

Conservation NGOs at risk

The International Union for Conservation of Nature (IUCN)
and shrinking environmental civic spaces

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I am grateful to the IUCN membership unit under the leadership of Enrique Lahmann, Sarah Over and Fleurange Gilmour for excellent cooperation in reaching out to IUCN members and facilitating dialogues with regional constituencies. Lastly, but not least, my sincere gratitude goes to the many NGO members who kindly shared their time and stories feeding into the analysis and conclusions presented here.

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COVER PHOTO: LATIN AMERICAN PARKS CONGRESS 2019

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SECTION 1

Introduction

The Silent Crisis of Conservation NGOs

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“We are suffering as Civil Society Organizations... We are being witch-hunted”.

“We are trying to survive...local NGOs are closing...if nothing happens...”

Asian IUCN NGO members, personal interviews

Civil society has a **statutory role in the governance** of the International Union for the Conservation of Nature (IUCN), the majority of whose 1400 members are non-governmental organizations (NGOs). Article 1 of the IUCN Constitution contains one of the earliest commitments (1948) to environmental civic spaces stating:

The Union shall **encourage and facilitate co-operation between governments and national and international organizations concerned with, and persons interested in, the <<Protection of Nature>>**. (emphasis added)

Beyond these constitutional commitments, collaborative arrangements between NGOs, governments, indigenous people's organizations (IPOs) and communities are at the heart of building effective and equitable conservation programmes.

Members today face a deepening and, to a large extent, silenced crisis simply because of doing their conservation work. This report, based on a global survey and interviews in three regions with a broad range of members, seeks to document and offer ways of tackling this challenge head-on.

In the wake of the 50th anniversary of the 1972 Stockholm United Nations Conference on the Human Environment, is the conservation world paradoxically entering a dark age of stifled civic spaces? How common are experiences of threats and risks and what are the types of challenges encountered? Do they reflect a cause for general concern or are they dark exceptions in the wider context of civic engagement? Considering the amount of partnership



COMMUNITY PROTESTS (SOURCE: THE AUTHOR).

language being floated in global meetings, it would be tempting to think that the situation is improving.

However, in contrast to the vision of NGOs as influential, vocal and powerful players in conservation, the reality of many today is one of deepening challenges. At a time, when civil society voices and efforts are direly needed to address global environmental challenges, spaces for action are rapidly eroding. Not only do **half of members indicate that the situation has worsened within the last four years, more than half of the respondents also perceive that threats and violence against environmental NGOs and IPOs are on the increase.**

Within recent years, recognition of the worst-case scenario of killings and violence against environmental defenders has rightfully grown, including a new resolution at the World Conservation Congress in Marseille in 2021. The occurrence of such extremes unfortunately is not surprising in the context of the far too common dismantling of democratic spaces for conservationists to take part in and challenge development decisions and promote alternatives.

This report argues that environmental defenders under attack are no longer an exception in the conservation landscape. Rather, such attacks reflect an increasingly common experience resulting from a vicious circle of deteriorating or shrinking environmental civic spaces. Findings underline how it is not enough to recognize that environmental defenders are being rendered vulnerable, at risk and individualized: we need to pay far more attention to the broad set of underlying patterns of structural concern and inequalities.

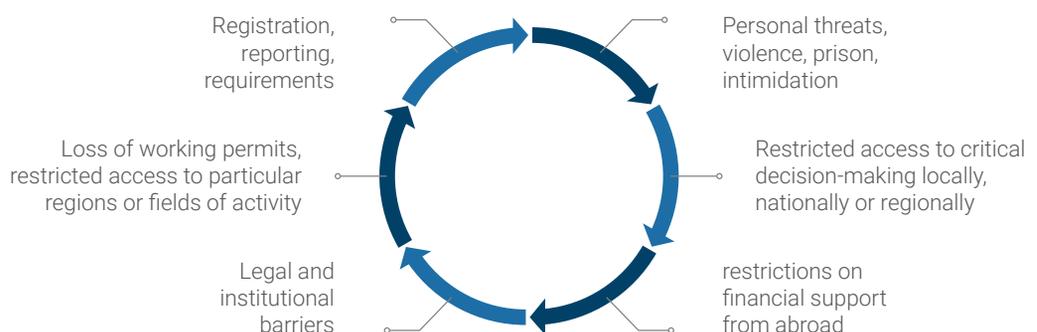
How to qualify civic spaces in the first place? The United Nations (UN) defines civic space as “the environment that enables people and groups – or ‘civic space actors’ – to participate meaningfully in the political, economic, social and cultural life of their societies” (United Nations, 2020). Such spaces are both meaningful in themselves, enabled by and enabling human rights, just as they are absolutely essential for the practice of effective and equitable conservation. Such spaces are constituted by a bundle of inter-related characteristics.

