Notably, Goal 5 makes clear that all states have committed to ensuring women's full and effective participation and equal opportunities in leadership and decision-making, and universal access to sexual and reproductive health and rights.

CYCLES OF EXCLUSION

Exclusion can be cyclical: exclusion fuels renewed exclusion. For example, the stigmatisation of people on the basis of their sexual and gender identity can lead to economic exclusion, which further limits access to rights. Qamar Naseem of Blue Veins reports how transgender people in Pakistan are forced onto society's fringes, making them more vulnerable to exploitation:

Transgender persons are forced to live on the margins of the society as entertainers, beggars and sex workers. Psychological and physical distress results from the exploitation of their non-conformist sexuality by the community and the state machinery.

Marcela Romero of the Latin American Network of Transgender People (REDLACTRANS) records that transgender people can be locked in similar cycles of exclusion:

³ '29th session of the Human Rights Council, ID on WG on discrimination against women', CIVICUS, 18 June 2015, <http://bit.ly/1NUH8I5>.

The lives of transgender women in Latin America are marked by a dynamic of exclusion that is the consequence of family, social and institutional transphobia. This begins at a young age when they are often rejected by their families, and essentially excluded from the educational and healthcare systems. This lack of education and access to job opportunities pushes the vast majority of transgender women in the region into sex work.

LAYERS OF EXCLUSION

Exclusion is dynamic in the sense that people who are particularly vulnerable as a result of their status can graduate into further experiences of exclusion. For example, people who are members of an ethnic, religious or social minority experience an additional form of exclusion if violence against them forces them to become displaced. Exclusion as a consequent of displacement is something Julia Duchrow of Brot für die Welt discusses in her analysis of the appalling treatment of refugees in Europe in 2015. People's statuses and experiences are not fixed, and how they are perceived may change, but at each stage those experiences can be characterised by exclusion.

Similarly, new forms of exclusion can occur that most adversely impact on the already excluded. For example, Toby Porter of HelpAge International sets out how ageing adds another layer of exclusion; all people may be excluded by virtue of becoming older, but the experience is worst for those who are poor and excluded in other ways, such as by having a disability. This is becoming more of a challenge as populations age, both in the global south and global north:

For millions of people the impact of years of poverty, inadequate access to healthcare, poor nutrition and limited education accumulate with devastating impact in older age.

Toby Porter also calls attention to another way in which exclusion is dynamic: breakthroughs can unlock further challenges; development successes in the global south mean that people are living longer, which in turn makes the exclusion of older people a more urgent challenge.

LOCATION AND EXCLUSION

Location interacts with other aspects of exclusion. Often, excluded groups are concentrated in isolated rural areas or deprived urban zones, and geographical isolation reinforces exclusion. For example, Glown Wombo Kyei-Mensah of Participatory Development Associates notes that in Ghana, the worst conditions for people with mental illnesses or epilepsy are experienced in rural areas; Andrew Norton and Charlotte Forfieh of the International Institute for Environment and Development set out that people in rural areas or poor urban areas have the worst exposure to climate change; and Marie Becher from Peace Brigades International assesses that rural excluded groups find it hardest to access means of redress, such as legal services. Olfa Lamoum of International Alert describes how stigma can attach to location: young urban groups in Tunisia are stereotyped as violent and disaffected when they live in particular neighbourhoods.

The Zambia Council for Social Development points to poor service delivery and limited access to information in rural areas and informal urban settlements, while the Uganda National NGO Forum sees a clear divide between the country's south west and north east:

Regional disparities present a form of exclusion and marginalisation: regions above the River Nile are less developed in terms of infrastructure, industry and general citizens' welfare, while those below the Nile are better in terms of the road network, general infrastructure and social services.

Julio A Berdegué of RIMISP-Latin American Center for Rural Development calls, however, for a nuanced approach to understanding rural-urban divides, drawing attention to the many different spaces in which people live that are neither tiny villages nor sprawling cities. The danger is that policies to address rural or urban exclusion do not reflect this lived reality:

These socio-spatial places, or territories, where most of us live and make our living, are precisely those most invisible to policy-makers and, I would argue, to civil society as well. We continue to think in terms of a dichotomous world of the rural, separate from and even contradictory with the urban, and this lens informs the ways that policy-makers and organised civil society act. We are designing

policies and strategies for a world that exists largely in our imagination.

At the same time, Julio A Berdegué sets out that rural-urban divides persist, both in access to essential aspects of well-being, such as education, health and sanitation, and in people's abilities to participate, express dissent and develop power. Simply providing more services to rural people does not lead to them having more opportunities to participate, meaning that targeted interventions need to be made to develop participation capacities and potential in excluded locales:

As a matter of human rights, every person, regardless of place of residence, must have access to a set of services and enjoy a level of well-being that allows him or her to express his or her human potential to the fullest degree. However, the experience of many higher middle income countries shows that many of these gaps can be reduced significantly, but without a corresponding proportional effect being generated in the ability of rural people to have a stronger place and role in society. Closing the rural-urban gap in basic indicators of well-being is not enough to create more and better development opportunities for rural people.

The focus, Julio A Berdegué, suggests, should be on developing linkages and connections between rural and urban locales, and the spaces in between. Civil society has a role here in promoting policy and good practice, given that the way the local governance of different spaces is organised tends to work against connection:

Urban development and rural development policies do not speak to each other, and therefore miss the multiple opportunities for coordination and synergies that would achieve greater impact. Organised civil society is the only force that can promote this change in governance systems, so that they match in much better ways the rural-urban lives of so many people who no longer identify themselves with the labels of the past.

CHANGING PRIORITIES

As with everything in human affairs, fashions in addressing exclusion come and go. Some initial successes can lead to problems wrongly being regard-

ed as solved, even when breakthroughs unlock further challenges, while some issues fade from public gaze as others rise to prominence. Joanna Maycock of the European Women's Lobby, for example, reports a sense that women's rights are now being moved to the back burner after some earlier prominence and progress:

We have seen an overall loss of focus about women's rights as a central and very political means of bringing transformation.

Pushback is being seen against some issues precisely because they have achieved greater visibility and civil society action has become stronger. For example, Wanja Muguongo of UHAI EASHRI - the East African Sexual Health and Rights Initiative notes that as the fight for equality in sexual identity has become more vocal, the trend has grown of criminalising not only same-sex behaviour, but even the holding of a minority sexual identity, and civil society action on sexual identity.

At the same time, others feel that some forms of exclusion, on which they act, consistently receive less visibility and fewer resources than others: Toby Porter sees ageing as a neglected subject, Glowen Wombo Kyei-Mensah of Participatory Development Associates points to neglect around mental health, and Vladimir Cuk and Jaimie Grant of the International Disability Alliance assess that some forms of disability receive far more attention than others.

EXCLUSION AND IDENTITY

Exclusion is tightly connected to identity: people are excluded on the basis of identifying with, or being identified as, part of a group. Amartya Sen's seminal study of identity, *Identity and Violence: the Illusion of Destiny*, invites us to understand that people hold multiple identities, and that identity should be seen as a dynamic, relational category: a person identifies simultaneously with many different belongings and groups, and the balance between these shifts in relation to who a person is interacting with, where they are, what they are doing and what they are experiencing.⁴ The danger is of designing and implementing policies that see only single identities, or see identity as frozen.

⁴ 'Identity and Violence: The Illusion of Destiny', Amartya Sen, Allen Lane, 2006.

There is a need to acknowledge identity as a voluntary category: however well-intentioned, it is wrong to bracket a person as belonging to a particular group and on that basis label someone as excluded; a person needs voluntarily to identify as belonging to a particular group. There is, however, an additional complexity at play, in that someone may lack awareness of the ways in which they are being excluded. This may imply a role for civil society in raising awareness and consciousness among members of an excluded group, and enabling people to understand themselves as excluded in order to start to act to challenge exclusion.

By understanding the reality that people hold multiple identities, it is possible to develop a conception of a peaceful and vibrant society as one in which people have the space, opportunities and confidence to celebrate and explore their identities, resist stereotyping and stigma, and challenge exclusion. This is an essentially pluralist vision of society in which there are multiple spaces and platforms for self-expression, sharing and the articulation of demands, and where access to spaces and platforms is understood as a right.

Goal 16 of the SDGs commits to a vision of peaceful and inclusive societies with an assurance of access to justice for all, underpinned by effective, accountable and inclusive institutions at all levels. To realise this, the three fundamental civil society rights that CIVICUS works to defend - freedom of association, freedom of assembly and freedom of expression - are essential. The implication is that there cannot be a healthy and meaningful engagement with exclusion without respect for fundamental civil society rights, and there is considerable overlap between the aims of overcoming exclusion and of ensuring a strong and free civil society. Closer connections therefore need to be made between combating exclusion and supporting civil society, as gains or setbacks in one may influence the other.

FAITHS, CULTURES AND EXCLUSION

Questions of how cultures and faith identities intersect with exclusion are complex. Cultures and faiths can be pressed into service to justify or encourage exclusion, as several contributors point out. Embedded practices of patriarchy, for example, may be defended by references to culture and tradition. Lene Steffen and Jennifer Grant note that customary and religious beliefs can be asserted to impede the application of human rights obligations, with states writing reservations into international human rights

covenants on the basis of culture, and Phumzile Mlambo-Ngcuka similarly assesses that customary practices can overcome the intention of new laws for equality. Kathy Mulville comments on how:

Culture, tradition, custom and religion are used to validate suppression of the activities of women human rights defenders by those who seek the power to deny women their rights.

Indeed sometimes, Kathy Mulville suggests, the embedded power of stereotypes and attitudes runs so deep that those held back by them see them simply as facts of life:

Many women human rights defenders do not recognise attacks as human rights violations. They may perceive abuse, often condoned within their community, as part of the job, and an unavoidable consequence of local customs and tradition.

Glown Wombo Kyei-Mensah of Participatory Development Associates describes how misplaced cultural beliefs, such as traditional ‘cures’, can actively harm people with mental illnesses, and Marie Becher discusses how cultural practices and norms can hinder women from reporting human rights abuses and accessing essential services following abuses. Wanja Muguongo puts forward that rhetoric around faith, including from religious leaders, is part of how LGBTI rights are denied in Africa, and Shehnilla Mohammed of OutRight Action International identifies how religious leaders can characterise LGBTI people as ‘un-African’ or ‘un-Godly’.

Faith leaders can use hate speech to encourage exclusion, something discussed further below. In several contexts, recent years have also seen vile acts of terrorism enacted against citizens, the justifications of which are made in reference to extremist and exclusionary distillations of religion. The risks to civil society activists from religious extremists in some countries, including Bangladesh, India and Pakistan, are discussed in our report’s section on civic space.

It would be easy, in the light of atrocities, to see cultures and faiths as problems, as forces that hold people back from accessing their rights. And yet at the same time, people are excluded on the basis of religious identities. Islamophobia and anti-Semitism are increasingly powerful forces in many countries, including in backlash to terrorist attacks, while our year

in review section on civic space calls attention to the oppression of Myanmar's Rohingya people, an exclusion that is mounted largely on the basis of their identification as an Islamic minority. Faith can therefore be seen as a source of motivation to exclude others, but also as the basis on which a group is excluded.

Amjad Mohammed-Saleem, an analyst of South Asian issues, draws attention to an apparent paradox: the increasing ease of communication and international movement of people that characterise globalisation might have been expected to lessen people's identification with faiths, but instead may be increasing it, as faith gives people something to hold on to in a more complex world, in which the nation state is challenged as a unit of organisation and identification:

Today we are experiencing dark moments, and in the tumult, religion appears to shine like a beacon of hope and reliability. As a repository of symbols, a system of belief, a convergence of cultural rights, a structure of morality, an institution of power and one that challenges old systems, people often find religion offers them a sense of community, a trusted authority and meaning for their lives.

In this reading, faith identification can offer a shortcut through complexity. At the same time, the increasing ease of communication makes it easy for religions to be judged and for stereotypes perpetuated, and used to fuel conflict, on the basis of reductive readings of faiths, and the actions of extremist outliers.

In this context, where faiths can be misunderstood or deliberately misinterpreted, there is a need to scrutinise the ways in which political figures marshal and deploy the forces of extremism in their interests, as the Voluntary Action Network India (VANI) suggests is the case in its context:

In 2015, there were several instances of attacks and vandalism in churches in and around Delhi by fringe elements. There was also a case of mob lynching of a Muslim man over cow slaughter rumours, which created uproar and unrest in society. These incidents have created a sense of insecurity among minority communities in India. Many have questioned the silence of the prime minister on issues of intolerance. Since the prime minister is known as an

active social commentator and employs social media effectively in this regard, he was expected to speak up against these issues to assuage apprehensions, but his prolonged silence has raised doubts among people.

Ultimately, Amjad Mohammed-Saleem suggests, because faith exists and is important to so many people, faith structures, and people's complex relationships with faiths, need to be understood and engaged with. While faith may be a source of attitudes and behaviours that contribute to exclusion, it also a key part of the social fabric in many societies. As Amjad Mohammed-Saleem expresses it:

Faith identities will continue to be part of the picture, and faith based organisations will continue to thrive as part of civil society. Virtually all faiths have a common purpose, which is to serve humanity and aid the disadvantaged, which thereby addresses exclusion.

Part of how exclusion can be overcome therefore lies in bridging and brokering between faith based and secular civil society, but doing so on practical terms, rather than through the dialoguing of religious elites. Dialogue should be grounded in a lived experience of faith, in which faith motivates good deeds, and religious pluralism is encouraged. Cultures and faiths also need to be understood as dynamic: they change over time, and aspects of cultures and faiths that enable exclusion can be challenged and changed, even as valued traditions are maintained.

POTENTIAL CIVIL SOCIETY RESPONSES

Given the complexity of issues of exclusion, there is a need for civil society to undertake detailed and ongoing contextual analysis before intervening, and for civil society to develop and update continually its awareness of nuance, complexity and the ways in which different forms of exclusion intersect, compound and interplay. This is critical because civil society is often the only source of defence for the rights of excluded people.

The only way that the complex and ever shifting maze of exclusion can be navigated is by listening to the voices of the excluded. This in turn implies that civil society should open itself up to being accessible to excluded people, and enable and empower excluded voices, which entails helping to

enable multiple and diverse platforms for participation and expression that excluded communities can own. If civil society does not listen, and listen regularly, it will fail to challenge exclusion. Only civil society can open itself up in this way because, realistically, governments, political leaders and the private sector will not be amenable to conceding much of their power. Civil society needs to do this consciously and proactively, and in a way that is informed by the realities of the lives of excluded people.

4. CURRENT DRIVERS AND DYNAMICS – WHAT MAKES THIS MATTER NOW?

EXCLUSION, POWER AND POLITICS

Exclusion is as old as history. Araddhya Mehta of Oxfam points out that discrimination by caste and gender in India was first codified 4,000 years ago, while Joanna Maycock indicates that patriarchy has existed far longer than any economic system and has been written into all major belief systems. The historical wellsprings of exclusion need to be interrogated and engaged with if exclusion is to be overcome. But at the same time, because exclusion is dynamic, the current, urgent drivers of exclusion, and contemporary opportunities, need to be understood.

Entrenched narratives and practices of exclusion interact with current and emerging drivers, as in the case of indigenous peoples: indigenous peoples tend to be historically excluded, but in many parts of the world they are now being threatened by large corporations that seek access to land and resources. While attacks from large corporations are contemporary phenomena, they pattern onto histories of exclusion, and those histories make indigenous people more vulnerable to attack, as Marie Becher observes:

While the diffusion of power away from governments towards corporations is a somewhat new phenomenon, the threats emerging from this sphere towards indigenous activists often intersect with historical marginalisation and exclusion from all major parts of society, including from political decision-making processes and the justice system.

The inference is that there is a need to understand and ask questions of power, and of how power takes advantage of exclusion, as Jenny Ricks of ActionAid suggests:

Inequalities are intersectional. It is crucial to consider gender, race, class, caste and ethnicity, amongst other inequalities, when trying to understand the discrimination people face, and to shift power on a greater scale. It is not only about wealth. It is a lot about power, in all its forms.

Exclusion is no accident of history; exclusion is often a deliberate process in which power is exercised and rights denied. In any context, there are forces that hold power and benefit from excluding others, and will therefore be liable to resist the redistribution of power. As Lene Steffen and Jennifer Grant point out, in the context of child rights:

The civil rights of children have been ignored by governments, caregivers and civil society, in part because to grant them would be to challenge a status quo that privileges adults over children. To see children as equals and as capable agents of change can be very threatening to power hierarchies.

The National Council of NGOs in Kenya points to the explicitly political aspects of exclusion in its context, with political appointments made on the basis of tribal and ethnic identifications, and communities excluded because of their identification with opposition groups. Similar challenges are observed by the Centre for Civil Society Promotion in Bosnia and Herzegovina for ethnic minorities living in areas controlled by other groups. In Bolivia, according to the Foundation to Support Parliament and Citizen Participation (La Fundación de Apoyo al Parlamento y a la Participación Ciudadana, FUNDAPPAC), the exclusion of indigenous peoples goes hand in hand with economic inequality, the denial of proper representation and the criminalisation of leaders. The Uganda National NGO Forum attests that in its context there are starkly political dimensions to the ways in which people are excluded from access to services:

Political marginalisation and exclusion are very evident, with the ruling class using state resources against the constrained opposition members. This translates into denial of equal access to services from government institutions, such as access to information,

and specifically during the election season, opposition leaders were denied access to certain service delivery centres.

The Macedonian Center for International Cooperation (MCIC) points to the systematic exclusion of the country's Roma people, and the ways in which this fuels their continued poverty:

Hardly any progress can be reported in terms of political representation, media coverage in the Roma language and the status of the Roma language in municipalities with a Roma majority. Roma have limited economic opportunities. Poverty remains the biggest factor behind the low share of Roma children in education. Segregation, stereotyping and other forms of discrimination remain prevalent.

Again, the SDGs should offer a platform for stronger action. Goal 10 of the SDGs promises to empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.

ECONOMIC INEQUALITY

One of the major current drivers of exclusion is rising economic inequality, with growing gaps between rich and poor, as Araddhya Mehtta observes:

Exclusion is overlain by economic inequality. The increasing gap between the rich and the poor has furthered existing social cleavages rather than diminished them.

Inequality is increasing even in contexts of economic growth. Growth is generally presented as a precondition for development and the movement of people out of poverty, but on its own growth can do nothing to challenge exclusion, and can increase it. In October 2015 the Global Wealth Report from Credit Suisse revealed that almost 88 per cent of the world's wealth is controlled by the top 10 per cent of the world's population, and one per cent of people control half of the world's wealth. The report, issued just weeks after the SDGs made a commitment to tackle poverty and inequality, demonstrated the scale of the challenge of turning SDG com-

mitments into action.⁵ Further recent research has revealed that economic segregation is increasing, both in major European cities and in the USA.⁶

The implication is that already excluded communities are not benefiting from economic growth as much as established elites are; growth is rather enabling a concentration of power into the hands of elites, which reinforces existing exclusion. The Argentine Network for International Cooperation (Red Argentina para la Cooperación Internacional, RACI) observes how economic growth has not served everyone in its country:

The fundamental feature is growth with inequality, where progress has not had equal impact across the population: there are still significant numbers of people who have not been beneficiaries of widespread growth and that constitute pockets of exclusion and structural poverty.

The hard core of vulnerability is seen among marginal working class residents in informal settlements, including heads of household or underemployed or unemployed young households with children.

The Uganda National NGO Forum sees similar inequality in its context:

Economically, there is a growing inequality gap between the rich, middle class and the absolutely poor, which influences the level of access and utilisation of services.

VANI likewise notes that, while India is now classed as the world's third largest economy, it is also home to an extraordinary number of the world's poor:

Every third poor and illiterate person in the world is an Indian; and, about half of the country's children are malnourished. India ranks deplorably high in maternal deaths.

5 'Global Wealth in 2015: Underlying Trends Remain Positive', Credit Suisse, 13 October 2015, <http://bit.ly/1VJxrWf>.

6 'Socio-Economic Segregation in European Capital Cities', Segregation EU, 2016, <http://bit.ly/21vK7je>; 'The Rise of Residential Segregation by Income', Pew Research Center, 1 August 2012, <http://pewrsr.ch/1rTyNBL>.