QUALIFYING CIVIC SPACES

“Importantly, civic space relies on formal and informal channels through which individuals and groups can **play a role in policymaking** and contribute to decision-making, political and peacebuilding processes. These require **mechanisms that allow effective access to information, dialogue and the expression of dissenting and unpopular views**. The freedoms of expression, including **access to information, of peaceful assembly and association** apply at all times – both online and offline. A vibrant civic space requires an **open, secure and safe environment that is free from all acts of intimidation, harassment and reprisals**, whether online or offline. Any restrictions on such a space must **comply with international human rights law** [i.e., must not discriminate, must be provided for by law, and be necessary and proportionate].” (United Nations 2020:3 emphasis added)

The crucial point, from an IUCN perspective, is the importance of treating such dynamics constitutively together as integral to its mandate and mission on the one hand, and recognizing and responding to the vicious circle of shrinking environmental civic spaces experienced by large parts of its membership and partners on the other.

FIGURE 1: VICIOUS CIRCLE OF SHRINKING ENVIRONMENTAL CIVIC SPACES



SOURCE: THE AUTHOR

The shrinking of civic spaces concerns both direct constituencies such as IUCN members and Commission members themselves, but also, and often even more so, indirect constituencies represented by project partners, grassroots organizations, Indigenous Peoples and local communities.

Some are at risk from government clampdowns, corporate attacks or red-tagging (see Larsen and Balsiger 2021), while others are experiencing the loss of spaces for action, financial support and international cooperation. If conservation, for some, is still assumed to be safer than 'more sensitive' areas of political activism, journalism, human rights and trade unionism, the recent killings and jailing of conservationists should call into question such assumptions.

It is true that the democratic mechanisms of the IUCN itself may be considered opportune safe spaces to forward and strengthen debate between governments and civil society. However, these spaces in contrast to the restrictions and shrinking spaces present in many countries. The contrast is striking, leaving IUCN processes as islands of partnership and environmental democracy aspirations in a sea of degrading civic spaces and hazardous working conditions.

CONSERVATION IUCN STYLE AT RISK!

The first important finding of the survey concerns the growing stigmatization of certain types of conservation activity which are integral to the very mission and vision of the IUCN. NGOs at risk are not limited to the usual suspects (those challenging mega-projects, extractive industries or timber mafias), but cover a wide spectrum of topics such as species work, wildlife trade and protected area management. Second, findings reveal how key IUCN principles are deemed sensitive or difficult (such as gender equality and human rights-based approaches). Third, the findings reveal the common phenomenon of conservation NGOs withdrawing from dialogue and debate to avoid confrontation. Together, the three reveal that IUCN conservation style is at risk.

This is, we argue, a largely silent crisis. Vocal critique is likely to backfire, resulting in loss of permits and/or access to decision-making and more. Can the IUCN, as a global environmental democracy pioneer, realistically make a difference when faced with such deepening restrictions? As a Union united around the protection of nature, an attack against one member is arguably an attack against all. There is, today, a real risk of the IUCN being hollowed out as a membership democracy and an urgent need to respond with a clear statement of solidarity and roadmap from the Union as a whole. Given that half of the respondents considered that policies governing NGO action have become more restrictive within the last four years, can this be shifted towards a more open and enabling space?

The strategic approach of the IUCN may today be characterized as cautious, seeking to strike a balance between government, NGO and expert constituencies. Clearly, the honeymoon period of NGO-government relationships is over and there is now a need for more policy and strategic attention to its uneven nature. Could this be read as the the nerve system and collaborative working approach of the IUCN as being under attack. As a new generation of environmental activism emerges, a progressive IUCN agenda defending the space for peaceful civic action and participation is urgently needed to enable, rather than tacitly acquiesce to the criminalization of peaceful collective action and mobilization.

The IUCN today lacks a clear and straightforward policy agenda in favour of environmental civic space and the needs of its NGO constituency. Although certain voices in the Union consider that existing policy standards are sufficient, others are increasingly calling for the crafting of clearer standards and guidelines regarding equitable collaborative government-NGO relationships which reflect the heart of the Union's core mandate.



REGIONAL CONSERVATION FORUM EXCHANGES ROTTERDAM

1.1. METHODOLOGICAL FRAMEWORK

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“These kinds of things we discussed with you cannot be discussed in our country... This can only be anonymous... it would be a safety issue for us if we spoke up...”

Anonymous respondent

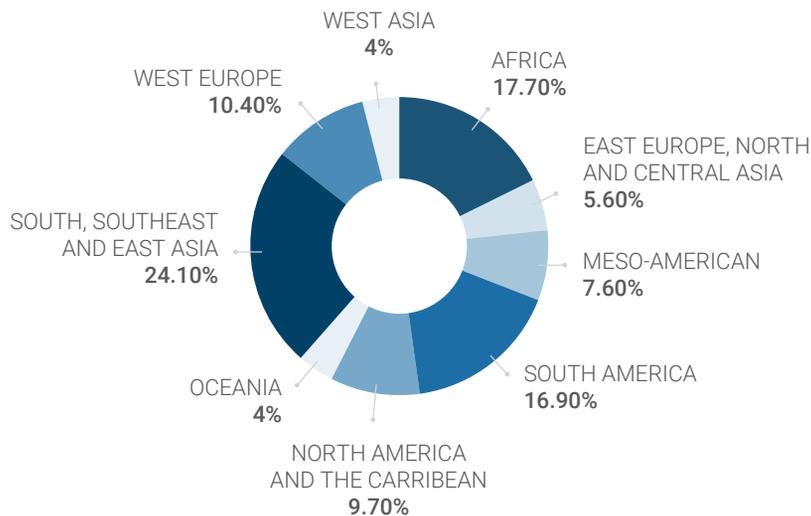
This report builds on the University of Geneva and the IUCN Membership Unit establishing a working relationship and crafting a methodological framework adapted to the specific institutional context.

Understanding the International Union for the Conservation of Nature (IUCN) network of more than 1400, and highly diverse, NGO members across the world poses a methodological challenge in the context of very limited time and financial resources¹.

A mixed-methods approach was utilized, with a short online survey for the NGO members made available in French, English and Spanish as well as the author conducting semi-structured interviews with IUCN Members in three regional meetings scheduled prior to the IUCN Congress. A final experience-sharing workshop was hosted by the IUCN Netherlands pavilion during the IUCN Congress in Marseille, 2021.

The IUCN membership unit was consulted on the formulation of relevant questions and played a crucial role in distributing the invitation to IUCN membership and regional conservation forums taking place in the second half of 2019. These forums involved both collective discussions among groups of NGO representatives as well as individual interviews.

FIGURE 2: WHICH COUNTRY DO YOU BELONG TO?



¹ Initial data-gathering for the report was undertaken with financial support from the Boninchi Foundation. Resources in terms of analysis and write-up were, however, not obtained leading to some delays in report writing.

A total of 249 NGO members responded over a three-month period, the majority of which came from national, local or regional NGOs (roughly 90%). Some 7% were international NGOs and about 2 % came from indigenous organizations together with a small group of respondents from academia, government and intergovernmental organizations.

As for participation in and access to regional forums, a deliberate choice was made to target Asia and South America in order to reflect the diversity of conditions and considering analysis of deteriorating conditions for environmental defenders in several countries. Europe and Central Asia were also included for reasons of proximity and accessibility. Actual attendance and ability to organize an information and experience-sharing session varied across the three regional forums due to a decentralized format.

There are notable and important blind spots in the report. While the general survey received responses from all regions, there were interview gaps in terms of the Middle East and Africa due to budget constraints preventing attendance at all regional forums.

It goes without saying that the challenges experienced by NGOs differ considerably, not only between countries and regions, but also among different types of IUCN members and their partners, depending on size, working area and strategic emphasis. Some NGOs are closer to government and the private sector, while others concentrate their work with social movements, indigenous and local community organizations. Even if the results may be considered biased by specifically requesting and receiving responses from NGO members concerned with their civic space situation, the results should nonetheless be taken seriously as a signal of alarm in many countries. Furthermore, it is also clear that most informants remained cautious in their responses. The sensitivity involved suggests the high likelihood of underreporting and issues taking place under the radar. The numbers of conservationists stigmatized as troublemakers and at risk of being red-tagged, blacklisted or otherwise perceived as a threat to political or economic orders are increasing (see also Larsen and Balsiger, 2021). For example, for NGO members in smaller countries with limited NGO numbers, there were clear risks of being easily identified both in terms of personal and organizational threats. Maintaining invisibility in the public landscape was perceived as safer than speaking up.

In order to protect informants, individual responses, countries of origin and identities are not shared in this report and most responses have been anonymized in terms of country, type of NGO and field of activity.

²In Europe, early engagement with the Secretariat allowed for direct engagement and the preparation of a dedicated side-event at the regional conservation forum in Rotterdam. In the case of Asia, interaction with regional office staff allowed for easy access to and visa preparation for the Islamabad meeting, but financial requirements initially prevented the organization of a dedicated side-event. An informal exchange was eventually made possible on-site. In the case of Latin America, regional office support enabled some discussion, but the regional forum organizing committee rejected the idea of a specific event dedicated to civic spaces. In response, we worked out participation at the Latin American Parks Congress which allowed us to include some interviews with Central American actors.