As VANI describes it, the wealth concentrated among India's wealthy elite, and particularly its new billionaire class, could eradicate absolute poverty, if more evenly distributed.

Ignacio Saiz and Luke Holland of the Center for Economic and Social Rights (CESR) point to the politics behind economic inequality. In Europe, states are cutting back on public services, which impacts disproportionately on the already excluded, while enabling the rich to grow wealthier:

After more than five years of draconian cuts to key social sectors and regressive tax, labour and social welfare reforms in countries across Europe, a stark pattern of growing inequality and deterioration in economic and social rights has emerged.

CESR highlighted the severe and disproportionate impact of Europe-wide austerity measures on women, migrants and asylum seekers, Roma people and other ethnic minorities, children, young people and older persons, people with disabilities, and LGBTI people.

The Panama Papers scandal highlighted the nefarious impact of tax abuse by wealthy elites in depriving government coffers of the revenues needed to tackle inequality and fulfil human rights, just as the most disadvantaged sectors of the population see wages stagnate, social protection slashed and services they rely upon cut through austerity measures.

RACI also discusses how recent economic downturn in Argentina has affected excluded groups, such as children:

The slowdown in economic growth and setbacks in some indicators are having a significant impact on children, in terms of living conditions, access to education, health, housing and protection.

As Jenny Ricks assesses it, rising economic inequality, and the concentration of wealth into the hands of a tiny elite, threatens to stymie so many of the achievements for which civil society is striving:

Organisations across many sectors, including the women's movement, trade unions, environmentalists, human rights defenders,

development organisations, faith based organisations, civil society networks and more, have seen how their struggles for a fairer and more sustainable world are being threatened by the concentration of power and wealth in the hands of fewer elites.

As VANI makes clear, economic inequality will not be challenged by any invisible hand of the market; it demands a profound shift in governance:

Extreme issues of exclusion, marginalisation and inequality can only be removed by a good model of governance, as Indian governments in the past have only paid lip service to addressing these critical challenges, while the benefits of development have not percolated to the poor and needy.

Similarly, for Jenny Ricks, a shift in power can only be brought about by a concerted civil society movement:

We cannot rely on the market, or the state or corporations to do the right thing. Ending inequality will primarily involve people holding the powerful to account at all levels in greater numbers, and with greater collective power.

Araddhya Mehta suggests some clear steps that could be taken to challenge economic inequality, which could form the basis of civil society advocacy, but counsels that these alone will not be enough to address exclusion:

Ending tax havens, resourcing basic services and providing an equal living wage for men and women are some ways in which growing economic inequality could be bridged. Social inequality and exclusion, however, are more complex problems that money can't always solve. Many prejudices that govern policy and practice require behavioural change, not only from policy-makers, but also from the people at large.

Phil Vernon of International Alert suggests that we also need a new social sustainability test of economic growth:

The idea that economic development alone equals progress is no longer believable, if it ever was. It is fatally undermined by the

need to consider environmental and social sustainability. By social sustainability, I mean: does economic development avoid doing harm, and does it benefit people widely enough across society? Does it help make society more resilient to stresses and shocks? Does it reduce exclusion and marginalisation?

Goal 10 of the SDGs introduces a number of targets to reduce inequality within and between countries, as Ignacio Saiz and Luke Holland indicate:

SDG10 commits governments to reduce inequality within and among countries, including through fiscal, wage and social protection policies, along with improved regulation of the finance sector. The SDGs and the Financing for Development agreements also include commitments to tackle illicit financial flows and improve international cooperation in tax matters.

It will be up to civil society to push for these commitments to become real. Campaigning can build on the civil society response to state funding cuts, which, Ignacio Saiz and Luke Holland point out, demonstrates common ground across different contexts:

Regressive austerity measures have effectively burdened the poor and disadvantaged with the costs of the economic crisis, while safeguarding the wealth and privileges of the economic elites responsible for causing it. Outrage at this unfairness has at times boiled over into the streets, with mass mobilisations against austerity and inequality in many parts of the world. The demand for governments to respect basic social rights and tackle extreme inequality has been a unifying feature of these movements. Indeed, the commonality of the injustices experienced and demands made has helped foster transnational solidarity, empowering activists in each context, and in some cases helping secure significant victories. In other cases, they have spurred the emergence of new political forces in response to popular frustration with more established alternatives.

Whether the SDGs live up to their potential depends on how effectively civil society activists around the world can maintain the pressure for human rights to be at the core of the economic and

development agenda, in order to bring about a transformational shift from austerity to accountability.

The case can be made, backed by research, that in the long run, inequality is damaging for societies, and more equal societies perform better on key indicators of social well-being.⁷ This suggests a potential focus for political advocacy by civil society.

EMPLOYMENT AND LIVELIHOODS

More broadly, responses to exclusion need to engage with the economics of exclusion, and its connections with political, social and cultural facets. This means that there is a need to understand the material sources and impacts of exclusion, and connect these with other important aspects, such as the workings of identity and the power of narratives and language, discussed further below.

There is of course an intimate, two-way relationship between poverty and exclusion. People are excluded as a consequence of being in poverty, and people are poor because they belong to excluded groups that are denied fair access to economic opportunities. Edward Ndopu of Amnesty International calls attention to the structural barriers against bringing people with disabilities out of poverty:

Not only are people with disabilities more likely than their non-disabled counterparts to live in extreme poverty, they are also less likely to be able to circumvent poverty because of the ways in which disabled life is structurally unaffordable.

Edward Ndopu goes on to relate how the exclusion of people with disabilities in South Africa leaves them unable to access employment opportunities that would help them overcome their poverty; although there is government support for people with disabilities, it is insufficient to enable them even to travel to job interviews.

RACI in Argentina points out that young people are three times as likely to be unemployed than the average, and young women even more so. In Macedonia, MCIC relates how the exclusion of Roma people feeds through into employment difficulties:

7

'The Spirit Level', The Equality Trust, 2012, <http://bit.ly/1iqZgST>.

Labour market conditions remain very difficult, with continuing high unemployment rates, alarming levels of youth and long-term unemployment and very low participation rates of women. Although policy measures are being taken to promote social inclusion, poverty remains a serious problem for Roma people.

Olfa Lamloom of International Alert makes clear how the material impacts of unemployment are fuelling the disaffection of urban young people in Tunisia, who were such an important part of the country's 2011 revolution:

The high hopes of young people, one of the most active groups in the revolution, have turned to bitterness, in the face of chronic underemployment, underdevelopment and political exclusion.

The danger here is that the experience of economic exclusion can lead to disenchantment and disengagement, generating potential for extremism. Any strategy to build young people's inclusion needs, therefore, to have a focus on developing employment opportunities, alongside measures to foster political participation and increase trust between excluded young people and political figures.

In Argentina, RACI sets out some of the practical initiatives of civil society to improve the material conditions of the excluded, including community-based production and social enterprise schemes that blend traditional approaches with the use of new technologies, and the development of micro-credit. The Uganda NGO Forum reports that CSOs are focusing on developing livelihoods in the poorest regions, where people have been left out of development.

More broadly, Phil Vernon calls attention to the material dimensions that need to be taken into account in peacebuilding:

To put it simply, long-term peace is really only possible when people have fair opportunities for a sustainable livelihood and the accumulation of assets, combined with general well-being, justice and security, in a context of good governance.

Excluded groups can also find themselves targeted when they are seen to inhibit the economic interests of others. Marie Becher points out that

indigenous people can be attacked because they stand in the way of access to resources that powerful actors - governments, the private sector and political and criminal interests - want to exploit:

In most cases, indigenous human rights defenders are attacked because people who hold power have an interest in the land and resources that their communities own, occupy or use. Aggressors know that indigenous communities and their leaders often have a strong capacity to organise collectively, advocate, resist and defend their right to autonomy and cultural identity. By threatening, attacking and criminalising indigenous activists, who are often leaders with political and spiritual authority, aggressors try to dismantle the social fabric that enables this resistance.

Abuses of the rights of indigenous peoples by extractive interests is also observed by FUNDAPPAC in Bolivia:

The indigenous peoples of the lowlands are by far the most marginalised and vulnerable. The current government's extractive desire causes the violation of their constitutional rights.

There is a need, Phil Vernon asserts, to ask who has economic access, and who is excluded from economic activity. As conflicts are at least partly over resources, to build more peaceful and inclusive societies there is a need to ask profoundly material questions, such as how resources are shared out, where resources are scarce, and who controls the distribution of resources.

CONFLICT

We live in a world characterised by complex conflict. Michael Hill of Youth for Understanding notes the role of narratives of fear, misunderstanding and hatred in current conflicts, while Phil Vernon calls attention to the new forms of conflict that trouble many societies, including urban and gang violence, and civil wars. Rising conflict makes the promotion of inclusion a more pressing issue, because inclusion and peacebuilding are intrinsically linked, Phil Vernon suggests:

Inclusion and fairness are particularly important for peace, in two ways. First, and most obviously, because unfairness and exclusion lead to frustration and grievance. Aggrieved people, excluded

from the opportunities and benefits available to others, may turn against the society that has excluded them, especially if the unfairness is tangible and immediate: for example, if they are denied land or irrigation, when others around them have both. When exclusion is linked to identity - to ethnicity, for example - it can give rise to a shared, chronic sense of grievance that can all too easily turn into violence.

Second, chronically unfair societies contain within them the seeds of violent conflict because they enshrine habits of 'structural violence' - exclusion - that harm those who are excluded, and thus implicitly condone the idea that some members of society are allowed to do harm to others. This can legitimise other forms of violence. This is one reason why LGBTI freedoms are important for peace: not because repression of sexual minorities will lead to civil war, but because it legitimises structural violence and makes society less peaceful generally. In both cases, unfairness contributes to a fundamental lack of resilience, thus undermining stability.

Another way in which conflict - and disasters such as earthquakes and extreme weather events - interact with exclusion is that they disproportionately impact on excluded groups. Qamar Naseem notes that in Pakistan, which experiences both internal conflicts and disasters such as earthquakes, transgender people are particularly vulnerable, because when they are displaced they lose their existing support structures and face heightened risk of violence:

Currently Pakistan's western border areas are racked by violence as government forces fight separatists and pro-Taliban militants. Hundreds of thousands of people have been displaced by the fighting, causing significant damage to human life, livestock and property. The resulting massive displacement, poor living conditions, overcrowding in camps, lack of privacy, disruption of social networks and social norms, and destruction of health and other support facilities have significantly exacerbated the already acute vulnerabilities of the transgender population.

Qamar Naseem also suggests that excluded populations can be overlooked in responses to conflict and disaster, and worse, responses can buttress exclusion. For example, responses can lock onto and reinforce the family

as the preeminent unit to support and channel resources to, which misses transgender people who do not live in conventional family structures or who are alienated from their families. Toby Porter also points out that disasters disproportionately impact on older people, but humanitarian responses hardly ever make special provision for older people. Similarly, the 2015 UN State of the World Population Report indicates that little attention has been given to how women and men experience disaster and conflict in different ways, and suggests that the particular needs of women are often an afterthought in disaster response. The report points out that, as an already excluded group, women are more adversely affected by humanitarian emergencies. For example, 60 per cent of all preventable maternal deaths happen in emergency settings, because access to pregnancy and birth care becomes harder, but appeals for humanitarian funding, and humanitarian responses, rarely focus on the provision of sexual and reproductive health and rights services.⁸

SPOTLIGHT: THE EUROPEAN REFUGEE EMERGENCY

Conflict and crisis is giving rise to increasing numbers of displaced people which, according to the UN refugee agency, UNHCR, now stands at an all-time high of 59.5 million people.⁹ Displacement became the major political issue in Europe in 2015, when an influx of refugees, including from Syria, Afghanistan and Iraq, brought the best and worst out of Europe's people and governments, and exposed fundamental weaknesses in European states' commitment to human rights.

A record number of 1.2 asylum seekers arrived on a continent which, as discussed over our series of State of Civil Society reports, has seen its politics grow more volatile and more polarised. Public opposition to the European Union (EU) has increased, and racism and xenophobia have seeped into public discourse.¹⁰

Public opinion showed itself to be volatile in response to the influx of refugees. In September 2015, the photo of the body of Alan Kurdi, a three year-

8 'Shelter from the storm. A transformative agenda for women and girls in a crisis-prone world', State of World Population Report, United Nations Population Fund, 2015, <http://bit.ly/1tX65st>.

9 'Worldwide displacement hits all-time high as war and persecution increase', UNHCR, 18 June 2015, <http://bit.ly/1CeFpcc>.

10 'Record number of over 1.2 million first time asylum seekers registered in 2015', Eurostat, 4 March 2016, <http://bit.ly/1oUIAGC>.

old Syrian boy washed ashore on a Turkish beach after his boat capsized, shocked the public, led to a surge of donations to civil society and galvanised a reaction from political leaders, but such effects were short-lived. Other events, such as the November 2015 terrorist attacks in Paris, and a series of sexual assaults in Cologne, Germany on New Year's Eve, seemed decisively to sway public sentiment away from support for the refugees. Violent anti-refugee protests were seen in Germany in July 2015 and January 2016, and far right group Pegida, which had been in decline, experienced a revival.¹¹ A reactionary electoral backlash to the refugee situation could be observed in Austria, France and Germany, among other countries.¹²

Governments quickly reversed their open border policies, and rewrote refugee reception procedures. As discussed in our section on civil society at the global level, several governments raided their aid budgets to pay for refugee reception and provided aid to repressive states, from which refugees come, to reinforce their borders. They also scrambled to declare as 'safe' countries and areas that refugees were coming from or gathering in, putting aside human rights concerns. The governments of Bulgaria, Hungary and Slovenia erected razor wire fences, which served to divert refugees to neighbouring states, and Slovenian forces pepper sprayed those trying to cross its border.¹³ In addition, in November 2015, the governments of Hungary and Slovenia started court proceedings against the EU to try to block the implementation of a quota system under which each EU country would receive a number of refugees.¹⁴ Denmark saw a xenophobic backlash against refugees, from both the state and many citizens: among a package of anti-refugee measures pushed through in January 2016 was a law that allows the state to seize cash and valuables from refugees, while

11 'German far-right extremists clash with police in protest outside Dresden refugee camp', Independent, 25 July 2015, <http://ind.pn/1TOVTBY>; 'Like a poison': how anti-immigrant Pegida is dividing Dresden', The Guardian, 27 October 2015, <http://bit.ly/1NVdRUv>; 'Anti-refugee protestors rampage through German city', Al Jazeera, 12 January 2016, <http://bit.ly/1SNeUCH>.

12 'Germany: The refugee crisis and a nation defined', Daily Maverick, 24 November 2015, <http://bit.ly/1NVevkR>; 'French elections analysis: despite its defeat, the far-right Front National is still rising', The Telegraph, 14 December 2015, <http://bit.ly/1TKNhLu>; 'The Austrian Malady: Turning Right in the Refugee Crisis', Spiegel Online, 2 May 2016, <http://bit.ly/1rgXRlh>.

13 'EU migrant crisis: Serbia, Croatia and Slovenia struggle to cope with river of refugees' International Business Times, 21 October 2015, <http://bit.ly/1UyjsRW>.

14 'Does extremism threaten Hungary's standing in Europe?', BBC, 11 June 2015, <http://bbc.in/21w3Cbt>; 'Migrant crisis: Hungary challenges EU quota plan in court', BBC, 3 December 2015, <http://bbc.in/1SLVRvP>.

the Danish government prosecuted citizens who helped refugees as people traffickers.¹⁵

The EU lost moral authority, and failed to live up to the values it claims to promote, by striking a tawdry deal with the government of Turkey in March 2016. The deal agrees to transfer Syrian refugees from Greece to Turkey, trading them on a one-for-one basis with Syrian refugees from Turkey who have been processed as asylum seekers. The deal entails designating Turkey as a safe country, even though its human rights record is poor and worsening, and it has a history of forcibly returning refugees to their countries of origin. The government of Turkey has extracted financial and political concessions in return, including the easing of visa restrictions for Turkish citizens and the acceleration of talks on EU accession. The process has reduced some of the world's most vulnerable people, made stateless by conflict, to the status of being a political bargaining chip, and involved the EU giving tacit support to a state that, as our civic space section makes clear, routinely detains its opponents. It also risks fatally undermining the 1951 Convention relating to the Status of Refugees, one of the key building blocks of international law. In response, some CSOs that are working with refugees stated that they would not cooperate with the new agreement¹⁶

As Julia Duchrow of Brot für die Welt observes, while Germany's government was generally acknowledged to have responded more positively than most, even there, the approach did not come without the imposition of new limitations:

Several countries in the Balkans were declared as safe countries of origin and the asylum claims of refugees from these countries were processed in a fast procedure, and restriction of refugees' social services was passed, despite the problematic human rights situation for minorities in these countries. In February 2016, restrictions on family reunification in cases of subsidiary protection were introduced, and the scope to expel a person who has committed a crime was widened.

15 'Danish MPs approve seizing valuables from refugees', Al Jazeera, 27 January 2016, <http://bit.ly/1RLdMDr>; 'Denmark punishes citizens for helping refugees cross the border', Independent, 12 April 2016, <http://ind.pn/1RTHhC3>.

16 'EU-Turkey deal a historic blow to rights', Amnesty International, 18 March 2016, <http://bit.ly/1X8aZFR>; 'Turkey and EU reach landmark deal on refugees', Al Jazeera, 18 March 2016, <http://bit.ly/1RoBndM>; 'EU, Turkey seal deal to return migrants, but is it legal? Or doable?', Reuters, 20 March 2016, <http://reut.rs/1R3r2AS>; 'Swedish lawyers condemn EU-Turkey migrants deal', The Local, 20 March 2016, <http://bit.ly/1NVfl7w>.

While the emergency was seen as a political crisis for Europe's governments, the danger was of overlooking the reality of the humanitarian and human rights crisis being experienced by refugees. Julia Duchrow urges a focus on realising and upholding the rights of refugees:

In many countries, refugees and migrants are being criminalised, forced to enter a country illegally and often denounced as threats to national security. In many countries, refugees and migrants face false allegations of supporting terrorist groups.

For Bread for the World, a main area of work for many years has been to expose the human rights violations that occur through the expanding policies of the EU to deter refugees even beyond the EU's external borders. Opportunities to enter the EU legally are now almost non-existent for migrants and refugees. The restricted legal methods of migration force refugees and migrants to migrate illegally, and make them liable to being victims of human rights violations in countries of transit, at the border and in the countries into which they are fleeing. In particular, women and children are often subject to violent attacks and exploitation.

Crossings of the Mediterranean were very dangerous, and many died. In the worst single disaster, a shipwreck in April 2015 left an estimated 800 people dead. Overall, at an estimated 3,771 deaths, 2015 was the deadliest year on record for migrant deaths in the Mediterranean.¹⁷ Conditions in refugee camps in Greece and Turkey, and at the so-called Calais Jungle in France, could be described as inhumane. Violence flared between refugees and Greek security forces in October 2015, while three quarters of residents in the Calais camp experienced police violence, and sections of the camp were violently cleared in 2016.¹⁸

17 'UN says 800 migrants dead in boat disaster as Italy launches rescue of two more vessels', The Guardian, 20 April 2015, <http://bit.ly/1GbrzuG>; 'IOM Counts 3,771 Migrant Fatalities in Mediterranean in 2015', International Organization for Migration, 5 January 2016, <http://bit.ly/1RMMW8L>.

18 'Backlog of refugees stranded on Lesbos has added further stress to an already volatile situation, says the IRC', International Rescue Committee, 21 October 2015, <http://bit.ly/1ZbMXIC>; 'Tensions rise with backlog of refugees stranded on Lesbos', International Rescue Committee, 23 October 2015, <http://bit.ly/24xnBIE>; 'Calais 'Jungle': 75% of refugees have 'experienced police violence'', Independent, 4 April 2016, <http://ind.pn/1UFshdw>.

As the crisis unfolded in 2015, we spoke to Libby Freeman of Calais Action, a voluntary response to help refugees in camps.¹⁹ She drew attention to the need to document human rights violations committed against refugees:

In Calais CSOs are asking for cameras to be donated so they can document violence by the French police towards the refugees. The violence and mistreatment of refugees is a huge problem they face daily, and something I have spoken to many refugees about first hand. A group called Calais Migrants Solidarity has been involved in documenting the violations of human rights of refugees. Refugees are completely stripped of rights while living in the camp, and there is nothing that they can do about it, as they are desperate.