1.2. THE BIG PICTURE: SHRINKING ENVIRONMENTAL CIVIC SPACES

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“Civil society organizations face growing suspicion as to their motives, modes of functioning and viewpoints and threats to their work. This is a dangerous trend.”

South Asian NGO member

“Many NGOs remain kind of invisible ... We couldn't go or organize marches... We would get arrested ... We have had a lot of NGOs who stopped activities or moved to other countries...”

Central Asian NGO

When António Guterres, United Nations Secretary-General, on the occasion of the 75th anniversary of the United Nations, published his call to action for human rights, **“public participation and civic space” were central to this “highest aspiration”** (emphasis added).

It is (or should be) obvious that meaningful participation, channels and roles in decision-making as well as access and the expression of dissent are critical ingredients in effective and equitable conservation. Enabling conditions are not merely about participation, but security, as evidenced by debates on environmental human rights defenders to journalists, but also more broadly about the rights to freedom of expression, association and participation. Given that Guterres (2020) recognized that the United Nations depends on civic spaces, we might say the very idea of the IUCN is a distinct civic space – or, rather, multiple nested civic spaces at national, regional and global levels with a long institutional history.

The IUCN, as a democratic membership Union, features unique and regular opportunities for NGO engagement in conservation governance. While the IUCN prides itself on being an environmental democracy, many of its members, today, are de facto excluded from democratic participation in environmental decision-making. Some are restricted in what they can do in their respective countries but others are even constrained from taking part in international environmental cooperation, receiving international conservation finance or are under attack by private sector actors. NGO members, despite making up the majority of the Union's membership, face domestically shrinking civic spaces and deteriorating working conditions to a degree that today calls for urgent action.

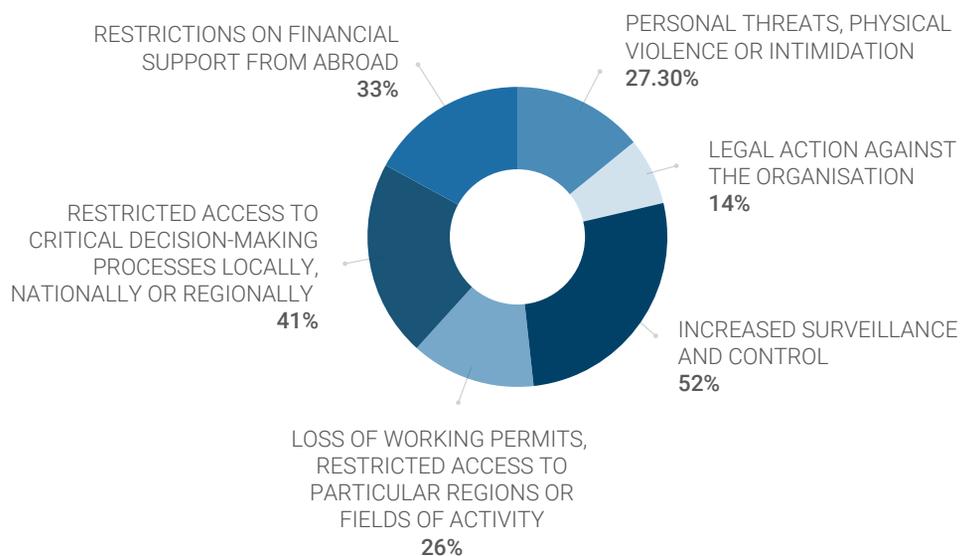
Challenges experienced by IUCN members span a wide spectrum from the individual to the collective, with clear policy and organizational implications for the Union. The nature of NGO-government dialogues is not a constant, but constantly evolving in terms of conditions, practices and results (Larsen and Brockington, 2017). At times, some are welcome at the decision-making table while others may choose to opt out of dialogues in favour of protests.



As one South American NGO noted, “We have stopped dialogue with the State. We are against oil extraction, yet the State continues to give concessions, thus the protests” (personal interview). Obviously, from an IUCN policy perspective, both options are legitimate under peaceful conditions.

It is striking that almost **40% of member respondents** consider that it has become **more dangerous** for NGOs or IPOs to do environmental work.

FIGURE 3: WITHIN THE LAST FOUR YEARS, HAS YOUR ORGANISATION OR STAFF EXPERIENCED...?



From terror-tagging of NGOs and killings to slowly eroding civic spaces, the forms of violence encountered vary considerably but nonetheless indicate a disturbing trend. **Half of the respondents** consider that policies governing NGO/IPO actions have **become more restrictive and almost half of responses stated that threats and violence against environmental NGOs are on the rise**. Clearly, there are widely-held **perceptions of intensifying dangers, threats and violence** in the IUCN NGO community compared to previous periods. Even though more than half of the NGOs do not consider the working environment to have become more dangerous, results vary considerably between and within different regions. One African NGO noted in their response that their organization had “worked for years without problems; the only need is one of financing” (survey response), while other reports and voices called for support for civil society. One NGO member from Brazil considered it a “safe country for NGOs working with biodiversity conservation”, yet the country remains one of the deadliest places for environmental human rights defenders (Global Witness, 2021).

While the type and intensity of issues differ, the survey points to the **global dimension of the problem**. A key finding is that the threats and risks faced by environmental conservation NGOs are not limited to particular regions. In fact, some **NGOs in all IUCN regions face issues** although some are obviously more at risk than others, raising not just regional differences, but also differences among different types of NGOs, areas of work and approaches.

It is noteworthy that **personal threats, physical violence and intimidation** has been experienced in all regions, albeit to varying degrees. In other words, **no IUCN region has been spared** from conservationists being targeted individually. Perceptions of increasing threats and violence against environmental NGOs are particularly present in regions such as Latin America and Eastern Europe.

Half of respondents in Eastern Europe, North Asia and Central Asia, for example, report that their organization or staff have experienced personal threats, physical violence or intimidation. While percentages are lower in other regions, at least 10% of respondents in all regions have experienced threats, violence or intimidation. It is time that conservation is recognized as a hazardous occupation and the Union explores collective responses. Yet, findings also reveal a wider spectrum of other challenges, where the forms of violence do not target the individual as much as the organization.

These include the loss of work permits, imposition of no-go-areas and even legal action against the organization. Almost a third of **NGOs experience access restrictions to decision-making processes, both nationally and regionally**, and similar **numbers face restrictions on access to financial support from abroad**. Curtailing NGO action, either through political or economic means, is common. The results of this ranges from NGOs closing down to rapidly changing working conditions and strategic efforts to adapt.

Although only a small minority of Western European respondents considered the current situation more dangerous compared to four years ago, almost **60% of members in South America, Eastern Europe, North Asia and Central Asia confirmed a trend towards more danger**. Also, more than **70% of respondents from Eastern Europe, North Asia and Central Asia considered that the policy environment had become more restrictive**, probably reflecting trends in recent years to adopt stricter NGO legislation. Spaces are shrinking despite instruments such as [The Aarhus Convention](#) and [Escazu](#) enshrining rights to access information, participation and access to justice in environmental matters.

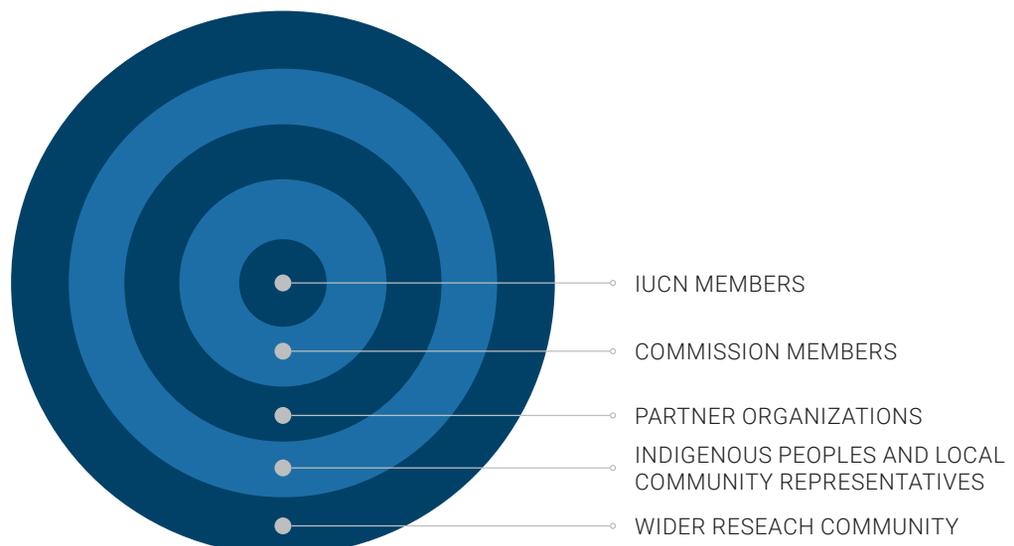
Indeed, in all regions except Africa and Western Europe, **half or more of the respondents highlighted more restrictive NGO legislation**. Whereas some **45% of respondents in South and Southeast Asia pointed to challenges in registering as or renewing their registration as an organization**, such problems were not reported by members in Oceania and Western Europe. The nature of restrictions obviously differ (fiscal, reporting, working areas, working methods), yet the findings nevertheless reveal a clear indication that regulatory intensity is restricting civic spaces for large parts of the IUCN's NGO membership.