Amid the political and media clamour the voices of civil society were in danger of being crowded out, but it is important to acknowledge the ways in which civil society worked to provide essential services to refugees, and challenge the dominant public discourse. As Julia Duchrow observes:

Refugees are amongst the most vulnerable people in any country. Particularly in countries of the global north, refugees face racism from parts of the population. In many countries, there is also a large group of people supporting refugees in transit or in countries that refugees flee, to ensure integration. Particularly when refugees face situations where public services have collapsed, as in Greece or elsewhere, and when public services are not able to provide for the basic economic and social needs of refugees, civil society often fills the gap.

Calais Action was one of the many grassroots responses that organised to provide urgent supplies to refugees, working in the Calais camp and in Croatia, Hungary and Serbia. In the UK, new technology enthusiasts mobilised to provide new tech platforms to help refugees use mobile phones to access information on services, employment opportunities and work through asylum application processes.²⁰ International and European CSOs scrutinised and criticised the responses of states and the EU and called for increased resources and a greater commitment to accept refugees.²¹

19 This is an edited extract. For the full interview see 'CSOs at the frontline of the refugee crisis', CIVICUS, 5 October 2015, <http://bit.ly/24xnM6R>.

20 'Refugee Crisis? There's An App For That', Londonist, 8 April 2016, <http://bit.ly/1NnPxoo>.

21 'In the global response to the refugee crisis, European leaders are lagging behind',

While there were xenophobic and racist protests, there was also a spontaneous public reaction of more progressive voices. For example, in Germany, football supporters used high profile matches to hold aloft banners stating that refugees were welcome; the use of English indicated that they had an international audience in mind, and they were imitated in the UK.²² Local CSOs in communities in which refugees were settled also mobilised to volunteer to support them and make them feel welcome.²³

Many of the refugees that gathered in Greece in 2015 travelled via Macedonia, calling for a broad-ranging civil society response, as the Macedonian Center for International Cooperation (MCIC) relates:

The commitment of civil society to show solidarity and support was tested. Many organisations, as well as citizens, engaged in volunteering and providing humanitarian aid for refugees passing through Macedonia. As time went by, and there was a continuation of the inflow of people, CSOs and citizens not only offered their support by providing for basic needs, but also challenged and pressured the government to improve legislation, its work and dedication to providing safe and secure passage. Additionally, many CSOs shifted their priorities in supporting refugees as a response to the ongoing crisis. A positive example of lobbying to change legislation were changes to the Asylum Law, made in June 2015, upon the initiative of CSOs and human rights activists.

In Finland, Kepa also describes the voluntary response to the arrival of refugees:

A big change in Finland in 2015 was the increasing flow of immigrants and asylum seekers. This offered a challenge logistically, including the question of how to mobilise resources very quickly for many CSOs, but was also very difficult due to the resistance, negative discussions and even extreme protests of some Finnish people.

International Rescue Committee UK, Christian Aid, British Refugee Council and ActionAid UK, 30 March 2016, <http://bit.ly/1V8UZSL>.

22 'German football fans welcome refugees and invite hundreds to watch match', The Telegraph, 31 August 2015, <http://bit.ly/1KxUjlu>; 'Arsenal Praised For Being Only Premier League Club To Raise Money For Refugees', BuzzFeed, 12 September 2015, <http://bzfd.it/23oCA57>.

23 'The refugees being sent to Coventry are welcome', The Guardian, 13 October 2015, <http://bit.ly/1L9naeG>.

One of the most significant achievements of Finnish civil society in 2015 were the actions of solidarity and tolerance in response. For example, ordinary people gathered for a picnic to welcome refugees, and there was a large 'we have a dream' event that mobilised, with very little notice via Facebook, 15,000 people to a concert and demonstration in the middle of Helsinki. There have been thousands of people volunteering in refugee centres.

Julia Duchrow describes the joined-up response offered by different civil society groups in Germany, which included the provision of emergency assistance, political support, advocacy for the realisation of the human rights of refugees and for good quality social provision, combined with long-term programmes in countries refugees come from to try to address the root causes of displacement. However, Julia Duchrow also points to a connection between the negative rhetoric of states and the rise of attacks on those helping refugees:

In line with the general positive mood of the German government, the population reacted in a very positive and receptive manner, supporting refugees in order to fulfil their basic needs quickly. But when the government passed restrictive legislation to bring the numbers of arrivals down, movements within the country that advocate for racism, nationalism and exclusion grew and became more militant. As a result, individuals and CSOs supporting refugees reported being faced with threats by right wing groups and individuals, as were the refugees themselves. In several countries, groups supporting refugees have been subject to surveillance and other pressures.

Libby Freeman outlines the voluntary nature of the response, arising out of humanitarian motivations, but also the limitations of this:

There are many challenges involved. Gathering and maintaining the human resources and the funding which ultimately drive any kind of aid is a challenge. What you end up with is a lot of people helping through sheer frustration because nothing gets done by the government. So it is ordinary normal people who have no prior humanitarian experience, and that is a challenge because we do not offer training programmes.

At times, volunteers contrasted the heavy commitment of those who voluntarily mobilised out of humanitarian impulse with the powerlessness of the staff of large aid agencies, who at times were hamstrung by bureaucracy and the need for aid agencies to work with governments hostile towards refugees. As with any response to emergency, there were also issues of coordination and coherence between many different responses, competition for resources and visibility, and accusations that some large CSOs were using marketing tools to generate resources that presented refugees as victims and denied them dignity. There were also accusations that a focus on refugees from Syria was generating a two-tier system, in which refugees from other countries received less attention and support, and were made a lower political priority, challenging an essential principle of equality in humanitarian response.²⁴

Ultimately, many of the responses to the crisis from every sphere could be characterised as parochial, even if necessarily so, to respond to immediate, local needs. What should be understood is that the European situation formed part of a global refugee crisis, in which conflicts, human rights failures and economic hardship have driven the current record number of displaced people, against which the response from states and international agencies has fallen far short of what is required. Failure to bring an end to conflicts in the Middle East, and the lack of international funding to enable people to stay in troubled countries, have stoked the emergency.²⁵

In 2015, Europe was forced to confront a challenge that has long existed in the global south, but has attracted little attention: as Julia Duchrow points out, almost all the world's refugees are in countries that immediately neighbour their countries of origin, which are in the global south. European governments and international agencies consistently found themselves behind the curve of the crisis, holding numerous summits and reinforcing borders, while failing to unlock the level of resources effective response requires. Civil society action made a difference to many who were robbed of their rights and demonised, but the scale of the emergency was overwhelming. After the present emergency has faded from the spotlight, the long-term issues that turn citizens into refugees are likely to linger unad-

24 'The humanitarian caste system?', IRIN, 30 September 2015, <http://bit.ly/1MH-V6PY>; "We can do better." A volunteer's perspective of Europe's refugee response', IRIN, 5 November 2015, <http://bit.ly/1SLY62i>.

25 'What caused the refugee crisis? You asked Google – here's the answer', The Guardian, 9 December 2015, <http://bit.ly/1SNGIYp>.

dressed, and refugees will remain vulnerable to human rights abuses. As Julia Duchrow suggests, major failures of governance will remain, and so a civil society advocacy agenda seems clear:

The various organisations and networks of civil society should work together to expose the consequences of the externalisation of migration control by EU countries on countries outside Europe. Only an environment free of suspicion, surveillance and criminalisation can guarantee that diversity in society is recognised and pursued as an important goal, and an atmosphere created that protects refugees and migrants. Only governments that can be seen to be standing for and promoting a human rights based approach to refugee protection and migration control can prevent the rise of xenophobia and racism in their countries.

Unless there is concerted effort towards systemic change, Europe can expect to continue to receive wave after wave of refugees on its shores, hostility and conflict will increase, and civil society will continue to be stretched to the limit to respond.

CLIMATE CHANGE

Climate change is a further urgent global challenge, as recognised in the SDGs. To deal effectively with climate change and environmental degradation, Goal 15 seeks to protect, restore and promote the sustainable use of ecosystems, sustainably manage forests, combat desertification and check land degradation and biodiversity loss. To make progress on these goals, there is a need to address the clear dimensions of exclusion in climate change. As Andrew Norton and Charlotte Forfieh of the International Institute for Environment and Development indicate, climate change is innately unjust, because those who have done the least to cause it experience its worst impacts, both globally, at the level of comparison between countries, and within countries.

Andrew Norton and Charlotte Forfieh make clear that climate change, while a new threat, patterns onto and reinforces existing forms of exclusion:

Power relations lead to specific social groups suffering an excess of poverty, exclusion or discrimination, which undermines their ability to cope with or adapt to the negative impacts of climate change. Women, for example, may be more exposed to climate hazards due to customary practices, or vulnerable to specific stress due to their roles in households.

Poor communities are considerably more exposed on a global scale to the impacts of extreme weather events. There are many reasons for this: it may be because they live in parts of urban centres most likely to flood, or because they are rural farmers and are highly affected by drought. Low income groups are less likely to have savings and safety nets, social protection, access to services, capacity and, simply put, options. And within those communities, some social groups are much more vulnerable than others. For example, in the Sahelian drylands of west Africa, women are typically responsible for gathering water and fuel wood. Water stress caused by drought can greatly increase the time and labour burden that falls on them in performing those tasks.

The impacts of climate change are also causing populations to become displaced, which brings a further experience of exclusion for already excluded people, given the poor treatment displaced people often face.

IMPLEMENTING THE SDGS

For many in civil society, it is clear what the current opportunity is. The SDGs, because they specifically address inequality, and apply to all countries, appear as a potential game-changer. Phumzile Mlambo-Ngcuka describes the SDGs as:

A powerful counter-story of peace, gender equality, sustainability and shared prosperity that benefits the many excluded peoples of the world... arguably the most ambitious agenda for human progress that the world has ever seen.

There is now ample evidence, over the 15 year course of the SDGs' predecessor, the Millennium Development Goals (MDGs), that simply focusing on poverty does not necessarily challenge exclusion; indeed, as discussed

above, economic growth can fuel inequality and give rise to exclusion. The MDGs had no explicit focus on challenging inequality, and did not make specific mention of the needs of many excluded groups. As Vladimir Cuk and Jaimie Grant identify, this lack of detail meant that the situation of many excluded people became relatively worse as less excluded parts of the population benefited from interventions framed by the MDGs:

While we see that significant progress has been made in pursuing the MDGs for many, it is still important to recognise that this has not been the case for persons with disabilities, as it has not been for other at risk groups. Not being included meant being left behind, and actually intensifying inequality.

The transition from the MDGs to the SDGs can be seen as an acknowledgement that a focus on crude numbers has reached its limits, and that conditions of worsening inequality have added fresh urgency. By general consensus among our contributors, the SDGs are better at recognising the specific needs of excluded groups. For example, from a disability perspective, Thomas Ongolo of the Secretariat of the African Decade of Person with Disabilities finds encouragement in the relative precision of the SDGs' language:

The text specifically mentions persons with disabilities, rather than assuming that terminology such as 'vulnerable groups' would cover everyone, or leaving it to the interpretations of development practitioners.

Of course, language is only a start. For Gabriel Ivbijaro and Elena Berger of the World Federation for Mental Health, while the inclusion of some text relating to mental health in the SDGs is an improvement on the MDGs, which said nothing about the issue, the text alone can achieve nothing; the need is for CSOs to advocate towards national governments to make commitments about addressing mental health:

Key to addressing the neglect of mental health is advocacy at multiple levels to make sure the issue moves up on the political agenda. Advocates need to stress that government budgets do not provide adequate funding to cover the need for mental health services in the community.

The SDGs now need to be implemented, with a firm focus on combating various forms, processes and impacts of exclusion. Part of how the impact of the SDGs as a whole is assessed should be on the impact that they make on exclusion. If exclusion is as pressing a problem at the end of the SDGs as it is now, then the SDGs will have failed.

Continued civil society engagement in assessing the SDGs and exercising accountability over commitments, and structures to enable this, will be essential to avoid such failure. As Phumzile Mlambo-Ngcuka describes it:

Inclusive processes and structures are needed so that women's CSOs - from grassroots to regional and international levels - can effectively participate in the 2030 Agenda's implementation and monitoring.

As our report's section on civil society at the global level discusses, current contested issues with the SDGs include the agreement of indicators, and the role of CSOs in monitoring and reporting. The danger, as time moves on from the agreement of the SDGs, is that commitments will become watered down, including in the setting of indicators and oversight mechanisms. As Kathy Mulville puts it, civil society needs to assert the crucial grounding of the SDGs in human rights:

Women's human rights defenders are crucial in achieving the goals laid out in the 2030 Agenda, and states and the UN must take concrete steps to ensure that they are protected and recognised as key stakeholders and partners at all levels in implementing the SDGs. It is vital that civil society comes together to demand that states facilitate the work of women's human rights defenders, including by ensuring their meaningful participation in the development and monitoring of relevant policies and programmes, including the SDGs, and by creating an environment conducive for them to carry out their important work free from harassment, intimidation and violence.

Vladimir Cuk and Jamie Grant counsel that all those seeking to implement the SDGs need to avoid the temptation of cherry picking which exclusions will be addressed, or adopting a phased approach. Because exclusions overlap and compound, there is a need for approaches that intersect:

If the new SDGs are going to be met for everyone, we need to establish how each investment is going to work for everyone. We can't work on women's issues one year, children's the next, migrants after that, and persons with disabilities another. Each of our movements must collaborate from day one of every project, participating throughout the design, implementation and evaluation to ensure meaningful, comprehensive inclusion is ingrained in the DNA of the SDGs' response, across each country, and throughout the global review process.

This means that CSOs need to work collectively, and begin the process of collaboration now, as the implementation of the SDGs starts to unfold. The SDGs were the focus of the most sustained and wide-ranging civil society advocacy campaign of all time, and civil society needs to sustain its engagement with the process. As implementation gradually grinds into gear, the advent of the SDGs, with its breakthrough recognition of exclusion, offers a pivotal, high stakes opportunity that needs to be seized or lost.

5. EXCLUSION AND CIVIC SPACE: INCREASING RESTRICTION, INCREASING EXCLUSION

The SDGs dedicate Goals 16 and 17 to the creation of just, peaceful and inclusive societies, and to revitalising the global partnership for sustainable development. Critical to this will be ensuring access to information and protecting fundamental rights, including civil society rights, while encouraging and promoting meaningful civil society partnerships.

The present reality falls far short of this. Current, pressing issues of exclusion are particularly troubling because they come at a time when civil society space is coming under severe pressure. Over our series of State of Civil Society Reports, we have documented how, in countries in every region of the world, the fundamental civil society rights that define the boundaries of civic space are being pushed back, by state actors and political, private sector, criminal and extremist interests. The concentration of economic and political power, the rise of public anger about this, expressed through protest, and the pushback on civic space are intimately connected. In the

context of women's exclusion, Phumzile Mlambo-Ngcuka summarises the current challenges against civic space:

Many states are now promoting a security agenda, which has led to new and increasingly fierce attacks on democratic actors and democratic space. Civil society, and in particular women's rights activists and other social justice actors, face serious threats to their work and lives. The very legitimacy of their political work is being challenged as being anti-government and is liable to draw legal action. Many groups are being starved of resources and political space and access. Addressing this diminishing space for civil society must be a top priority.

Around the world, a poisonous discourse of intolerance, fear and exclusion has put women's rights squarely in its crosshairs. In the last few years, a number of societies have become more insular and intolerant, and governments have become increasingly authoritarian, squeezing civic spaces and cracking down on the debate, dissent and critique that is vital to women's rights and social justice movements everywhere.

As Araddhya Mehtta expresses it, two different trends are in tension with each other: there is a renewed attack on civic space, including by states as part of a stated concern with enforcing security, and dissent has increased, in part because of the opening up of social media channels:

Globally, the last two years have seen the space for civil society shifting and changing, growing smaller as governments assert a concern with enforcing security, but afforded more opportunities as the intensity of social media increases. There may never have been so much revealed dissent or so many tools for governments to control it.

The dynamic between these two is that as people express increased dissent, states apply further pressure to suppress it. When protest has proved successful in recent years in leading to political upheavals in repressive states, this has made other states more nervous about dissent, and more inclined towards repression.

Exclusion adds a third dynamic to civic space restriction. Restrictions do not fall equally across all sections of society, and they most affect those who already have little power. Those who are excluded already have the least voice in society, and so can least afford to experience any further restriction. Excluded people are the people who most need access to channels of dissent, but as Araddhya Mehtta puts it, they are the ones who face the highest costs of restriction:

For the socially excluded, dissent remains both particularly risky and particularly important.

The reason for this comes in the nature of the response to exclusion by CSOs and activists: by definition, they are raising questions that many would prefer not to be asked, and seeking to overturn dominant narratives. They are challenging those in power, because excluded groups, in seeking redress, are pursuing rights and resources that many in power have no interest in conceding. They are seeking a redistribution of power. Because of this, CSOs and activists of and for excluded groups are a particular target for restriction.

A common tendency, in the current wave of restriction, is for people from excluded groups to be characterised as terrorists or threats to national security. Julia Duchrow indicates how refugees and migrants can face false allegations of being supporters of terrorism, while Araddhya Mehtta points out the ways in which civil society activists are slurred:

When citizens and activists criticise government policy they are often labelled 'anti-development', 'anti-national', 'politically motivated' and even 'against national security'. In cases where this is coupled with measures to restrict civil society space and stifle public debate, marginalised groups are the worst affected, as they are often the ones challenging dominant and majority perspectives. This undermines the legitimacy of many groups of citizens and their ability to operate as engaged and active citizens.

Aruna Roy of Mazdoor Kisan Shakti Sangathan (MKSS) observes similar tactics being applied against civil society movements that are trying to stand up for poor and excluded people in India:

There has been a concerted and deliberate attack on CSOs, often by using the smokescreen of categorising CSOs as foreign-funded or anti-national as justifications for policing and surveillance. The stated fear is the undermining of the sacrosanct objective of national security, but the real threat is the questioning of high economic growth rates, and anti-people policies. The government clearly understands that social movements representing people's interests are a major adversary to corporate access to resources.

Marie Becher also notes such rhetoric being used against CSOs and activists that strive to realise indigenous peoples' rights:

Indigenous and other activists have been presented as 'anti-development', 'anti-dialogue', 'terrorists' and 'drug dealers'. These discourses can lead to divisions and weaken civil society as a whole.

A crackdown on the rights of indigenous peoples' CSOs is also being seen in Bolivia, reports FUNDAPPAC:

There are many organisations that were dedicated to defending the rights of indigenous peoples and conservation of the environment in Bolivia, but all of them now are threatened and sometimes attacked by the government through legal procedures that are totally subordinate to state power.

Constructions of national security and what constitutes national identity are rarely expansive, and who gets a say in defining these is rarely open. By definition, minority identities, particularly when they challenge established power, are rarely going to be consistent with narrowly constructed notions of national identity and what is deemed a threat to national security, which are determined by power-holders. So it is that, as Araddhya Mehtta observes, the powerful are pre-emptively eroding people's rights on the basis of their identity, as potential threats to national security, and as Wanja Muguongo describes, sexual and gender minorities are being painted as threats to ill-defined notions of national identity and national morality:

There is a growing political trend to strengthen laws that criminalise same-sex sexual relations and sex work, and community organising that promotes the dignity of sex work and diverse expressions of sexuality and gender. This political tide is increasingly

and specifically seeking to block and even criminalise advocacy for the human rights, health and dignity of sex workers and sexual and gender minorities. It is singling out these communities as threats to the notion of the 'natural order', an obtuse notion that gets substantial traction from its religious heritage.

Such attacks offer an implicit recognition of the power of civil society to focus dissent, and particularly change attitudes and win arguments by mobilising protest, engaging with citizens and undertaking advocacy. As Marie Becher observes, leaders of indigenous groups are attacked precisely because of their ability to organise dissent and resistance effectively. Civic space attacks are therefore being exerted specifically with the aim of isolating the civil society of excluded groups from the civil society mainstream and building public opinion against excluded groups. Wanja Muguongo characterises the situation in East Africa as follows:

Political leaders are actively using hate speech around diverse expressions of sexuality and gender as an issue to divide civil society, seeking to make an artificial divide between what they characterise as a 'good domestic civil society' that advances African independence, development and growth, and a 'bad foreign civil society' that challenges institutions of family and faith.