1.3. WHO IS AT RISK? MEMBERS, COMMISSION MEMBERS AND PARTNERS

A central value of the IUCN narrative is that of a growing family of members, including the latest addition of IPOs. While the language of unity, family and partnering signals a collaborative ethos, it also easily disguises structural differences, dissonance, and marginality. Indeed, if anything, this report signals that a growing number of IUCN members are severely constrained in their efforts to undertake conservation work in domestic arenas and face considerable personal and organizational risks in doing so. Yet, such constraints often remain invisible in the bigger picture of membership and dialogues.

It is not trivial to point out that IUCN members do not work in isolation, but depend on long-term, supportive working relationships, not only with government but equally with other researchers, environmental movements and local communities. The IUCN membership makes up only a fragment of the wider group of actors active in the environmental conservation field. While our survey activities focused on perceptions among IUCN membership, interviews also revealed **significant threat scenarios in the subsequent layers of partner organizations, scientists and target populations**.

FIGURE 4: CONCENTRIC LAYERS OF AFFECTED MEMBERS



In overall terms, IUCN membership organizations represent only a small fraction of environmental, conservation and sustainable development NGOs; the Global South, in particular, is characterized by a myriad of CSOs and smaller organizations. While some IUCN members are not themselves targeted, many have colleagues, partner organizations or work with communities subject to different forms of violence and shrinking spaces. This is, for example, true for conservation as a field of international cooperation as illustrated by the Swedish Society for Nature Conservation below.

The Swedish Society for Nature Conservation surveyed its international partners in 25 countries and found that “88 per cent of participating organisations state that the situation for civil society in their respective countries has deteriorated in recent years” and “80 per cent say that they find it difficult to carry out their activities as planned. The most common forms of risks are said to be surveillance (physical and digital), smear campaigns and death threats”. (Swedish Society for Nature Conservation, 2019: 4)

Such phenomena were also abundantly clear in dialogues with Latin American partners during the regional Parks Congress in Lima in 2019. Participants in the Congress included not only direct IUCN constituencies, but wider community, indigenous peoples and NGO networks working on conservation. IUCN offices and big NGO members furthermore spoke of site-specific activists being targeted in situations of extreme violence and impunity. While the IUCN membership base in the region is fairly small, discussions with multiple organizations partnering with IUCN revealed serious threats and challenges.

“

“THE KILLERS ARE STILL AFTER ME”

In South America, one community representative spoke of facing “serious threats”. When the community mobilized against a mining project, including local decisions to exclude larger projects and called for human rights to be respected, the person received death threats and was forced to go underground. Although international support had led to some improvements, even legal condemnation, the risks remained: “I’m looking for immediate and long-term protection”, he said, “the killers are still after me”.

Anonymous, personal interview

One Central American activist spoke of “authorities who are supposed to defend us, but instead defend multinationals” in situations with active extractive or hydro-energy projects. Indigenous peoples and their communities were highlighted as a group particularly subject to targeted violence, but several also mentioned violence directed at the technical staff of conservation projects .



INDIGENOUS PROTESTS IN PERU (SOURCE: THE AUTHOR)

While some 23 IPOs are members of the IUCN, this only covers a small fraction of the number of indigenous peoples and organizations working in the area of community conservation. Also, it is important to emphasize the frequency of threats against scientists, researchers, consultants and journalists working in the conservation arena. The impact on IUCN Commission members is particularly important, but remains poorly documented. In response, a number of Commission chairs (SSC, CEESP, ELC) are being encouraged to work more closely with the Union for the protection of environmental defenders (see recent resolution on environmental defenders).

SELECTED RISK AREAS



Personal Threats, Violence and Intimidation

Attacks against conservationists are not limited to the organizational sphere, but have direct individual and even physical costs for NGO staff and people working with them. Almost **a third of survey respondents reported that their staff or organization had experienced personal threats, physical violence or intimidation during the last four years**. Globally, 17% of respondents consider this a major challenge for their organization.

“

BE CAREFUL WHEN YOU GO HOME. THIS WILL BE YOUR LAST DAY

An Eastern European NGO staff member received this personal threat while researching the international wildlife trade linked to Africa, CITES and endangered fauna.

“My organization is easy to target and there is a huge organized fake news to push government to eliminate us in a way, but it is also at the level of personal threats. ‘Be careful when you go home. This will be your last day’, I was told in a message, as I openly pushed for media to investigate cases. Wildlife trafficking involves very powerful people, I cannot say names in order not to have problems. I am standing alone. I’ve aged 10 years in one year.”

Anonymous NGO member

While covering a wide spectrum of different phenomena and varying degrees of severity, the problems clearly indicate how conservation in certain countries, especially for those at the frontline, has become **a hazardous occupation**. This is not limited to threats, acts of violence or security concerns. A common phenomenon is also that of blacklisting staff, whether for jobs, funding, approval of activities or participation in a given process.

“

I WAS PUT ON THE BLACKLIST

Prior to recent elections, I was put on a blacklist. Articles were posted about me...to make me silent and quiet... Today, they still monitor me closely. I feel like I am in danger, not yet safe... We got a lot of anonymous phone calls... but I never talk about it. It is also risky to me...we do not always know who is who....

Southeast Asian member

While occupational safety and health as well as security concerns are often downplayed by the heroic ethos and commitments to wider conservation goals, their prevalence are an immediate cause of concern. **Half of the respondents in Eastern Europe, North Asia and Central Asia pointed to their experience of threats, violence and intimidation, revealing generalized patterns of personal attacks.** The findings are a critical reminder that healthy civic spaces are not only about organizational and policy matters, but also concern individual fates, human rights and well-being, including the families of those affected.

“

MY LIFE IS BEING THREATENED BECAUSE OF MINING ACTIVITIES

I'm fucked, (*jodido*). My life is being threatened because of mining activities... The miners have a lot of money. They killed another leader some years ago and now there's a price on my head. I've had to hide in the capital city and we're looking for ways of self-protection. The State has a branch for the protection of defenders at risk with armed escorts...but nothing else, no further investigations...I'm fucked. I remain connected; if not I'd go mad... but it also puts me more at risk. The problem is, if they don't close the mine, don't investigate further, I won't be able to go back. The one who pays is free today, while my life is in danger.

South American community leader

At least 10% of respondents in all regions have experienced threats, violence or intimidation. What is noteworthy here is that such personal attacks take multiple forms and illustrate how wider collective conservation struggles are individualized. These cases also demonstrate the significant political and economic implications. Whether in international wildlife trade or extractive industries, substantial illegal economies may implicate high-ranking officials and powerful economic actors, rendering critical civil society voices extremely vulnerable to both personal and organizational attacks. An Asian conservationist spoke of how their harassment, because of challenging local government policy, also affected their school-child. For others, individualized forms of punishment include travel restrictions, exclusion from decision-making or even defamation and criminalization.



Organizational Working Conditions and Access to Decision-Making



A number of legal, financial and institutional conditions may enable or undermine NGO activity. Legal action against NGOs is common – from strategic lawsuits to de facto restrictions. For NGOs to be able to work effectively, it is not merely a question of having the right to speak and work on a given conservation challenge, but also about the day-to-day work of running offices, fund-raising and reinforcing organizational capacity. Accessing arenas like the World Heritage Committee is critical (source: the author)

Access to data, decision-making arenas and participation in environmental governance are central to NGO activity, global environmental standard-setting and effective conservation as a whole. It is arguably also at the heart of the IUCN conservation approach with its strong emphasis on science policy linkages. However, survey findings indicate that NGO members are frequently being denied or facing restricted access to data as well as losing access to decision-making arenas. The experience of a member from South Asia not being allowed access to baseline data and assessments in a disaster relief area is far from unique:

“

MOST DATA IS CONFIDENTIAL

One NGO member working on marine conservation noted how “most data is confidential: if we want to know the baseline, it’s hard to get ... or maybe regulations say not to share. It’s confidential, government interests. Sometimes we don’t even share data, sometimes we are not allowed to gather first-hand data”.

East Asia NGO member

The question of access to public meetings and decision-making processes featured strongly in responses from Eastern Europe, North Asia and Central Asia. Globally, **within the last four years, 41% of respondents had experienced “restricted access to critical decision-making processes locally, nationally or regionally”**.

“

NO LONGER INVITED TO ANY GOVERNMENT MEETINGS

Our government finds ways to block NGOs who react. Some NGOs were critical, and after making one or two public presentations the organization was blocked and no longer invited to any government meetings on the topic.

Central Asia NGO member

Such restrictions are encountered across different regions and arguably reflect a common pattern of members experiencing restricted access to decision-making processes, particularly when expressing dissent from official policy and plans. While not constituting a safety or immediate security of conservation NGOs, it touches upon the heart of the IUCN as an environmental democracy. It also concerns what happens to NGOs once they are back home and seeking to engage in dialogue. This may have multiple consequences.