The approach in which excluded groups are attacked under the banner of national security and anti-terrorism can, of course, be counter-productive. Michael Hill notes that violence often results from marginalisation, feelings of powerlessness and people's anger that their values are not tolerated and respected, while Araddhya Mehtta suggests that the restriction of dissent on the basis of identity leads to backlash:

The suppression of dissent, often claimed to be an attempt to enhance national security, has often had the opposite effect, by causing deeper polarisation, leading to less secure, more fragile societies that foster divisiveness and encourage social competition and tension, instead of greater solidarity and cohesiveness across social groups.

The negative effects of such suppression call into question the real motivations behind it, suggesting that the restriction of civic space is more concerned with the consolidation of political and economic power than the

prevention of extremism and terrorism, something discussed in more detail in our year in review section on civic space.

It is important, however, in seeking to defend and enable civic space for excluded groups, to recognise the resources that excluded groups can have, and not to fall into narratives of victimhood or powerlessness. Matthew Hart of the Global Philanthropy Project and Ben Francisco Maulbeck of Funders for LGBT Issues, in their joint contribution, suggest that, precisely because they are accustomed to operating in difficult conditions, excluded groups can have vital experience in navigating restriction that makes them resourceful in the face of the current crackdown:

Since LGBTI leaders and CSOs have been grappling with homophobia and transphobia for decades, many have already developed strategies for continuing to operate effectively, even in the most repressive of contexts. Driven by dedicated volunteers and courageous activists, they are able to mobilise people and provide vital community services through informal networks and innovative mechanisms.

SPOTLIGHT: CONTESTED CIVIC SPACE FOR LGBTI CIVIL SOCIETY

Successive State of Civil Society Reports have documented one of the major battles for human rights around the world, and one in which civil society is active and winning victories: the fight for LGBTI rights. This is an important and pressing subject: until everyone has the same rights to act as they wish in their private lives, on the basis of consent, then there is not equality.

LGBTI people, activists and CSOs are in many contexts facing attack or restriction. Some states, such as Kyrgyzstan, are passing anti-gay laws modelled on Russia's repressive law. In Lithuania, at least five draft laws have been put forward since 2014 to criminalise advocacy for LGBTI rights, including the holding of pride marches and the dissemination of information. In Nigeria, prison sentences of up to 10 years can now be imposed for participating in CSOs that advocate for LGBTI rights.²⁶ Malaysia's highest

²⁶ 'UN HRC: Civic Space Restrictions in Central Asia and Eastern Europe must be addressed', Article 19, 22 June 2015, <http://bit.ly/1SAz6uF>; 'Supporting an enabling environment for LGBTI civil society. Concept note', CIVICUS, 23 June 2015, <http://bit.ly/1W7kaH0>.

court upheld a decision in October 2015 that makes cross-dressing illegal, essentially making it impossible to live openly as a transgender person.²⁷

Attacks on LGBTI people and groups often serve as an indicator of the wider repression of human rights, and LGBTI people and groups are particularly vulnerable to current waves of civic space restriction. Matthew Hart of the Global Philanthropy Project and Ben Francisco Maulbeck of Funders for LGBT Issues note how, as a group that is historically excluded, and against which there is social stigma, LGBTI people and groups represent something of a soft target for civic space restriction. In some contexts LGBTI people and groups are singled out for attention, but even when they are not specifically targeted, they are likely to be adversely affected by any restriction of civic space:

In several cases, LGBTI communities have been explicitly targeted by regimes that seek to close space for civil society. Since 2013, Algeria, Lithuania, Nigeria and Russia have all passed laws prohibiting 'homosexual propaganda', making it difficult, if not impossible, for LGBTI CSOs to operate without interference from the state.

LGBTI communities and CSOs are particularly vulnerable to the closing of space for civil society. Throughout history and across many cultural contexts, LGBTI people have often been subjected to criminalisation and violence simply for exercising their rights of assembly and association. A group with this history of marginalisation is bound to be among the most affected when repressive regimes place constraints on civil society.

Attacks can come when authoritarian regimes seek to detract attention from governance failures, and populist leaders seek to garner support, and often have the aim of fostering division within civil society and encouraging public suspicion, as Shehnilla Mohammed of OutRight Action International points out:

State sponsored violence and homophobia tend to rear their ugly heads in the lead up to elections, especially in countries where the leaders are determined to stay in power. They use their LGBTI citizens as scapegoats and often incite violence against them as a

²⁷ 'NGO alert: Malaysian court upholds anti-trans law', The Guardian, 12 October 2015, <http://bit.ly/1W1eZwg>.

ploy to distract the voters from all that is wrong with the country and their leadership.

Wanja Muguongo of UHAI EASHRI - the East African Sexual Health and Rights Initiative reports that CSOs that seek to realise rights for LGBTI people can also come in for close regulatory scrutiny:

Increased discussions by governments about the need to 'regulate' CSOs has the agenda of restricting the space for civil society organising, and the freedoms of assembly, association and expression. The case for regulation is carefully crafted by governments to appear as a well-intentioned effort to promote and protect values of accountability and transparency across government and non-government actors, but in fact, the effort veils specific and targeted efforts at legislating surveillance to single out and immobilise agencies undertaking work labelled as foreign or morally objectionable.

Matthew Hart and Ben Francisco Maulbeck further discuss the use of regulatory tactics to constrain CSOs that work on LGBTI rights:

In some cases, repressive regimes prevent LGBTI CSOs from formalising their institutions, raising funds and practising the most basic right of assembly.

The direction of travel is however not one way. Each year, there are indications of progress in the journey towards the realisation of equal rights. The last year has seen some major breakthroughs on same-sex marriage legislation, a key indicator of progress. A landmark moment came in June 2015, when the US Supreme Court ruled bans on same-sex marriage as unconstitutional. Same-sex marriage also became legal in Colombia in April 2016, and Ireland's overwhelming support for same-sex marriage, registered in its May 2015 referendum, saw the first such marriages carried out in November 2015. Nepal's new constitution, while controversial in other respects,²⁸ makes it the first Asian country to recognise LGBTI rights explicitly at the constitutional level.²⁹

²⁸ See our section on civil society response to conflict and disaster for more on the new constitution of Nepal.

²⁹ 'Nepal's Constitution and Lessons for India', The Diplomat, 7 October 2015, <http://bit.ly/1QS410f>.

None of these victories came about without sustained and committed civil society campaigning. As Shehnila Mohammed describes it:

For many LGBTI people around the world, who sometimes feel their struggle is insurmountable, the US Supreme Court ruling was inspiring, as it was evidence of what could be achieved with consistent, organised advocacy and campaigning. The Supreme Court ruling was the tipping point following decades of campaigning by LGBTI activists. What the United States Supreme Court ruling underscored is that change is a process, and often a long sequence of events and actions. In this case, it was decades of consistent pressure, litigation and activism.

These examples show that breakthroughs are possible, but they demand sustained campaigning. Regressive laws can be challenged and changed, and public attitudes are dynamic and can be turned: research shows that attitudes towards LGBTI people and behaviour have changed remarkably over the past 20 years.³⁰

Contributors set out the different ways in which CSOs are realising LGBTI rights. CSOs are documenting human rights abuses, challenging impunity and fighting legal cases, in the courts and transnational human rights systems. They are working to challenge stigmatisation and stereotyping, and change public attitudes, and are pushing back against hate speech, including through dialogue with those who attack LGBTI people on grounds of national identity, culture and faith. They are developing messages of rights, empowerment and liberation rooted in the global south. Shehnila Mohammed describes the growth of the African movement in this regard:

Just a few years ago there was no LGBTI movement on the continent. That has changed. African LGBTI people and human rights defenders are definitely growing in numbers and becoming stronger as a continent wide movement, and are attempting to assert their rights more openly.

³⁰ 'Public Attitudes toward Homosexuality and Gay Rights across Time and Countries', The Williams Institute, November 2014, <http://bit.ly/1NjN4kx>.

Kene Esom of African Men for Sexual Health and Rights (AMSHer) also observes how CSOs of the global south are working to change public attitudes and challenge common narratives, including of victimhood:

The dominant narrative about LGBTI persons in Africa is one of passive victimhood: of a group that is actively persecuted by its governments and subject to all manner of discrimination, exclusion and human rights violations, based on people's sexual orientation and gender identity. This narrative often ignores other stories: positive stories of resilience, strategic organising, advocacy for legal and policy change, and contributions to social change in other spheres of injustice.

Matthew Hart and Ben Francisco Maulbeck indicate how, as a result of advocacy, LGBTI rights have become a more mainstream human rights issue:

In every corner of the world, LGBTI activists and allies have worked to resist persecution and to advance the recognition of the rights and dignity of all people, regardless of sexual orientation and gender identity. These activists have organised themselves in CSOs, networks and informal groups, often doing so in repressive contexts and with limited resources. In recent years, as acceptance of LGBTI people has begun to increase, a growing number of mainstream CSOs have also integrated LGBTI issues into their work.

At the same time, much remains to be done. Same-sex relations are still criminalised in over 75 countries. While this has fallen, from 92 in 2006, it may indicate that the world is getting down to the difficult cases, and attitudes are hardening in these, suggesting that, globally, opinions have become more polarised. The failure of the SDGs to mention sexuality directly indicates the lack of a global consensus at the level of states on LGBTI rights. Even where there have been legal breakthroughs, LGBTI people can still face violence, hostility and exclusion, and transgender people in particular have less access to rights. Some Latin American countries, for example, are recognised as being among the most legally permissive for transgender people, but still have some of the highest transgender murder rates in the world.³¹

31 'Latin America has a homophobic killing problem', Global Post, 29 December 2013, <http://bit.ly/1hhxzlr>.

The next series of battles looms, as further attempts to challenge laws, change attitudes and claim rights lie ahead. To win these struggles, still further work needs to be done to bring LGBTI rights into the civil society mainstream. The realisation of the rights of association, assembly and free expression of LGBTI CSOs could become the acid test of the emerging global movement to defend civic space.

POTENTIAL CIVIL SOCIETY RESPONSES

In the face of civic space restriction, Araddhya Mehta suggests that there is a need to build increased respect for dissent and civic space, and this should play a key part of the promotion of inclusion. To do this, it is necessary to urge states to develop the political will to accept dissent, and to see the ability to express dissent as a vital indicator of a healthy society. Civil society needs to work to try to bring about this shift, but alliances are needed between the civil society of excluded groups, which may be experiencing high levels of restriction, and other parts of civil society, which may be less subject to restriction.

As part of increasing the tolerance of dissent, there is scope for national-level civil society advocacy around a relevant recommendation on the management of assemblies, made to the UN Human Rights Council (UNHRC) in March 2016 by Maina Kiai, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, and Christof Heyns, the Special Rapporteur on extrajudicial, summary or arbitrary executions. As part of their recommendations, they called for there to be greater diversity in law enforcement forces that manage civil society gatherings and public protests, in order to reduce the risk of violence involving people from excluded groups.³²

Araddhya Mehta also indicates that because exclusions are dynamic, relational and overlapping, the nature of civic space for different forms of exclusion is ever-changing:

How space shifts, opens or closes depends on many changing and interrelated factors. It may be very possible for citizens and CSOs to engage critically with governments on women's rights, for example,

32 'Practical Recommendations For The Management Of Assemblies', United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, March 2016, <http://bit.ly/1Rq4Pu2>.

indicating an openness of space, while the topic of engaging in land rights issues might be met with immediate restrictions from the same government. Organisations working on different issues and representing different groups of people, such as ethnic minorities, women and youth, may face more or less restrictions than others at a given time, across different areas. The space available for civil society is shaped by constant negotiation with other actors and by other CSOs.

The response this suggests is of closer cooperation between CSOs and activists working on different forms of exclusion and at different levels, to share strategies in addressing restriction, take advantage of opportunities as they emerge, and resist attempts by the powerful to divide civil society.

There is also a need, among the many CSOs, networks and stakeholders that have become alarmed about the current decline in civic space and are actively working to uphold civil society rights, to improve their analyses of how civic space restrictions affect particular groups differently, and for campaigns to protect civic space to make special efforts to counteract restrictions against excluded groups. This suggests in turn that there is a need for ongoing assessments of civic space, as something that is dynamic and ever-changing, in order to better identify and react to emerging opportunities and threats in ways that speak to the needs of different excluded groups. This is something that demands sharper and more nuanced assessment and monitoring tools. As part of the follow-up to this report, CIVICUS will launch the Civic Space Monitor, a responsive online platform where global comparative analysis will be complemented by up-to-date information on how civic space restrictions affect a diversity of civil society, including excluded groups

6. RIGHTS AND LAWS

It must be clear that challenging exclusion demands the realisation of rights. Charity and welfare may ameliorate the effects of exclusion but by themselves they are unlikely to challenge the structural causes of exclusion or contribute to the empowerment of excluded people. Edward Ndopu encapsulates the problem with charitable responses that do not empower people and are not informed by their needs:

What is the point of giving free, one-size-fits-all wheelchairs - which is in itself problematic because there is no universal disabled body - to disabled people living in informal settlements where the terrain in these environments is not conducive for alternative forms of mobility?

There is a need, therefore, to look for ways in which excluded people can be enabled to demand rights, and the barriers against the realisation of rights can be overcome. Part of what needs to change is that the language of rights needs to be asserted, and the demands of excluded groups should be articulated in the language of rights. This implies taking on rhetoric from the powerful that human rights should be secondary to other concerns, as Shehnila Mohammed suggests is the case in many African countries:

African leaders do not speak the language of human rights, and many of the challenges that are framed in this language are dismissed by some leaders, who claim Africa has bigger issues to deal with, such as poverty, HIV/AIDS and inequality.

RIGHTS AND LAWS AT THE NATIONAL LEVEL

One way in which civil society can assert rights is by seeking to have them written into law. There have been some recent breakthroughs in establishing new laws, for example, to recognise more than two gender identities, observed both by Marcela Romero in Argentina and Qamar Naseem in Pakistan.

These are important landmarks that give inspiration to excluded groups, but Qamar Naseem notes that little has changed in reality for Pakistan's transgender people since the law was passed. Araddhya Mehta also sets out that, while equal rights can exist on paper, they may not be recognised in practice. While the struggle is partly one of establishing equal constitutional rights, constitutional rights will remain symbolic without the power and processes to defend them, and there is a need to examine what must change in practice to enable legal rights to be realised.

In Macedonia, MCIC sets out how laws exist, but fall short of what is needed:

Regarding the rights of the child, the Law on Child Protection was amended to introduce early childhood development services and broaden the scope of child protection, but the most marginalised children, who fall outside both the education and healthcare systems, as well as children with disabilities, continue to face problems accessing their rights.

While in Bolivia FUNDAPPAC describes a similar situation:

The effect of pressure has been the adoption of many favourable laws, but mechanisms required for enforcement are not implemented. In recent years, perhaps the only law that has achieved a favourable result is that for gender equity in political representation, which in all cases has achieved very close to 50 per cent, except for the president and vice president. A law against gender violence was also approved, but implementation is almost zero, and instead, cases of violence against women have increased to record figures.

Phumzile Mlambo-Ngcuka also notes that legal changes are necessary but not sufficient to achieve breakthroughs:

While constitutional and legal reform is usually a precondition for change, it is not enough alone to achieve substantive equality, which requires that proper implementation is ensured. The legacy of historical inequalities, structural disadvantages, biological differences and the uneven way that laws and policies are implemented mean that good laws are not enough to ensure that women are able to enjoy the same rights as men. In countries that have legislation that should ensure equality between women and men, discriminatory attitudes and social norms often prevent proper implementation.

Marcela Romero therefore suggests that there is a need to see new laws not as end points, but rather as offering opportunities for further action. Lene Steffen and Jennifer Grant point out that rights can only be realised if they are demanded. Excluded groups may be unaware of their rights and

so unable to claim them, meaning that awareness of rights needs to be fostered. Confidence also needs to be developed in the exercise of rights:

In order to facilitate or demand a right you need to be aware of it and feel confident enough to exercise it. Children may have the right to expression, but without the self-confidence may never fully exercise the right.

RACI in Argentina echoes this, stating that citizens need to:

...not only know their rights and regulatory frameworks, but also own developments that make demands on authorities, using the existing administrative and legal mechanisms.

Without the resources to implement them, laws are ineffective; Glowen Wombo Kyei-Mensah notes that even though a mental health law has been passed in Ghana, little has changed, because funding has not been committed to realise it. One important civil society role in such contexts is therefore to advocate for resources to be committed and for laws to be respected in planning and budgeting processes.

USING THE LEGAL SYSTEM

Alongside advocating for laws to be passed and implemented, civil society is increasingly using legal systems to challenge repressive laws, win visibility and spark debate about the attitudes of leaders and the public. Phil Vernon suggests that, while excluded people may lack the resources and capacities to engage with legal systems, CSOs can help them to do so. For example, the Palestinian Consultative Staff for Developing NGOs describes how civil society is active in monitoring, documenting and following up violations of Palestinian and international laws that impact on excluded people. Wanja Muguongo sets out how LGBTI rights are being sought in courtrooms:

Civil society, organising in our movements, is increasingly utilising legal systems and courts as an avenue for promoting and protecting freedoms and rights.

Kene Esom of African Men for Sexual Health and Rights (AMSHer) sees recent successes in using legal avenues as pointing to:

...a growing trend of using the courts to seek equality and protection of the rights of LGBTI persons in Africa. A number of convictions based on penal provisions have been set aside on appeal, with the courts making a clear distinction that homosexual identity is not criminalised in law.

Civil society is also using regional human rights mechanisms, where these exist, to defend rights and win decisions, including the African and Inter-American human rights systems. Looking forward, Marcela Romero reports that civil society working on transgender rights in Latin America feels it has developed its confidence to the point where it is ready to use regional human rights processes to take its campaign to the next level:

REDLACTRANS keenly feels the need for an emblematic case on the theme of gender identity to come to light in the Inter-American Supreme Court. It is clear that the authorities are happy to sign papers and pay lip service to the protection of human rights, but they do not put this into practice and do not comply with universal rights. Good financing would be required to sustain a successful case, which could last three years, and to employ a good legal team.

This indicates some of the challenges that can be encountered in using legal systems, including that of resources. Kene Esom points out that considerable infrastructure is needed to achieve such breakthroughs, including coalition building between organisations and the mobilisation of people on the ground to match legal advocacy with public campaigning, along with the means to follow up decisions to ensure that they are upheld and realised. Legal breakthroughs may require long-term investment in the sensitisation of legal officials in order to open them up to listening to the voices of excluded people, and sustained bouts of campaigning over long periods. For excluded groups and CSOs that lack resources, the challenges may seem daunting.

CHALLENGES IN ACCESSING HUMAN RIGHTS AND THE LEGAL SYSTEM

While legal and human rights systems provide an important arena for civil society to defend and realise the rights of excluded people, there is also a need to understand the ways in which legal processes can contribute to ex-

clusion. In relation to child rights, Lene Steffen and Jennifer Grant indicate that costs, access and complex language are all barriers to accessing rights that exist on paper:

In many countries the right to information is a constitutional right, but in practice the information might be hard or costly to access, presented in a way that is difficult for children to understand, out of date or inaccurate. For children, timing poses a particular challenge, as they often need the information to be translated into local languages or into child-friendly versions before they can analyse and present their inputs. This affects their ability to speak out and influence change.

Not all groups have equal access to the workings of justice. As Marie Becher notes, part of the characteristic experience of an excluded group is to be marginalised and distant from legal systems, which may be subject to the interference of powerful interests, and vulnerable to corruption. Top legal officials often come from the same elites that run a country's government and major businesses. Araddhya Mehta also points out that economic exclusion means legal exclusion:

Access to justice is often for sale, legally or illegally, allowing for political capture by elites. Court costs and access to the best lawyers is mostly affordable for elites, leaving the socially excluded further voiceless. When members of the elite can stand above the law, it feeds the level of lawlessness, inequity and fear in society, thus serving to maintain elite power, social exclusion and discrimination.

IMPUNITY AND CRIMINALISATION

Alongside legal exclusion, legal systems can fail to protect the rights of excluded groups sufficiently. Particular challenges include impunity for attacks on excluded groups, and the use of legal and criminal justice systems to criminalise activism by or on behalf of excluded groups.

Marcela Romero breaks down the workings of the mechanisms of impunity, as experienced by transgender people in Latin America:

Impunity manifests itself in a culture of silence that impedes the filing of complaints and results in a failure to adopt a differentiated

approach when dealing with transgender cases, ineffectiveness in the justice system, the existence of discriminatory legislation and the absence of legislation on gender identity.

Flawed and biased legal processes may inhibit people from bringing complaints, or cause them to withdraw complaints because of lengthy and expensive processes. Discussing complaints brought by sex workers, Marcela Romero notes that:

In many cases reports fall through when a person returns to sex work, is subject to threats, or leaves the country.

Wanja Muguongo discusses how stigma can also prevent people from bringing complaints:

Most human rights violations go unreported because the survivors of abuse either see silence as a way to protect themselves from further embarrassment and pain, or they do not trust that legal systems as presently constituted would allow for justice and redress.

Meanwhile, in conditions of declining civic space, Marie Becher assesses that the criminalisation of activism by and for excluded groups is on the rise:

In recent years, national and international CSOs have observed a dramatic increase in the intent to persecute, punish and criminalise social protest activities, and activities to promote and defend human rights, particularly in the context of conflictive business operations.

The consequences of criminalisation are that CSOs are exposed to increased costs and their energy is diverted into fighting legal battles. Activists lose much of their ability to speak out when detained and arrested, while the fear of criminalisation can exert a powerful impetus for self-censorship. Our year in review section on civic space discusses the ways in which criminalisation is increasingly being applied to activist civil society as a whole, but when it is levelled at groups that are already struggling for access, voice and rights, criminalisation heightens exclusion.

The state is not the only source of attack for civil society activists, with the private sector, political figures and organised crime all targeting civil society that challenges their power. In response, some states have put systems in place that recognise threats to activists and seek to protect them, including in Latin America, a region where physical attacks against activists are particularly high. However, Marie Becher notes some problems with protection systems, offering an example of where an offer by a state to protect an indigenous activist was in fact used to further intimidate the activist:

While these are a good starting point in recognising the problem, indigenous activists, together with women human rights defenders, rural defenders, LGBTI activists and other marginalised groups, have repeatedly denounced the lack of attention given to addressing their specific needs and the disproportionate focus on reactive, rather than preventative, protection measures.

RIGHTS AT THE GLOBAL LEVEL

Human rights, including civil society rights, are written into international law. When states fail to realise rights, civil society activists can turn to the international system to seek redress, including through regional human rights systems, the processes of the UNHRC and bodies that monitor compliance with UN Conventions. For example, in 2015 a grassroots movement in the UK, Disabled Peoples Against Cuts, successfully mobilised to demand an investigation by the UN Committee on the Rights of Persons with Disabilities into the impact of the UK government's public service cuts on the rights of people with disabilities, marking the first time this body has investigated a complaint against a state for human rights abuses.³³

The UNHRC in particular is a key arena of engagement for civil society seeking to tackle exclusion. Kathy Mulville notes that regressive governments are already involved in this battle, and there is always potential for victories over rights to be reversed:

In March 2016 at the UNHRC there was an attempt to remove the term 'women's human rights defenders' from a resolution on human rights defenders, demonstrating that the need for the special

³³ 'UN investigators begin taking evidence in UK on 'rights violations'', Disability News Service, 16 October 2015, <http://bit.ly/1ZcztFD>.

recognition of women's human rights defenders is not universally accepted.

Even when international laws exist, a challenge is that they are often not domesticated, which means that they are not translated into practical rights that people can claim. For example, in Macedonia, MCIC notes that there has been little follow-up of the UN Convention on the Rights of Persons with Disabilities (UNCRPD). Edward Ndopu likewise sets out that, while the South African government has ratified this Convention, it is not reflecting this commitment at the policy or resourcing level, limiting itself to an essentially charitable response:

The government's approach is fundamentally problematic, because charity is not policy. By conflating charity with policy, the government obfuscates its role in upholding the socio-economic rights of people with disabilities. The South African government can claim to be empowering people with disabilities without putting the mechanisms in place for the actual empowerment of disabled communities. This pseudo-empowerment leaves people with disabilities worse off, as equality and dignity become more and more elusive.

Julia Duchrow similarly notes that states are not adhering to existing EU standards on the acceptance and treatment of refugees, and falling short of the rights set out in the 1951 UN Refugee Convention and the International Covenants on Civil and Political Rights and Social, Economic and Cultural Rights; not enough pressure is being put on governments and the EU to comply with international law. Lene Steffen and Jennifer Grant report that, while children's rights are guaranteed, both in the Universal Declaration of Human Rights and the widely ratified UN Convention on the Rights of the Child (UNCRC), this has not translated into domestic law:

While there is close to universal ratification of the UNCRC, national law doesn't always reflect this and can even contradict it. Where children's civil rights are embedded in laws, this is not necessarily translated into practice, or it becomes a tokenistic compliance exercise.

At the global level, there are also challenges with how the civil society of and for excluded groups accesses global institutions. The special theme

of the 2014 State of Civil Society Report was global governance, and the report concluded that the global governance system is a dysfunctional patchwork that is not fit for purpose, notably in the ways that it privileges states, and the most powerful states in particular, and excludes civil society, particularly smaller and more isolated civil society groups in the global south. This is relevant here: excluded civil society most struggles to access global governance institutions, and the failure of those institutions means that opportunities to address exclusion are not being seized, or worse, that failure allows exclusion to grow. The inability of UN institutions to respond adequately to the Syria conflict, for example, has fuelled the exclusion being experienced by Syrian refugees in Europe, as discussed above.

Globally, Vladimir Cuk and Jaimie Grant also suggest that there remains a significant disconnect between the development and human rights agendas, as epitomised by the gap between SDG and UNHRC processes. This disconnect to some extent also applies to CSOs that organise to engage with these two arenas. Relating to the rights of people with disabilities, for Vladimir Cuk and Jaimie Grant it is a matter of concern that the relevant international law that currently exists, as expressed in the UNCRPD, is apparently not being integrated with processes to scrutinise SDG commitments that impact on disability. The gap should be closed, and the implementation of SDGs made consistent with the commitments of the Convention and, more broadly, with international human rights law as a whole. As an indicator of the need to join up agendas and monitor the achievement of the SDGs through human rights frameworks, the Danish Institute of Human Rights has linked 156 of the 169 SDG targets to international human rights instruments and labour standards.³⁴

Given the influence that large corporations can have on the rights of excluded groups, Marie Becher also points to the emerging international framework that is starting to bring together matters of business regulation with human rights concerns:

A legal and policy framework is emerging for both governments and businesses to protect human rights in the context of business operations. It includes, for example, the International Labour Organisation Declaration on Fundamental Principles and Rights at Work, adopted in 1998, the United Nations Protect, Respect,

34 'The Human Rights Guide to the SDGs', The Danish Institute for Human Rights, <http://bit.ly/1rnIOWM>.

Remedy Framework of 2008 and the United Nations Guiding Principles on Business and Human Rights from 2011. Civil society on all levels must continue to push for this framework to ensure effective accountability.

Marie Becher suggests that these emerging frameworks need to be further iterated and applied, and domesticated through national action plans. This is something that will need consistent and intensive civil society engagement.

POTENTIAL CIVIL SOCIETY RESPONSES

Several contributors suggest that in order to realise rights and uphold laws, there is a need to provide training, including for people from excluded groups, in how to resist and respond to arrest and detention, how to report crimes and how to utilise existing national and regional structures for redress for injustice. Training and engagement may also be needed to sensitise law enforcement officials, but, Marcela Romero adds, this can require advocacy in advance:

Sensitisation training of judges and the police plays an important role. This is not always an initiative that is welcomed by the judicial authorities, so often training cannot be carried out without strong prior advocacy for it to take place.

Capacity enhancement may also be needed to develop civil society's understanding of laws and legal and human rights processes, and its ability to undertake dialogue with judicial and security offices.

Marie Becher calls for the provision of more sensitive and nuanced protection systems for activists from excluded groups, which take into account the identities and needs of excluded people, accompanied by better training and sensitisation of protection officials. At the same time, she suggests, there is a need for protection systems to go beyond a focus on protecting individuals to protecting threatened communities, and beyond physical protection to psychological support. In doing so, they should tap into and use the power of existing community assets and capacities.

As Lene Steffen and Jennifer Grant suggest, because excluded groups may lack awareness about rights, civil society should work on the demand

as well as the supply side, to raise awareness and encourage people to demand rights. There is a need to commit resources to this, which implies promoting rights in diverse and accessible ways, including in languages and forms that people can understand, and articulating the SDGs clearly as a human rights agenda.

7. THE POWER OF LANGUAGE, AND THE VALUE OF EVIDENCE

STIGMA AND STEREOTYPING

As discussed, material things matter: the motivations for exclusion may be economic, and the consequences of exclusion are material, in poverty and lack of access to essential goods and services. But at the same time, it is important not to overlook the less tangible drivers and implications of exclusion. Many contributors call attention to the importance of language and narratives that consolidate exclusion, and the role played by stigma and social norms.

Shaun Mellors of the International HIV/Aids Alliance offers a powerful personal account of how stigma affected his ability to cope as a person living with HIV:

With my HIV diagnosis in 1986, I carried the burden and internalised the negative things that society expressed about my identity, my behaviour and my condition. In many ways I was a 'victim'. I was a victim to my circumstance and belief system. I was a victim when, at the time that I most needed support from family, community and faith, it was withheld, and I felt guilty and ashamed. I struggled to find my voice and lay claim to my orientation and my identity, at a time when this needed to be explored and celebrated. But what I was living, what I felt and what I saw was only negative.

Shaun Mellors also draws attention to the need, when discussing stigma, not to focus only on the role of others. External exclusion can be internalised, leaving people to feel that they are victims, blame themselves for their exclusion, or feel unentitled to their rights, leading to self-censorship and acceptance of exclusion. In the context of HIV, self-stigma, he writes:

...can result in feelings of self-blame, worthlessness and negative self-judgement that impact on an individual's health and well-being. This is often played out by a person's inability to access services or disclose his or her HIV status.

In Shaun Mellors' account, language has real power. It can reduce, over-simplify and stereotype, and this drives stigmatisation, which in turn gives rise to ostracism and isolation, and makes it harder to access services: exclusionary language drives tangible exclusion. As Glown Wombo Kyei-Mensah describes it, in relation to mental health in Ghana, stigma leads to the denial of rights:

In Ghana, mental illness is surrounded by stigma and ignorance, which results in severe marginalisation and ostracism of people with mental health challenges. They are excluded from their communities and frequently denied access to basic human rights, including rights to health, social and economic well-being, and participation in social life.

Wanja Muguongo also details the link between negative attitudes and the practical denial of access to rights and services:

Negative public opinions maintain stigma, discrimination and prejudicial treatment in accessing social, legal and health services, housing, education and employment. Too often prejudicial treatment that goes unchallenged goes on to validate targeted incitements to and threats and experiences of physical and sexual violence, and sometimes murder.

Alongside stigmatisation comes stereotyping, in which nuance is denied and narrow expectations about people's identities and roles are perpetuated. Kathy Mulville sets out how stereotyping is used to constrain women activists:

Gender and sexual stereotypes are routinely invoked to harm women human rights defenders' reputations and delegitimise their work; for example, they may be accused of being a bad mother, be threatened with losing their children, and excluded by their families or communities. Perpetrators may be state actors or non-state

actors, such as community leaders or individuals from religious groups. Frequently women human rights defenders face threats within their homes, from their own families.

Sometimes the fight is one for visibility. Excluded groups may simply not appear on the radar of power holders and policy-makers. The contributions of excluded groups to important struggles may be overlooked. Joanna Maycock, for example, suggests that:

Women have been at the forefront of every social movement, and yet women's roles have been systematically written out of history, from the campaigns for the abolition of slavery to the civil rights movements, and from anti-nuclear campaigns to the trade union movement.

Joanna Maycock also points out that much of what holds women back, even in contexts where policy confers equality on paper, comes from the informal sphere of attitudes and norms, including perceptions and assumptions about women. Sometimes exclusionary language, narratives and attitudes are subconscious, emanating from ignorance or out-dated social norms, and can be challenged through education and sensitisation. But as part of the restriction of civic space, exclusionary language may be used by the powerful as a weapon against the excluded. In particular, CSOs that seek to defend and realise the rights of excluded groups can find themselves demonised.

Several contributors also draw attention to the powerful position faith leaders can have. Because their words have influence, when faith leaders engage in hate speech and encourage exclusion, it makes a difference. Kene Esom identifies this influence by pointing to recent research that shows people are less accepting of LGBTI people in societies where faith is most central to people's lives:

A survey of gay and bisexual men in seven African countries identified homophobia inspired by religion and religious institutions as one of the top five barriers to accessing services for gay and bisexual men. Hate speech and incitement to homophobic and transphobic violence is characteristic of the messaging of a number of religious leaders in Africa and elsewhere.

The media is therefore important, because it can propagate stereotypes and fuel polarisation, as was seen during the European refugee emergency of 2015, or it can help to challenge these. RACI in Argentina points to media stigmatisation of that portion of the youth population that is neither studying nor in work, something that hinders the development of a genuine policy debate. Olfa Lamoum notes that the media coverage of neighbourhoods in which disaffected urban youth are concentrated in Tunisia is highly negative, and this impacts on the civil society that works with young people:

News stories relating to events in those neighbourhoods often concern violence, crime or terrorism. This image of fear has even fuelled mistrust of civil society.

MCIC points to the challenge of “homophobic media content” in Macedonia, and Shehnilla Mohammed underlines the role of media, and notably state media, in stoking the exclusion of LGBTI people:

Media, particularly state-owned media plays a huge role in fuelling homophobia, giving a platform to homophobic politicians. Access to independent, unbiased sources of information and media, particularly in rural areas, is low, and citizens are often unaware of their rights.

This suggests a need for closer and stronger engagement by the civil society of excluded groups with the media, as Phumzile Mlambo-Ngcuka suggests:

Strategic alliances with the media, as well as effective use of new media, provide key opportunities. Recent crackdowns on free press and journalism offer a cause for much concern, and more needs to be done to identify spaces where the freedom of expression is threatened, and efforts need to be stepped up to protect journalists who cover women’s rights and gender equality in oppressive environments. Further, change must also come to the media that people consume daily. Evidence has shown that entertainment and news media play a central role in creating and sustaining perceptions and attitudes, and in shaping social norms. Women must be equally represented in the media, consulted as experts in their fields, and reflected in news stories.

Clearly, there is a two-way interplay between public attitudes and negative messages propagated by those in power: governments can use the power of prejudice against CSOs only because prejudice exists among populations. Prejudice is not necessarily something that political elites manufacture, and public attitudes can lag behind progress in realising the rights of excluded people, as Shehnilla Mohammed observes:

Even in countries with progressive legal frameworks, social acceptance of LGBTI citizens is often low and levels of violence high.

Stigmatising or stereotyping amongst the public is therefore an enabling factor in the restriction of CSOs working for excluded people. Araddhya Mehta points out that, when governments justify restriction according to anti-terrorism discourse, they may well find a receptive audience among members of the public who fear conflict and are concerned about their safety; the work civil society has to do is to make clear to the public that the restriction of dissent does not make societies safer. Similarly, as discussed earlier, Julia Duchrow notes a connection between the growth of racist and xenophobic sentiment in Europe, increasing use of racist and xenophobic rhetoric by political figures, and attacks on refugees and CSOs working with refugees.

A key response that the contributions as a whole suggest is needed is the development of broad-based movements that position the rights of excluded people squarely as mainstream human rights, and that mobilise solidarity for excluded people on that basis. But some CSOs may themselves be conservative in outlook or uncomfortable in dealing with taboo subjects such as sexuality, particularly when social conservatism combines with a concern about being seen to work on controversial issues, which could damage support bases and relationships. Shehnilla Mohammed, for example, offers an example in which CSO action to get LGBTI rights on the agenda of a southern African intergovernmental meeting was blocked by representatives of trade unions and church groups, which were members of the civil society forum. Similarly, Qamar Naseem notes some reluctance among civil society in Pakistan to engage on transgender issues. Civil society groups may need to be challenged on the embedded attitudes that they hold.

DATA, EVIDENCE AND MONITORING

If countless millions can be said to be experiencing exclusion, then part of the problem is that they are not being counted. Data matters. This is acknowledged in the SDGs: Goal 17 recognises the need for capacity building support in developing countries to increase significantly the availability of high quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other relevant characteristics in the national context.

To call for better data is not to make a narrow, technical point; it gets to the heart of how excluded people can increase their visibility, challenge dominant narratives, tell their own stories and use evidence to demand better policies and services. Further, when rights are violated, violations need to be documented, so that abuses can be challenged.

For Thomas Ongolo, one of the problems is that data is incomplete and out of date: while the World Disability Report estimates that around 15 per cent of the world's population has a disability, national statistical offices tend to record the level of disability at between three and eight per cent. When they are not counted, people are excluded:

Many of these data are over two decades old, and use out-dated medical methodology in defining disability, and thus leave out millions of disabled persons in terms of accessing education, health, rehabilitation and empowerment programmes, and the provision of accessibility.

In Argentina, data is political, because there is a history of government interference in the collection and reporting of economic and social statistics. This presents a problem, RACI notes, that civil society is working to address:

In a country where the national statistics system and the generation of information for decision-making in public policy have been dismantled, discontinued or reduced by discretion, diagnostics on the social situation in Argentina have been deeply affected. In this context many civil actors maintained their commitment to the generation of information, not only as a basic human right, but as a

fundamental instrument for guiding interventions. Academia, CSOs and other stakeholders have become producers of information that can inform future agendas.

Exclusion makes it harder to obtain data, which in turn reinforces exclusion by making it more difficult to prove that problems exist and solutions are needed. For example, Qamar Naseem relates how the exclusion of transgender people in Pakistan, and the closeted nature of their lives, makes it challenging to assess accurately the living conditions and human rights situations of transgender people, and so to demand and develop interventions that meet their needs.

Sometimes the issue is that data is not collected, sometimes the question is that of who is empowered to collect data, and sometimes the problem is that the categories in which data is collected lack nuance and fail to reflect the reality of people's lived experience. Several contributions note that data disaggregation is lacking. For example, Toby Porter identifies that there is a lack of useful data on the needs of older people, in part because the final age category in most data collection tools is open-ended. In Macedonia, lack of gender disaggregated data is a challenge:

CSOs and municipalities have been part of the implementation of the 2011 to 2015 anti-discrimination strategic plan and have cooperated with the The Commission for Protection against Discrimination. Data collection and analysis are improved, but remain limited, with more systematic collection needed of data disaggregated according to gender.

A particular challenge comes around gender minorities, with almost all data tools being structured around a narrow gender dichotomy in which people are forced to choose between identifying as female or male. In Latin America, Marcela Romero relates that data tended to bundle transgender people and men who have sex with men into one category, meaning that the specific needs of transgender people were being missed. Reversing this was essential to challenging invisibility:

The first step carried out by the network was to ensure that the state no longer treated us as men who have sex with men. From

there we began to exist as our own indicator, where the gender identity of transgender people is respected in order to start to generate changes and public policies for the visibility and inclusion of the trans population. It was important first and foremost that they know that we have our own needs, needs that are different to those of the gay population.

POTENTIAL CIVIL SOCIETY RESPONSES

Clearly, civil society personnel need to be very careful about the language that we use when working with and talking about excluded people. Language changes from time to time, as breakthroughs in understanding are achieved. This means that civil society needs to check and update its language regularly, something that can only be achieved by having close and ongoing relationships with excluded groups, for example by drawing staff from excluded groups or having strong advisory and governance structures.

In response to narratives of stigmatisation and stereotyping, as Marie Becher attests, there is a need to construct and promote counter-narratives, which should be informed by the experiences of excluded people:

Civil society on all levels is increasingly aware of the necessity of constructing counter-narratives that promote the important contribution that activists make to democracy, the rule of law, diversity and sustainable development. Indigenous activists often have a tradition and practice of organising collectively, and can play a key role in the construction of memory, and the creation of counter-narratives and alliances between different sectors of civil society to share values of participation and social justice.

A key aim of civil society should be to raise awareness about excluded groups in order to grow their visibility, in ways that directly challenge exclusion, and to encourage public debate and advocacy about realising their rights. In some contexts, this will imply civil society being ahead of the curve of public opinion, and taking on and challenging negative public attitudes. It should be understood here that it is a legitimate civil society role to lead innovation and shift public perceptions. There may be a prior need here for civil society to develop its capacity and confidence to speak openly about difficult, even sometimes taboo issues, in order to challenge silence, raise awareness and educate people. This needs to be done in ways

that are informed by and respect excluded people, and do not encourage self-stigmatisation or contribute to narratives of disempowerment.

Public campaigns can help. Gabriel Ivbijaro and Elena Berger discuss the need to take on public prejudice and educate people to understand mental health better. The World Federation for Mental Health holds annual international campaigns, built around a day of action. The campaign, with a different theme each year, encourages local adaptation of messages, and responses appropriate to local cultures to capture the imagination of populations.

For Michael Hill, real world exchanges between young people in particular offer a way of overcoming the potential of new technology to perpetuate stereotypes and misunderstanding:

In today's hyper-connected world, students have access to volumes of information and can almost in real time gain insights into events and activities that are shaping global cultures. But technology does not provide a filter for bias and misinformation. Only through deep engagement - people to people - can disparate cultures understand one another.

Kene Esom encourages us to challenge our preconceptions of excluded people as passive victims, which implies identifying opportunities where excluded people can exercise agency, and encouraging the development of their agency. It also suggests a need to identify and work with the positive assets that exist, even in difficult situations; for example, Olfa Lamloom details that even when there is stigma attached to locale, excluded urban young people can feel a strong sense of identification with and pride in their neighbourhoods, and this is an asset that can be worked with to encourage mobilisation.

A focus on assets rather than deficits also means that civil society should seek opportunities to share positive stories of change that will fuel inspiration. Kene Esom calls for:

...positive stories of resilience, strategic organising, advocacy for legal and policy change, and contributions to social change in other spheres of injustice.

The need is for excluded people to be enabled to tell their own stories, rather than have others speak on their behalf; enabling people to tell their own stories contributes to their empowerment. Gabriel Ivbijaro and Elena Berger suggest that people who have experienced and overcome processes of exclusion can be powerful advocates to take on stigma and call for change, because they draw directly from their experiences. CSOs therefore need to identify and support such people:

People who have mental health conditions or who have experienced them in the past can themselves be first class advocates for better care. They know where there are inadequacies in mental health services, and can be forceful spokespeople on behalf of others who can't or don't want to take on this task.

Cedric Nininahazwe of the National Network of Young People Living with HIV/AIDS (Réseau National des Jeunes Vivant avec le VIH/SIDA, RNJ+) in Burundi points to the power of public testimony in challenging prejudice and encouraging action:

By offering testimonies, young people living with HIV have raised awareness among others, and encouraged them to participate in HIV screening, and adopt better behaviours towards HIV positive people. When testimony is made in front of an audience, it demands greater commitment from the community and exposes attitudes of discrimination and rejection.

For Marcela Romero, visibility is essential if stigmatisation and exclusion is to be overcome, and improving visibility involves getting excluded people into as many processes and spaces as possible:

One of the key objectives of REDLACTRANS is to give visibility to the network and the transgender population in political spaces. It is difficult to get into these spaces, as transgender people are underestimated and seen as having a lower level of education, and there is transphobia. REDLACTRANS recognises that now, more than ever, there is a need to be present in all political and decision-making spaces, and to make the voice of transgender people heard by civil society, the government and agencies.

Because the media is important, there is a need to engage with it, and use media tools to tell positive stories and promote empowerment. For example, Lene Steffen and Jennifer Grant relate how Save the Children was able to raise awareness of child rights by working with children's clubs to produce radio programmes that challenge adult attitudes towards children in Uganda. The rise of new, multiple forms of media has opened new possibilities here for civil society.

Because faith matters, faith leaders need to be engaged with, but as Kene Esom relates, this cannot be done in ways that risk alienating faith believers:

LGBTI activists and CSOs are aware that the struggle for full equality will not be won without engaging and building allies in the faith communities.

There is therefore a need, Kene Esom assesses, for platforms and spaces where people who hold both faith and LGBTI identities can reconcile and assert their identities, rebut homophobia and transphobia from a position inside faith, and strengthen the voices of LGBTI persons within faith communities. Once again, the implication here is that there is a need to work with the potential that exists.

Turning to data, Olfa Lamloom suggests that the gathering of better, more accurate data is part of how negative media stories can be challenged. Participation in data collection can also have the benefit of developing participation capacities and confidence. In Olfa Lamloom's account of working with marginalised young people in Tunisia, the generation of knowledge was the first step in understanding and raising awareness about a problem. Crucially, the project involved young people being empowered to gather their own data, using open data tools. The process helped to galvanise the group and build momentum:

The crucial tool that was designed to strengthen the coherence of the group, increase its visibility and run the process in a fun and progressive way was the OpenStreetMap. This innovative tool, never used before in Tunisia, is a digital mapping project that allows young people to work together to create an interactive map of

their neighbourhood. Its use can be seen as a pioneering exercise in social re-appropriation, geared towards both identifying problems and suggesting ways to improve neighbourhood life.

Similarly, Toby Porter sets out how empowerment and participation skills can be developed by involving excluded groups in data collection:

Evidence gathered by older citizen monitors is used in advocacy at local, national and international levels. The process not only raises awareness of rights and entitlements, thus empowering older people, but also creates social interaction that helps overcome isolation and loneliness.

Glown Wombo Kyei-Mensah relates how a visibility-raising project - the development of a photo book documenting the lives of people with mental illness and epilepsy in Ghana - helped to challenge invisibility and exclusion, and because it was developed through a highly participatory process, also helped to strengthen the capacities and confidence of those involved. For Kathy Mulville as well, one way of challenging stereotyping is by involving excluded people in documentation:

Documentation can tell stories, create legal or cultural shifts, provide protection, hold people to account for abuses and shape social movements or individual actions. Documentation is a process as well as a product: it records experiences, either as specific incidents or as patterns, and it makes those experiences visible, whether literally or metaphorically.

Marcela Romero attests that, when it is difficult to obtain quantitative data, the gathering of the testimonies and stories of excluded people can be a powerful tool. Documentation, data gathering, work with the media and public campaigning all, therefore, have a role to play in challenging exclusion.

8. PARTICIPATION IN PROCESSES

ACCESS TO DECISION-MAKING PROCESSES

As the analysis so far suggests, in order to enable excluded people to access their rights, there is a need to look at the arenas and processes that people are being excluded from, and ask how access to decision-making processes can be strengthened. Phil Vernon poses questions about whose interests decisions are being made in and who has access to decision-making:

Are decisions made in consultation with and in the interests of different groups within society? Are political mechanisms broadly accessible to all, not limited by gender, ethnicity, class or other identity markers? Do functional, open relationships exist between different groups in society, and between citizens and those in positions of authority?

Discussing peacebuilding processes in particular, Henri Myrntinen assesses that while there is evidence that including women makes peace processes more successful and sustainable, it is still often the case that women are excluded. Formal processes privilege those who hold formal positions of power, who are usually men. Women's roles in such processes need to go beyond the symbolic:

Merely having more and more active women in peace processes is not enough. If the only women participating are external facilitators or guarantors from international agencies, and there is no local buy-in for gender-sensitive language, peace agreements are likely to fail. It is important to have local women, from combatant parties and civil society, involved.

Crucial, Henri Myrntinen adds, is that excluded people should not be limited to participating only on what are seen as their particular issues; people from excluded groups should be recognised as having something to say across a whole range of issues, and be enabled to choose the issues that matter to them:

Women need to be able to participate, not merely in roles as symbolic victims or peacemakers, and not only on so-called ‘women’s issues’, but on the whole spectrum of questions around peace and security, as these affect men and women alike, but differently.

To develop participation demands outreach. Aruna Roy underlines the importance of civil society reaching out to excluded people in ways that capture the imagination, describing a travelling yatra (caravan) that went from village to village and encouraged excluded people to mobilise:

The yatra travelled to communicate, listen and learn about people’s problems in accessing their rights. It travelled to small villages, towns and district headquarters. In each of these areas, public meetings were held where people came and filed right to information applications, and other applications detailing their grievances. Street theatre, puppetry, singing and dancing were part of the vitality and strength of the yatra. By communicating with people through humour, and in their idiom, the yatra established the beginnings of a new collective campaign.

Without continual understanding of the problems and grievances of people, policy cannot be relevant or implementable.

As well as outreach, to improve processes, there is a need to ask questions about how competence and confidence to participate can be developed and democratised. Lene Steffen and Jennifer Grant observe that in working to bring children into processes, there may be a need both to develop the capacities of the excluded, and sensitise the powerful:

Adults often find it difficult to listen to children, take children’s suggestions seriously and change their ways of doing things. Save the Children’s experiences with bringing children into adult decision-making forums are mixed, and we have learned that adults need as much preparation, training and support as children do to make the interaction successful. Appearing to listen to children is relatively unchallenging, but giving due weight to their views requires real change.

Henri Myrntinen similarly observes the need to engage the powerful and the excluded:

To ensure increased women’s participation requires a critical engagement with men and their masculinities in peace processes. Men’s conceptualisations of politics, war and peace as being strictly male domains need to be challenged, along with men’s attitudes and practices that actively and passively hinder increased women’s participation.

Olfa Lamloum’s experience in Tunisia indicates that processes to build trust are important, and outreach and the identification of peer leaders among excluded groups is an essential part of this. The project in Tunisia has a focus on involving excluded young people in planning and budgeting, because who is able to access resources is a key question in addressing exclusion. To be serious about leaving no one behind implies opening up all parts of the process to participation, including planning, budgeting, implementation and monitoring. It implies seeing people as active participants in their own development, rather than as beneficiaries of projects designed on their behalf, and as rights-holders rather than the recipients of services.

As discussed with reference to data collection and monitoring, participatory processes can have innate value, by enabling excluded people to lead, see themselves differently and develop feelings of self worth and confidence. Shaun Mellors talks about how processes to involve people living with HIV in the response to HIV were:

...developed at a time when HIV treatment was not available, so for many of us activism at the time was a form of treatment, as it kept us engaged, focused and motivated.

What this suggests is that both instrumental and intrinsic arguments can be mounted for the benefits of greater inclusion. Phil Vernon makes the point that societies that are more inclusive are likely to be more peaceful and resilient. Actions to build confidence, capacity and empowerment can result in excluded people participating more in mainstream political processes, which will make them less vulnerable to calls to extremist behaviour and violence.

There is also a need to make the case that opportunities are being lost because of exclusion; that better policies, decisions and outcomes are being missed because excluded people are not enabled to participate. Failing to get processes right incurs costs. For example, Vladimir Cuk and Jaimie Grant observe that a failure to ensure the early participation of people with disabilities raises the costs later on:

Retrofitting buildings, reorganising systems and redefining assumptions take exponentially more time and resources than getting it right the first time. Participation from the initial designs of a programme, and throughout its implementation, is critical.

A concern that consultation may be tokenistic runs through several of the contributions. Araddhya Mehtta, for example, notes that the processes and spaces of decision-making to which access is granted may not be those in which real power is exercised:

Invited spaces - consultation opportunities designed and managed by government - where they exist, can be used simply to provide an appearance of consultation rather than constitute a meaningful process to strengthen public engagement and the social contract between state and citizen. Real decisions and distribution of power often happen outside these processes.

Joanna Maycock also notes that, while it is important to focus on representation in decision-making processes, this is only part of the picture; there is a need to look at how decision-making processes can themselves be changed:

This is not just about having more women operating within a system, but also about transforming the nature of the systems of decision-making to ensure they are more inclusive, diverse and effective.

GOVERNMENTS AND MAINSTREAMING

If excluded people are to be enabled to participate in decision-making processes, then this implies a need for mainstreaming, in which multiple agencies, including government departments, understand the need to be proac-

tive in ensuring inclusion. Thomas Ongolo of the Secretariat of the African Decade of Person with Disabilities, however, assesses that governments are often not good at mainstreaming; they may, for example, designate a lead desk to address an issue of exclusion, such as disability in his example, but other government departments will then fail to see why they should also include issues of disability in their work: designating a lead agency does not necessarily galvanise action elsewhere, and indeed can lead to other arms of government disregarding an issue that they see as having been covered.

Gabriel Ivbijaro and Elena Berger of the World Federation for Mental Health see a similar challenge in relation to mental health, and call for an across government approach, in which multiple departments recognise that it is not only health departments that should take responsibility for addressing mental health:

The reality is that mental illness is not just a health matter. It should be addressed in multiple departments of government, including housing, education and justice departments. Health systems should interact with other government departments to provide the medical and social care needed to enable people with complex conditions to live in the community. Most importantly, mental health is relevant to finance departments, where decisions about funding are made.

They make the point that the argument can sometimes be articulated in economic terms, such as stressing the impact of poor mental healthcare on employment and economic production.

Thomas Ongolo offers a recent, more positive example, where the government of Lesotho:

...worked closely with and tapped the expertise from disabled persons' organisations to develop a costed disability mainstreaming strategy, together with a monitoring framework. Through the strategy, each department developed a plan and affirmed the existence of opportunities that could enable the participation of persons with disabilities through their departments and ministries.

Disappointingly, Thomas Ongolo sees that some governments in Africa are now moving further away from the mainstreaming approach, and reverting back to models where a concern with disability is centred in one department, which has a negative effect on the resourcing, services and access available for people with disabilities. This suggests a need for more civil society action to promote mainstreaming across governments, and to model and document processes of inclusion that governments can learn from.

POTENTIAL CIVIL SOCIETY RESPONSES

While getting diverse people around the table is not enough, it is an important start. Henri Myrntinen suggests some practical measures that can produce some quick wins in overcoming exclusion from processes, such as the exclusion of women:

Some of the steps that can be taken are relatively easy, such as ensuring that everyone is informed of processes on time and that child care is provided for those, almost always women, who are expected to take care of children.

For Araddhya Mehta, civil society needs to take on and pioneer the work of building more inclusive processes, because other actors, including governments and the private sector, are simply not doing this sufficiently. This implies that civil society needs to be conscious about how it builds inclusion, and mainstream approaches to building inclusion in its work. Phil Vernon similarly adds that CSOs that are not focused on peacebuilding per se can nevertheless integrate peacebuilding processes into their work; and indeed, one of the ways in which the contribution of CSOs might be assessed is their application of peacebuilding approaches and adherence to peacebuilding standards. In the same way, a key question to ask CSOs is how they are addressing exclusion, both externally and internally.

QUOTAS AND AFFIRMATIVE ACTION AS A RESPONSE

As a specific response, several contributors discuss the merits and challenges of initiatives such as quotas and affirmative action. Such measures can be used to drive increased participation in decision-making processes and increased representation in the staffing of institutions, including of CSOs. Phumzile Mlambo-Ngcuka of UN Women notes that quotas and

affirmative action have proved useful in increasing the number of women parliamentarians, for example. But as Araddhya Mehta of Oxfam observes, these measures are always controversial:

Opponents argue that reserving places for different social groups will lead to a less meritocratic approach to selection and therefore lower quality, because the best candidates are not necessarily selected. Opponents also argue that all reservations do is to reserve positions for the best off from each social group, rather than really dealing with social inequality. Supporters however argue that reservations are justified on equity grounds, but also on grounds of efficiency: they will encourage more applications and lead to higher overall quality.

Araddhya Mehta observes that such policies can also have unexpected, indeed perverse outcomes; in India, people have been known to agitate to be included as part of designated excluded castes, because of the resources and opportunities they see as being made available by the state for specific groups.

Joanna Maycock of the European Women's Lobby draws attention to the role that quotas they can play in promoting data gathering, debate and accountability, all of which contribute to raising the visibility of an issue, but also the need to situate them within a wider range of actions for change:

Having targets forces organisations to measure and discuss progress. It makes intentions clear to staff and stakeholders. Any quotas or targets need to be backed up with properly resourced policies for recruitment, retention and advancement of women.

Discussing the role of quotas in peacebuilding processes, Henri Myrntinen of International Alerts also reports that they can have value, but are best combined with other measures, and criticisms need to be understood and anticipated:

Quotas are an extremely effective tool to increase diversity and inclusiveness, but the evidence is clear: they work, and work well, when enabled by other elements that allow for effective participation, such as continuous training of delegates and gender caucuses,

and when it is ensured that women are not put forward only as proxies of more powerful men. Even when quotas are successful in enabling excluded people to take part, those people are then expected to demonstrate that they're better than the already included in order to win an argument. As in other professional contexts, if and when women do participate, they are often required to display a far higher level of expertise than male colleagues. If they gain access through a quota system, this is often held against them.

9. LOOKING INWARDS: INTERNAL CHALLENGES IN CIVIL SOCIETY

CIVIL SOCIETY - EXPECTATIONS AND REALITY

Civil society is often at the forefront of building inclusion. Contributors to this report offer many examples of how CSOs are running practical programmes and projects to challenge exclusion and realise rights, and of how excluded communities are self-organising and developing their own forms of representation and empowerment. The potential for CSOs to address exclusion is summarised by Aruna Rao and Sudarsana Kundu of Gender at Work:

CSOs around the world are seen as playing a pivotal role in spotlighting inequities and systemic disadvantage on the basis of multiple and intersecting dimensions, in addressing discrimination in policies and access to services, and in building the awareness and capacities of people to claim their rights, both in public spheres such as law courts, markets and schools, and in private institutions such as households.

A sense emerges from the contributions as a whole that civil society should see itself at the cutting edge of overcoming exclusion. Civil society should be able to reach excluded communities in a way that others, including governments and the private sector, cannot, because innate power relations will always raise suspicion about the motivations of government and private sector actions towards excluded groups. In comparison, civil society may be viewed as innately on the side of the excluded, compelled to act because of its values, and able to reach communities that might otherwise

be isolated, because of civil society's proximity to and close understanding of the grassroots. Civil society should therefore be at the heart of response to exclusion, and lead innovation and the development of best practice.

While many examples of strong civil society work to combat exclusion can be advanced, the present reality falls some way short of these high ideals. This gives rise to a number of dangers. CSOs may be seen as failing to practise their values. They could be letting excluded people down, and missing opportunities to change lives. If they do so, CSOs fall short of their missions and mandates. This then calls into question what CSOs are trying to achieve, and whether they are seeking transformation or ultimately accepting of, or even perpetuating, the status quo.

The overarching step that CSOs should take, as Joanna Maycock puts it, is to move from a position where they may be essentially reactive about dealing with exclusion, to one in which they are proactive. If CSOs are proactive then it follows that they will take steps to ensure inclusion in their ranks; to do so will help drive external actions that challenge exclusion, and avoid the potential for reputational damage that can be caused by campaigning for inclusion while not modelling it internally. There is therefore a need to examine how good CSOs are at ensuring they are sufficiently exposed to the voices of excluded people by being internally inclusive.

HOW DIVERSE IS CIVIL SOCIETY INTERNALLY?

CSOs, unless they demonstrate that they are proactive in challenging exclusion, may be vulnerable to the accusation that they reproduce exclusion in their internal workings. As Aruna Rao and Sudarsana Kundu state:

Passionately fighting for human rights on the outside does not necessarily mean that these same organisations practise inclusion and equity on the inside. The jarring fact is that when we look inside CSOs, ranging from trade unions, to national and international non-governmental organisations, we often see the same exclusions and inequities play out, in the way CSOs are structured, the way decisions are made and resources are allocated, and the ways in which silences around abuses of power are maintained and harassment against women is condoned.

To respond to such critiques may require change in civil society. As Joanna Maycock puts it in her analysis of the challenges to women's leadership in civil society:

If we truly wish to innovate and disrupt society for the better, we must be prepared to disrupt the power within our own organisations. We need to ensure that we align the mandate and principles of civil society with its practice.

This notion of the disruptive power of civil society suggests that in civil society, we may need to question, disrupt and change our models and understandings of civil society. As civil society, we may need to confront existential questions of what we expect civil society to do and how we expect it to act, and whether the civil society we have is the one that we want.

To answer these questions, CSOs should undergo continuous self-examination and reporting about how inclusive they are being, including in their employment practices and advisory and outreach structures, how proactive they are being on issues of inclusion, and how strongly they are monitoring themselves to ensure they are being inclusive. Toby Porter sets out some of the key questions CSOs should ask themselves to assess whether they are including older people, for example:

To what extent do we in civil society encourage age diversity at work? How many of us monitor the age profile of our workforce and take proactive steps to recruit under-represented age groups? Do we support employees as they age in the workplace, through mid-life career transitions or by creating flexible, individualised retirement plans? Do we have upper age limits for our volunteers or mandatory retirement policies that force people to stop working against their will?

Such questions can only be responded to in a climate where there is a high level of transparency in civil society. Civil society should be the most transparent and accountable sphere of society, so that it can lead by example and encourage greater openness in other areas. But Aruna Rao and Sudarsana Kundu suggest that this is not a given:

Despite the calls frequently made by CSOs for transparency by governments and corporations, when it comes to ourselves, we

can be quite non-transparent. There is an underlying assumption that since the sector propagates values such as human rights and well-being, non-discrimination and affirmative action measures are inherently part of the system.

There is, however, a practical danger to be acknowledged in opening civil society up to self-questioning. As Aruna Rao and Sudarsana Kundu suggest, to be open about civil society failings, particularly in restrictive contexts, may be to hand ammunition to those who attack and seek to restrict civil society. Civil society's honesty can be used against it. It must also be recognised that the civil society arena is one in which different CSOs compete, including for recognition and funding, and so individual CSOs may be reluctant to admit their faults in an environment where this is seen as conceding advantage to competitors.

These risks suggest a need for a civil society-wide response. Aruna Rao and Sudarsana Kundu, for example, suggest there is a need for a gender index tool that can be applied by a wide range of civil society. Standards, tools and recognition platforms are needed that run across civil society as a whole, so that the competition is one to demonstrate adherence to the highest standards, in a race to the top. CSOs that feel most secure and least hampered by civil space restriction should lead by example in developing such responses, and encouraging their uptake among their peers.

The value in looking inwards and ensuring that we in civil society are modelling best practice lies partly in enabling civil society to be confident about how we are working, which gives us power to rebut the criticisms that are made against civil society. As Joanna Maycock puts it, demonstrating that civil society cherishes and practises progressive values helps to assert legitimacy in the face of restriction:

At a time when civil society space is closing down everywhere, and our legitimacy as civil society is challenged on all fronts, it is essential for us to walk the talk in terms of the rhetoric about power, rights, gender and social and environmental transformation.

CSO STAFFING AND LEADERSHIP: WHERE ARE THE WOMEN?

There is a need in particular to examine the staffing, and particularly the leadership, of CSOs. The representation of women is one crucial test of the

inclusiveness of CSOs. CIVICUS has noted in earlier research on women in civil society in Africa that the entrenched barriers of patriarchy women face are experienced both in the workplace and at home, and the civil society workplace is not an exception to this.³⁵ If we are serious about advancing gender equality, civil society needs to look at our own workplaces.

As Aruna Rao and Sudarsana Kundu report, data on CSOs in Brazil and India shows that, while CSOs are ahead of the private sector when it comes to having women leaders, the gap is not so high as to suggest that CSOs are blazing a trail, and CSOs are still a long way from having as many women leaders as men. Worse, the larger a CSO is, the less chance it has of being run by a woman, and the higher up a CSO's hierarchy one goes, the less representation of women there is. The Third Sector Foundation of Turkey (Türkiye Üçüncü Sektör Vakfı, TUSEV) also notes a vast disparity between women and men members of CSOs, suggesting that a focus on recruiting women members is needed to drive wider progress on women's representation.

Low pay can be another challenge for women in civil society. A recent study in the UK found that women in the CSO workforce are concentrated in health and social care roles, which tend to be poorly paid, and that the median pay of women CSO staff is 16.3 per cent below that of men. This reflects a consistent under-representation in leadership, where women make up 68 per cent of the staff of CSOs, but only 43 per cent of the leaders, and only 27 per cent of the leadership of large CSOs.³⁶

The National Civil Society Council of Liberia also sets out the challenges civil society is facing in its context:

The participation of women and persons living with disabilities in training, conferences, meetings and other forums is low. The involvement of women in leadership positions of CSOs is low. Improvement is seriously needed in this area to further strengthen the human capacity of women for able representation.

³⁵ 'Report on the challenges faced by women in civil society in Africa', CIVICUS, March 2011, <http://bit.ly/1WJfu9l>.

³⁶ 'Does the charity sector have a problem with women?', Charity Finance Group, 9 November 2015, <http://bit.ly/1NX3ZJV>.

Aruna Rao and Sudarsana Kundu find a clear relationship between CSOs having women leaders and women staff, indicating the importance of inclusion at the top of CSOs: research in India shows that in CSOs led by women, 75 per cent of managerial level staff are also women, but in CSOs led by men, this figure is only 15 per cent. The clear implication is that, to make CSOs more inclusive in their staffing, making the leadership more inclusive offers a shortcut.

This also suggests that change does not come by accident. To change the make-up and leadership of a CSO calls for conscious and sustained action, as Joanna Maycock suggests was the case with ActionAid:

Changes did not happen overnight, nor without considerable resistance. The minute the organisation relaxed its vigilance, things would slip backwards. Relative success has only been achieved through consistent pressure and leadership commitment, evidence-based policy-making and monitoring.

Joanna Maycock suggests that there is also a need to examine the leadership styles of CSO leaders, and how they may contribute to exclusion, even subconsciously. To lead is to model behaviour, and leaders give off signals about the correct ways to work and behave in an organisation that staff will pick up and imitate. For example, leaders may practise and encourage a culture of working long hours that implicitly makes advancement harder for women, who tend to carry disproportionate childcare responsibilities. Alongside this, Joanna Maycock calls attention to continuing sexism, undermining behaviour, workplace harassment, including under-reported sexual harassment, and subconscious bias in recruitment and promotion processes. Similarly, Aruna Rao and Sudarsana Kundu assess that the biggest barriers to women progressing in CSOs are organisational cultures and belief systems, rather than formal policies, pointing out that practices that hold women back are deeply embedded, highly resilient, continually reproduced in decisions and conversations, mutually reinforcing, and seen as normal. They also suggest that a culture of silence exists around sexual harassment in civil society:

The way in which sexual harassment against women in organisations is overlooked is a little like the 'boys will be boys' explanation for widespread sexual violence in times of war and conflict: it is so

widespread and normalised. And it is usually the woman who complains who is ridiculed and told to shut up, and who loses her job.

This is an issue which came to greater prominence in 2015, with the release of research by the International Women's Rights Project that exposed the macho culture of humanitarian response organisations, which leaves women workers at risk of harassment and sexual violence by male staff. Weak policies, cultures of silence and a lack of support for women who report harassment make it hard for women to talk about harassment by male staff, suggesting that the size of the problem is being under-reported.³⁷

While our contributors focused particularly on sexism in CSO leadership, it can be expected that these challenges would apply to people from other excluded groups who aspire to leadership of a CSO. For example, Joanna Maycock notes that prejudice can be seen being exercised by global north CSO staff towards their global south counterparts, with staff in some large international CSOs making assumptions about the abilities and capacities of global south staff and partners, and adopting attitudes of superiority. CSOs might also be challenged on how accommodating their recruitment and personnel approaches are of people with disabilities, and how equipped their workplaces are to accommodate people with disabilities.

There must also be concern about bias according to social class and educational background in the employment practices of CSOs. Several international CSOs tend to be selective in recruiting employees, choosing those with higher education degrees from elite universities. Additionally, when it comes to working in large, international CSOs in particular, internships are often the only way in for young people or people with little experience, and these are often only available to people with post-graduate qualifications, and are unpaid or underpaid. The concern is that this enables access to careers in CSOs only to young people from relatively wealthy backgrounds, whose families are able to support them through lengthy spells of education and poorly paid internships. This will block the recruitment of a more diverse staff who come from a wider range of backgrounds. There should also be more scrutiny of the out-sourcing practices of CSOs, which may mean that staff delivering services to CSOs, such as cleaning and security services, have lower employment rights than directly contracted staff.

37 'Aid agencies accused of hiding scale of sexual assaults on employees', The Guardian, 19 October 2015, <http://bit.ly/1hMXrxU>.

More optimistically, Aruna Rao and Sudarsana Kundu suggest that embedded cultures and attitudes can be challenged and changed, over time and given sustained engagement:

Change can happen in organisations, big and small, to challenge and change social norms and values that perpetuate exclusion and inequality, through action learning processes, political strategising, reframing and the tireless work of feminist change agents inside and outside organisations.

Structural inequalities are deeply entrenched and resilient, but we believe they are not immutable. Many organisations have built pathways to chip away at those entrenched structures and challenge the norms that perpetuate them.

Again, the first step that CSOs may need to take is to recognise and be honest that there is a challenge. Once that step has been taken, there is a need to make special efforts to change cultures, and encourage the development of leaders from excluded groups.

Aruna Rao and Sudarsana Kundu point to the absence of monitoring within many CSOs on the impact of gender equality initiatives; exercises such as gender audits tend to be rare and one-off, while conventional project-oriented monitoring and evaluation cannot capture long-term shifts within CSOs. There is little data. This suggests a clear area for follow-up action, in the form of more nuanced and detailed monitoring and evaluation approaches:

Practitioners express the conviction that the more effective measurement of progress and results can help to identify leverage points, bring to the surface hidden mechanisms of change, and inform more strategic decisions. To become more successful, we need to improve our monitoring and learning practices.

In moving forward, the National Civil Society Council of Liberia sets out the steps that civil society should take in its context:

Organise more training programmes for women and persons living with disabilities; recommend more women for training opportunities and participation in meetings, workshops and conferences;

appoint more women to lead thematic groups of CSOs; and encourage women nominations to serve on boards and strategic committees.

Other initiatives that can be taken include support such as mentoring and coaching, as well as affirmative action and the use of quotas. Aruna Rao and Sudarsana Kundu point to the absence of mentorship programmes in most CSOs, but add that these work best as part of a multi-pronged strategy, which should also include the provision of spaces and opportunities for reflection and learning; a challenge is that, as CSOs come under funding pressure, these are the kind of initiatives that are cut back. Further, Joanna Maycock suggests, leaders become and succeed as leaders in part because they have networks to draw upon. People from excluded groups will find it harder to develop their networks, and need support to do so.

Joanna Maycock further proposes that civil society should boycott all-male panels at events to which it is invited, in order to encourage meeting organisers to recognise more diverse speakers, which will help those participants improve their profile and enhance their networks. There is a growing movement to encourage such boycotts.³⁸ By extension, this could be applied to people from other excluded groups, particularly where relevant to the theme of an event. To boycott implies CSOs showing that they are drawing a line and will not tolerate thoughtless exclusion, even to the point where they are prepared to carry a cost, such as risking an opportunity to profile their work and get their messages across.

Joanna Maycock also suggests that the boards of CSOs should be pushed to demonstrate that they are taking questions of inclusion seriously as part of their core governance duty. This is something further raised by TUSEV in Turkey with regard to improving the participation of young people in CSOs:

CSOs should work towards improving the level of internal governance of their organisations. It has been widely reported that the weakness of CSOs' internal governance structures stems from formal election procedures, president-oriented and top down deci-

sion-making structures and conflicts of interest. Furthermore, it is reported that younger people in particular are reluctant to participate or engage in the existing models, because of the high levels of hierarchy and bureaucracy that exist within organisations. Over the past years, it has been argued that CSOs are not able to represent or voice the needs of their constituencies. This is argued to be one of the major reasons for low engagement. CSOs need to question their ways of working and develop new ways that will include their constituencies.

CSOs should expect to be scrutinised for their performance in ensuring inclusion in their staffing and leadership, and also in their membership, governance and advisory structures. The CSOs that show themselves to be the most proactive and committed will be those that undertake such scrutiny voluntarily, rather than wait until they are exposed and accused of hypocrisy, or only do so in response to the demands of funders or intrusive state regulators.

A DISCONNECTED CIVIL SOCIETY

A further challenge comes in making connections between different civil society issues, and in bringing issues of exclusion into the mainstream of CSO agendas. CSOs may not necessarily see the confrontation of exclusion as urgent and central to their mandates and missions. Despite some progress, Shehnilla Mohammed points to continuing challenges in the mainstreaming of African LGBTI rights voices, both within human rights organisations and broader LGBTI rights networks. Toby Porter calls attention to the way that civil society organises itself, usually around tackling a particular problem or representing a particular group, something that is often linked to the availability of funding streams, which causes some issues to be under-represented:

International development focuses around particular population groups such as children, youth, women, people with disabilities or indigenous people. This is reflected in the way civil society organises itself and in how donors allocate their funding. No doubt the two are intricately linked. Most development donors do not list older people among the groups they support, and the result is that CSOs struggle to find funding for this area, perpetuating inequality.

³⁸ See, for example Gender Avenger, <http://bit.ly/1D1sjob>; 'The Pledge – I will not be part of male-only panels', <http://bit.ly/1aUYDMt>; 'Say no to man panels', <http://bit.ly/1KYOHPW>; 'The mysterious absence of women from Middle East policy debates', The Washington Post, 20 January 2015, <http://wapo.st/1rvulZg>; 'A woman's place is in the audience', Bond, 26 October 2015, <http://bit.ly/1rVIYXC>.

The implication of this is that the way civil society is organised and re-sourced makes it harder to work on addressing intersectional, overlapping and layered issues of exclusion, such as the way ageing adds a further dimension to other forms of exclusion. Civil society, even unintentionally, may be helping to perpetuate silos between CSOs and civil society areas of work, and missing opportunities for connection.

Vladimir Cuk and Jaimie Grant make a similar point in relation to disability, where they see opportunities to make connections across multiple forms of exclusion as being missed, because of the narrow way that programmes are constructed, and also because of the assumptions that underpin the design of programmes, which miss out on complexity and nuance:

Too often programmes to make goods and services accessible, or inclusive of an otherwise marginalised group, have a limited vision of who that group is. For persons with disabilities, unsubstantiated assumptions about their needs mean they are seldom considered for such interventions primarily aimed at other marginalised groups.

CIVICUS' analysis of civil society has long been that it is an arena characterised by disconnection, with much working in isolation and insufficient sharing of practice, something that is in part driven by competition for funding and visibility.³⁹ This disconnection detracts from the overall impact that could be achieved by civil society, and it means that civil society may be overlooking, and unwittingly reinforcing, aspects of exclusion.

OWNERSHIP BY EXCLUDED GROUPS AND PEOPLE OF THE GLOBAL SOUTH

Competition for visibility and resources not only inhibits self-questioning and cooperation, but it can also hinder the development of civil society forms that strongly represent and enable the empowerment of excluded groups.

In the context of LGBTI rights in Africa, Kene Esom questions the motivations of CSOs based in the global north that propagate narratives of victimhood, particularly when they have the aim of attracting resources. The

39 'Bridging the Gaps', CIVICUS, 2011, <http://bit.ly/241ZzbV>.

danger here is of encouraging the notion that people in the global south can change their own circumstances. As Kene Esom puts it:

It is important to acknowledge that a single narrative serves a number of purposes, one of which is to continue to fuel a global neo-liberal enterprise that uses catchy phrases such as 'capacity building' and 'documentation of violations' to perpetuate dependency and stifle agency. Freedom and solidarity should never be built on pity. Pity creates a power dynamic and a messiah complex, which very often merely replaces one oppression with another.

Wanja Muguongo, in her analysis of LGBTI and sex worker rights in East Africa, also draws attention to the agency of global south civil society to win advances and develop its power, even in the face of hostility. At the same time, it is important not to take a simplistic view of global south civil society. Global south CSOs compete like any others. Cedric Nininahazwe points out that when a new network of young people living with HIV/AIDS was founded in Burundi in 2004, it was not welcomed by an existing HIV/AIDS network, which saw it as a competitor. Division was then caused between different HIV/AIDS groups by the availability of external funding, which fuelled competition that impacted on the work of CSOs and caused lasting reputational damage, which took considerable time to repair:

2010 was marked by internal conflicts between some organisations of people living with HIV. This created a crisis of leadership, and caused the response to HIV to become paralysed. The conflict revolved around the community component of the funding of the Global Fund to Fight AIDS, Tuberculosis and Malaria, and commanded much of the attention that should have been given to intervention and community response. Work was almost suspended, including socio-economic assistance, prevention of HIV in the community, legal assistance for people living with HIV, and support for orphans and other children made vulnerable as a result of HIV. Organisations of people living with HIV came to be seen as profiteers.

The lesson of this experience is that external agencies, such as funders and international bodies, should be careful about the danger of fuelling competition, however inadvertently.

It is essential that the agency and potential of activism rooted in the global south to challenge exclusion be recognised and supported. Matthew Hart and Ben Francisco Maulbeck set out the value of locally rooted CSOs:

Local LGBTI CSOs play a unique and important role in advancing equality and well-being for LGBTI people. These organisations have deep first-hand knowledge of their local LGBTI communities, their needs, their challenges and their strengths. They often address a range of needs through a variety of strategies, for example, by providing HIV testing and services, working with faith leaders and others to create more tolerant spaces, advocating for policies and laws that protect LGBTI rights, and providing legal clinics and know your rights trainings for local community members. As a result of this work, LGBTI CSOs have established credibility and trust in LGBTI communities, reaching populations that larger, more mainstream CSOs are often unable to reach.

The key distinction, as Vladimir Cuk and Jaimie Grant see it, is between programmes designed for excluded groups, and programmes designed by excluded groups; by implication, the distinction between civil society for excluded groups, and the civil society of excluded groups is an important one:

Our movement's approach is 'nothing about us, without us'. History has been full of well meaning - and not-so-well meaning - people who have tried to speak and act on our behalf. The disability rights movement has found, as have others in civil society, that achieving real progress requires self-organisation and self-representation. So when different movements across civil society collaborate, we earn legitimacy by collaborating openly as equals: self-advocates to self-advocates.

One response this suggests is to broaden our understandings of what constitutes civil society, and recognise, encourage and support a wider variety of civil society forms, including smaller and less formal entities. For example, Shaun Mellors, in his analysis of the stigmatisation of people living with HIV, suggests that understandings of what civil society is and where its power resides should start with people, rather than organisations:

It is important to stress from the outset that we as people are civil society, because too often we forget that it is individuals, with individual concerns, struggles, joys and insecurities, that are the building blocks of this overused term of civil society. It is important to bear this in mind as we try and understand our individual role and responsibility in addressing HIV related stigma.

Paul Okumu of Africa Platform also cautions about any imposition of civil society structures that can constrain the potential of the direct activism of excluded people:

We have killed the passion of activists by herding them into formal institutions that leave them little room except to be structured like us, funded like us and behaving like us. Yet we know from history that activism has flourished when our support allows the emergence of individuals and groups who not only take on the funders and funded alike, but are also able to break away from the constraints that come with projects, indicators and log frames.

It requires a presence and local understanding that cannot be cured by merely moving headquarters to the global south, having federal governance or working through 'partners on the ground'. It cannot be solved by big international projects run by too-big-to-fail organisations seen as too close to their governments.

Aruna Roy describes the emergence in India of people's movements that are close to poor and excluded communities, which are able to develop trust with excluded people in ways that other forms of civil society cannot:

MKSS realised that poor and marginalised people wanted a more accountable government. It was also clear that many viewed the burgeoning civil society sector with justified suspicion, as its own acts of corruption and arbitrariness were increasingly becoming obvious.

The strength of the 'peoples movement' is that it emerged as a distinct form from the unheard articulation of peoples' demands.

The impetus for MKSS came from living with and understanding the lives, concerns and needs of people in rural India.

Andrew Norton and Charlotte Forfieh, in their discussion of climate change and marginalisation, indicate the benefit of global south ownership of the debate, where CSOs are being supported to develop local expertise and authority in countries that will experience the worst impacts of climate change:

By locating in a least developed country the capacity to build and disseminate knowledge on climate action, network with other actors, speak with moral authority on the climate crisis, and offer to others the benefits of knowledge accumulated about adaptation to climate change, perspectives are changed and powerful new voices are brought to the debate.

At the same time, there are also challenges that can be encountered in supporting the self-organisation by global south excluded groups; this may be more difficult than channelling resources to established, conventional CSOs, and there may be potential for failure due to the under-resourcing of such forms. As Cedric Nininahazwe discusses, it took years for RNJ+ in Burundi to establish itself and develop credibility, and demonstrate to potential funders the level of professionalism that they expect to see before committing resources. But this did not entirely preclude them from working in the meantime; for example, network members were able to volunteer their time in outreach sessions. This indicates that organisations of excluded people can start themselves up and develop their own power, even where resources are lacking.

A further challenge arises when systems and policies to work with civil society fail to see and include non-traditional forms of civil society, as TUSEV in Turkey suggests can occur:

Another cause of exclusion, marginalisation and inequality is the recognition of associations and foundations as the only legal forms of civic participation. Other organisational forms such as informal groups, platforms and initiatives are not recognised by law, and they lack legal personality. The legal framework contains negative prohibitions against them, they are not eligible for public funding and are prone to be excluded from public consultations.

Shehnilla Mohammed identifies another challenge, in that many organisations of excluded people tend to be rooted in the struggles of a charismatic leader, and so vulnerable to a loss of leadership:

Many of the LGBTI organisations in Africa have been set up by activists in reaction to personal experiences with homophobia, stigma or violence. These organisations tend to be personality driven and often struggle to keep afloat or deliver when the leader is unavailable or out of action. Hence there is a need to support activist organisations to develop into stronger institutions with proper succession planning and with increased capacity to provide sustained and high impact results. There is also a need to support new and emerging activists and organisations, as this will contribute to the building of a diverse and more effective movement.

SELF-ORGANISATION AND MAINSTREAMING: A PLURAL RESPONSE

The above analysis points to the suggestion that two simultaneous responses are needed within civil society: both to enable the self-development and self-organisation of excluded groups, but also to build connections between civil society groups working on different issues, in order to bring different and overlapping issues of exclusion into the work of civil society as a whole. As Lene Steffen and Jennifer Grant put it, in relation to child rights, the need is both for children to have their own spaces, and to participate in the spaces created by others:

Child-led bodies provide a structure through which children can elect their peers to represent them in local and national governance structures and to influence decision-making. Civil society should influence governments to put in place the necessary legal frameworks and budgets for children to organise. Equally importantly, children should be encouraged to join other, adult-led associations, as age should not be a barrier to participation.

Similarly, Matthew Hart and Ben Francisco Maulbeck note that, while groups that focus specifically on LGBTI issues are vital, there is also a need for other bodies, particularly CSOs working on other human rights issues, to work on LGBTI rights:

While LGBTI-specific CSOs play a vital role, there are some needs of LGBTI communities that will ultimately have to be met by mainstream agencies and CSOs. Mainstream human rights CSOs are positioned to amplify and lend legitimacy to efforts to advance the recognition of the rights of LGBTI people.

Increasing the LGBTI inclusiveness of mainstream CSOs complements the strengthening of LGBTI-specific CSOs. LGBTI CSOs have the knowledge and experience to offer larger service providers training, support and community linkages. Moreover, any service or advocacy effort focused on LGBTI communities will be more effective when local LGBTI communities are authentically engaged.

This also implies that existing CSOs should examine their participation bases and take steps to reach out to people from excluded groups, and explore ways to devolve functions to the ownership of excluded groups.

BUILDING CIVIL SOCIETY COALITIONS AND NETWORKS

Coalitions and networks therefore emerge as important. As Vladimir Cuk and Jaimie Grant put it, civil society needs to work across intersections to address the challenges that are common across different experiences of exclusion:

Our movements already share much in common. We combine journeys of recognition and inclusion with struggles for redistribution and empowerment. We face institutional, communicational and attitudinal barriers. Many of us face physical obstacles in myriad forms, and discrimination and marginalisation throughout our whole lives. These inequalities and discriminations lead huge numbers of us to be excluded from society and, all too often, left in poverty.

TUSEV in Turkey also calls for the development of a culture of collaboration:

Wider civil society coalitions should be formed and CSOs need to adopt a culture of collaboration in their everyday work. It has been noticed that women's and LGBTI organisations in particular have been successful in working together and developing common

ground. These attempts should be more widespread among different organisations in terms of developing complementary agendas and joint advocacy efforts.

Several contributors suggest that issues identified above, of competition between civil society, and missed opportunities to advance joint agendas, can only be addressed by renewed attention being paid to the building of coalitions and networks. For example, Cedric Nininahazwe notes that competition between HIV CSOs in Burundi was eventually mitigated by the formation of a consortium which helps to share information, manage representational opportunities and develop joint work. Phumzile Mlambo-Ngcuka appeals for coalitions to be broad-based and work beyond niches:

The transnational discourse on substantive gender equality issues needs to be built up from the grassroots. This requires that all stakeholders work collectively. It means working across generations and constituencies to build the solidarity that can overcome silos and individual agendas to build a collective and common vision of justice, equality and shared prosperity. It is not productive to preach only to the converted. It is critical to reach out to non-traditional constituencies, such as men and boys, youth, the military, academics, media, faith-based groups and trade unions.

As Toby Porter expresses it:

In order to truly 'leave no one behind', civil society and our organisations and representatives need to reject issue-based isolation and embrace inclusion.

One of the roles that alliances and coalitions could play is to identify and encourage working on issues of intersection. A focus on points of intersection between exclusions will enable stronger working across different identities, and help to bring issues away from the margins and into the civil society mainstream. Kene Esom sees that coalition working has achieved such breakthroughs in advancing LGBTI rights in Africa :

The last few years have witnessed greater public organising by LGBTI groups and their allies. Although many of these groups were established by LGBTI persons in response to imminent threats to

their human rights, these groups quickly formed alliances with CSOs working on broader issues of human rights and social justice, thereby elevating the discourse to a level never seen before in many countries on the continent.

Coalitions and alliances can also enable the sharing of successful models developed in one sphere that may have greater applicability to addressing other forms of exclusion, such as inclusive models that involve people living with HIV in tackling stigma, as outlined by Shaun Mellors. Araddhya Mehta points to another valuable role civil society alliances can play, in making channels for dissent more available to people from excluded groups, and mitigating the risks involved in dissent, but also draws attention to the need to respect the space of local civil society forms, rather than substitute for them:

We need to work in alliances that create stronger voice and mitigate the risk of speaking out. This has to be done in ways that support citizens and national groups, build their capacity and garner solidarity, rather than occupy their space.

Another function of coalitions and alliances is to bridge between civil society and other spheres, including to foster constructive engagement with governments, at national and international levels, as Phumzile Mlambo-Ngcuka suggests:

Despite the recent climate of intimidation for activists, productive interaction with governments, with space for autonomy and criticism, has been one of the hallmarks of the global women's movement. Strategic alliances, including within national governments and parliaments, can help women's movements reach their goals.

Coalitions and alliances need to be built at different levels, and make connections between those levels. Kene Esom indicates that regional LGBTI coalitions in Africa have grown out of national level coalitions, which developed and grew stronger. Shehnilla Mohammed also notes the growth of such networks, and calls for connected work on multiple levels simultaneously:

There is a need for the African LGBTI movement to strengthen and build on their work of engaging African leaders at regional bodies such as the Southern African Development Community, the African Union and the African Commission on Human and Peoples' Rights. This work then needs to be built into a cohesive strategy for engagement at the global level, such as with the UNHRC and other UN bodies, to derive maximum impact. In short, leaders need to be held to account at all levels.

Vladimir Cuk and Jaimie Grant draw attention to the need to work at different levels in the new context of the SDGs:

We must coordinate within our movements and between our movements. We must coordinate globally, to ensure global human rights processes link up to the SDGs as each country's progress is reviewed. We must coordinate regionally, to share information, resources and training, and coordinate regional funding. We must coordinate nationally, so that as governments plan and implement policies and reforms to achieve the Goals, all members of civil society are represented and heard throughout.

To focus on common challenges and demands is ultimately to demand the realisation of rights for all, and to make clear that advances in the rights of excluded groups promote human rights for everyone. Phumzile Mlambo-Ngcuka, for example, suggests that victories in the battle for women's rights have a "spillover effect" in improving society as a whole.

Alliances and coalitions are also needed to address new and urgent challenges. Jenny Ricks suggests that rising economic inequality and the increasing concentration of wealth call for a new, joined-up civil society response, but counsels that this will take time and effort to develop:

The internal factor pushing organisations to work together is a recognition from a number of CSO leaders that CSOs need to change, need to take sides with social movements, challenge power more fundamentally, and grasp the nettle of doing the right thing instead of the easy thing.

The strongest alliances are built around a shared political vision, from which an agenda and theory of change are built. Convening this takes time, patience, discussion, trial and error. Collective action needs to be built from people's experiences, both of inequalities, and how they are already working to fight them. It needs to be built from trust, and from a shared vision of how we will create change. It is long-term, not a quick fix directed at the next international summit.

The vision Jenny Ricks shares is consistent with a call made by CIVICUS, and a range of other civil society groups and networks, in 2014, which challenged civil society to break out of silos, put citizens at the heart of our work and connect with informal movements in order to challenge power.⁴⁰ That call remains relevant today, and continues to point the way forward for how civil society can step up to challenge exclusion.

10. THE CHALLENGE OF RESOURCES

The theme of the previous State of Civil Society Report was the resourcing of civil society, and the resourcing question remains a critical one for civil society action to address exclusion. While it is important not to underestimate the voluntary actions through which excluded people and CSOs can begin to alter their circumstances, to bring about change on a large scale requires resources.

Matthew Hart and Ben Francisco Maulbeck point to the under-resourcing of global south LGBTI groups, and the struggle they face to access resources from what can be characterised as mainstream funders:

Although LGBTI CSOs fulfil many vital needs in LGBTI communities, they are chronically under-resourced, particularly in the global south and east. Most LGBTI CSOs are run entirely by volunteers or with minimal staff, and only a small fraction have sophisticated mechanisms for resource development.

Historically and into the present day, LGBTI issues have received little support from foundations, government agencies, and other

mainstream institutions. Even in the United States, where the LGBTI civic sector is the most extensive, foundation support for LGBTI issues has remained stable at about one quarter of one per cent of all foundation funding.

Data from the Organisation for Economic Cooperation and Development, they go on to say, shows that only 0.04 per cent of Official Development Assistance specifically goes towards addressing LGBTI issues.

In a similar vein, Gabriel Ivbijaro and Elena Berger point to the enduring paucity of funding for people with mental illnesses, which they suggest needs sustained advocacy to change:

Constant pressure is needed to make governments provide a higher share of health budgets for mental health. Civil society, including people with mental health problems, their families, and professionals who work in the field, have an important role to play in advocating for reforms, better facilities and new treatment options. These efforts should be international as well as national.

Shehnilla Mohammed's concern is that donor resources, which have been essential for developing and strengthening movements of excluded people, are now under threat because of changing donor priorities. In response, donors need to be encouraged to see their support for excluded groups as being about the advancement of human rights as a whole. This calls for closer and more explicit connections to be realised between funding for development and human rights:

A major challenge confronting the human rights movement globally is diminishing donor support and a shift in donor focus. International events such as the Syrian refugee crisis, the global economic crisis and the fight against terrorism have seen many international donor budgets being cut substantially.

One way for donors to see value for money and greater impact would be to link human rights to development rights. Not only would this counter the refrain from African leaders that development trumps human rights concerns, but it would also ensure the LGBTI community is included in development planning and processes. The SDGs provide one opportunity.

⁴⁰ 'An open letter to our fellow activists across the globe: Building from below and beyond borders', CIVICUS, 6 August 2014, <http://bit.ly/24rMoBi>.

One interesting development in 2015 was a shift in the policies of the Ford Foundation, significant because it is one of the world's major philanthropic funders. Its new strategy explicitly focuses all of its work on reducing inequality, which it has identified as the major challenge of the day. It will seek to tackle underlying causes of inequality and, in a move that will be welcomed by many in civil society, will provide more of its resources as core support for organisations.⁴¹ It will be important to track the progress of the Ford Foundation's new direction, and encourage learning from its experiences as a potential model for other funders.

This move chimes with the need, as Matthew Hart and Ben Francisco Maulbeck identify it, to develop schemes of core support for local CSOs in the global south, where modest amounts of funding can make a crucial difference. They call for:

... core support to strengthen LGBTI CSOs at the local level, particularly in the global south and east. Since these organisations often provide a range of programmes with limited resources, even small grants for general support or core support can offer them invaluable flexibility in responding to the emerging needs of their local LGBTI communities.

Kathy Mulville meanwhile calls for resources to go beyond support for projects and programmes to support the development of international networks:

To protect our advocates and activists, civil society needs to be able to meet and discuss, share strategies and plan joint actions. At a time when funds for advocacy and activist networks are severely limited, it is important to tell funders that it is critical that resources are provided to protect the very advocates and activists that we depend upon to bring about social change.

A concern emerges that current funding schemes are missing the potential to support smaller organisations rooted in the experiences of the global south, including nascent, emerging groups of excluded people that may not qualify for funding schemes because of a lack of organisational formality.

41 'Ford Shifts Grant Making to Focus Entirely on Inequality', The Chronicle of Philanthropy, 11 June 2015, <http://bit.ly/1COTxFN>.

Emerging groups of excluded people may find it harder to work through the formal processes of registration, compliance and reporting that funders require, or may find that to do so risks making too many compromises with state regulatory agencies or losing their edge of innovation. When funders fail to reach such groups of the excluded, they are, however unintentionally, helping to perpetuate cycles of exclusion.

Coalitions and alliances offer one way in which resources can be encouraged to reach small and new groups, by sharing the burden of applications and encouraging non-financial forms of support between established and new CSOs. There is also a need to establish locally rooted funders, such as philanthropic institutions, in and of the global south, to support actions that larger and global north funders may not be able to see or reach. Matthew Hart and Ben Francisco Maulbeck characterise the roles such institutions can play:

Just as local LGBTI CSOs are vital, so too are locally-rooted LGBTI foundations and other philanthropic entities in the global south and east. These institutions often serve as implementing partners for government funders and private foundations, providing local knowledge and expertise as well as the capacity to build strong, sustainable and effective CSOs in their respective home regions.

Glown Wombo Kyei-Mensah's account of the conditions for people with mental illnesses and epilepsy in Ghana suggests that some quite modest resources can make a difference in challenging the exclusion that blights people's lives: an initial grant of around US\$5 provided support in the form of a mental health nurse that helped someone with a mental illness resume a productive role as a teacher and become reunited with his family. At the same time, there is a need to make connections between such interventions and work at the policy level, such as advocating for resource commitments to support mental healthcare. There is also a need to exploit synergies between financial and non-financial means of support, such as peer support and self-help networks.

Araddhya Mehta also affirms the need to support the small, local and southern, rather than supplant it, and Wanja Muguongo showcases the work of UHAI in supporting groups that challenge the exclusion of LGBTI people and sex workers, which conventional funders tend to miss:

Support from UHAI in particular has provided a critical lifeline to organisations that would otherwise not have accessed support because of their geographical marginalisation, weak institutional capacity, lack of registration, or, in some cases, the sheer cost of work that needs to be done, as in the case of UHAI's support of the constitutional challenge to the Anti-Homosexuality Act in Uganda. We are committed to identifying and supporting young, nascent ideas, sustaining funding over the years to allow for institutional development, and accompanying our funding with tailored capacity support in order to grow activist organisations until they reach the kind of structural and institutional integrity that attracts further, continuous funding.

Importantly, much of the funding from UHAI is given as peer grants, in which local activists decide where resources go, enabling excluded people to determine their own agendas and priorities, something that helps to develop participation and build empowerment. But Wanja Muguongo also reports that there is now a need for efforts to be scaled up, with supported organisations having reached a point of maturity where they now feel equipped to push for more dramatic change, which means that more resources are needed:

In order to respond effectively to current challenges and opportunities, our movements need sufficient, consistent funding to scale up their organising, advocacy and litigation efforts in a structured and effective way. They have proven to be knowledgeable, resilient, brave and efficient, but still with limited access to funding. It is increasingly important that much larger, and bolder, investments are made in East Africa to enable sex workers and sexual and gender minorities to access sustainable flows of funding, at greater scale, in order to maintain their resistance.

As with this example, there is a need for resourcing to be flexible and dynamic, and for long-term commitments, which enable organisations to grow and campaigns to be sustained, to be mixed with the availability of rapid, easily accessible funding, which helps CSOs and groups to ride emergencies and respond to opportunities. As our 2015 State of Civil Society Report set out, CSOs are more resilient when they have access to multiple sources of funding for a diverse range of actions. The principles that deci-

sions about funding should be taken as close to the ground as possible, and excluded groups should be involved in decision-making processes about the distribution of resources, are also sound ones.

There is, in addition, a need for funding schemes that help CSOs build their internal inclusion capacity, so that they can demonstrate that they strongly practise what they preach, model best practice and make themselves more inclusive. For example, specific funding schemes could be established that enable smaller CSOs to apply strong maternity and sickness pay practices, and develop, monitor and audit more inclusive policies.

11. CONCLUSION AND PRINCIPLES FOR FUTURE ACTION

Our contributors have discussed a range of exclusions across a diversity of contexts. While each is different, remarkable similarities have emerged, in the ways in which civil society is tackling exclusion and realising rights, the challenges civil society faces, and the issues that civil society must address in our ways of working. There are current emergencies that are giving rise to new, more complex and more enduring forms of exclusion, which give greater urgency to the need to address exclusion. The SDGs provide an extraordinary opportunity to achieve breakthroughs in tackling exclusion, but this will only come if civil society is fully involved from the outset in the design, implementation and monitoring of the actions that arise from them.

Because this report is of and from civil society, our closing thoughts must be about what we in civil society can do to improve our work to tackle exclusion. We must build coalitions and alliances that recognise and act on the fact that exclusions intersect, and find the common ground between the different lenses through which we each view exclusion. We must open ourselves up to listening to each other, and to seeking out and hearing the voices of excluded people. This has to be an ongoing process, because exclusion is dynamic, circumstances change and opportunities arise. This means that we have to develop structures to listen to excluded groups systematically, and to keep channels of communication open, flexible and up to date.

We should be aware of the profound social injustice that exists in the world, and be motivated to change it, but we should be optimistic about the potential for change, have a positive vision about what we are working to achieve, and not see people as victims. We must put the principle of mutual respect at the heart of our organisations, and our work must be rights-based, treating excluded people not as the recipients of charity, but as people who are being denied their rights and must have redress. Our focus must be on enabling excluded people to access their rights, by developing their own structures and platforms, and realising and applying their own power. It should be a sign of success when excluded people form their own organisations and these grow, but at the same time we should work to ensure that this growth takes place within a connected civil society universe that is focused on leveraging the value of collaboration.

We should be careful in the language we use, and take pains to ensure that our language is respectful and up to date. We need to do this, not because changing our language is enough on its own to challenge exclusion, but because it is respectful towards excluded people to do so. We must work and communicate in ways that excluded people can engage with.

We should apply tests of inclusion to all the work we do, even when that work does not, on the face of it, explicitly address exclusion. This implies asking the question of how all our work impacts on exclusion, and whether our work is likely to advance inclusion, or inadvertently fuel exclusion.

We should test our recruitment and personnel policies and practices, including for members, volunteers, staff, leaders, governors and advisors, to ensure that they offer no barriers to participation by any excluded group, and actively make efforts to reach and encourage excluded people who are under-represented in our organisations. We need to make sure that policies do not stay on paper but are implemented in practice. We should ensure that our workplaces are welcoming and accessible for all, and that we work in flexible ways that enable everyone to contribute and achieve their full potential.

We should be open and honest about our own challenges and failings, pioneer transparency, model best practice and encourage its adoption in other spheres. We need to do so collectively, so that we can do this from a position of strength and confidence, and avoid fuelling competition between different organisations, or fuelling attacks on civil society.

At CIVICUS, we propose therefore to work with our civil society alliance to develop a new assessment tool that civil society groups can use to audit and demonstrate how inclusive they are. This tool could contain an element of peer review to encourage civil society cooperation and shared ownership of good practice in inclusion. We will also call for donors to civil society to support the development and application of new assessment tools.

Inclusion needs to start at home, and civil society needs to practise what it preaches. At CIVICUS, we will therefore be the first to apply such an audit to ourselves, and we will share the results with the CIVICUS alliance. We will audit ourselves regularly in future, in order to monitor progress. We will do so to demonstrate how important we believe it is to challenge exclusion, and how it is up to civil society to lead by example. In doing so, we will take a small step towards our vision of a world in which everyone has an equal opportunity to participate, and everyone has equal access to their rights.