Indeed, **a quarter of respondents mention having experienced “loss of work permits and restricted access to particular regions or fields of activity” within the last four years.**

Considering the importance of NGO field access to maintain conservation capabilities, this indicates a clear risk of NGO action being stifled. It also signals a critical area, where IUCN national dialogues would be critical to redress the shrinking working spaces.



Sensitivity of Conservation Issues, Acceptable Areas and Ways of Working

One NGO member spoke of **“three radars.. which is the donor, which geographical area and which thematic area?”** Shrinking civic spaces may result from ‘collateral damage’ as a result of governments clamping down on political opposition or whole regions becoming sensitive (as seen with the Rohingya refugee flows) or areas becoming sites of civil conflict. This research also reveals **specific issues and challenges linked to the conservation sector.** Indeed, what is considered sensitive is constantly changing, leading to new areas and ways of working being subject to black listing. “What is normal today, may be sensitive tomorrow”, as one representative noted: “You don’t even have to raise human rights”. Several interviewees stressed gender (including LGBT), human rights and tribal/ethnic conflict areas and displacement as sensitive.



LGBT ISSUES ARE NO-GO AREAS

LGBT issues are no-go areas. The list of sensitive issues is becoming longer day by day. Instead of ‘violence against women’, you should speak of ‘well-being of women’.

South Asian member

Sensitivity, in turn, is paralleled, by the proliferation of the stifling of critical voices through labels such as ‘troublemakers’, ‘enemies of the state’ and ‘terrorism’ being used in the context of environmentalism.



PROTESTS DURING WORLD CONSERVATION CONGRESS 2012 (SOURCE: THE AUTHOR)

The boundaries between what is, and is not, acceptable not only vary between countries, but also shift over time. One Southeast Asian NGO noted how levels of sensitivity determined which projects were allowed. Any signalling of sensitivity could prolong the approval process substantially, a phenomenon increasing with deepening regulation of NGO activity. In the same region, another member noted how “if you mention human rights, land rights or democracy, you will have a problem. Especially the word ‘advocacy’. So we need to modify the term in the local language, even the term is very sensitive” (personal interview). What is striking about such statements is the gap between IUCN policy – explicitly committed to such standards and language – and the struggle that members trying to implement IUCN resolutions face on the ground.

“

OUR PROPOSALS ARE OFTEN REJECTED

One Southeast Asian NGO spoke about the challenges of getting permits to run projects. Authorities... “would not accept us anymore: even when I sent a letter about this IUCN gathering (regional conference), they asked why I have to travel a lot. We try to keep them informed, but our proposals are often rejected”.

Southeast Asian NGO member

In a world where effective and equitable conservation requires working on a wide range of issues in a variety of often complex settings, a striking finding of the report is the growing sensitivity of conservation as such. Even though natural resource conflicts may not translate into higher level geopolitical conflicts per se, the survey findings point to increasingly unsafe conditions of doing conservation in large parts of the world.

Whereas restricted access to certain areas such as border areas, military zones or sites subject to insurgency or conflict are common, conservation NGOs also frequently find that access to core conservation areas with big economic investments or on-going political tensions is also restricted. This concerns **sensitivities about where and what NGOs work on. As an example, a third of respondents reported that protected area conservation has become more sensitive, and almost a quarter point to species conservation becoming less safe.** Although members also indicate problems in the areas of extractives (24%), and illegal extraction and trade (28%) as well as social inclusion and human rights (25%), the findings demonstrate why so many IUCN members are meeting challenges in doing conservation. These shifting boundaries of what is sensitive or not are important because, to a large extent, they determine the day-to-day boundaries of safe conservation work. Sensitivity is often accompanied by shifting grounds of acceptability – even legality – of working on certain themes or areas.

“

STAY AWAY FROM THE COAL INDUSTRY

What things can't you do? The coal industry...we cannot be active despite government plans to increase coal plants... We wanted to organize a press tour but it was prohibited. We are a member of a climate change network that calls on us to do things like strikes... I had to say we couldn't. Any kind of march, even silent, it's all prohibited.

Anonymous member

Another member noted the difficulty of working on mining and extractive industries once government concessions had been initiated, notably in terms of upholding environmental laws such as following the required steps in terms of environmental impact assessments.



BOLIVIA (SOURCE: THE AUTHOR)

“

IF YOU KEEP PROTESTING, YOU CANNOT CONTINUE WORKING HERE

We got a call from the authorities. [They said] ‘you should not do that because the company is a partner of ours and investing here... If you keep protesting you cannot continue working here’”

Asian NGO member

What is noteworthy, notably from interview data, is the sheer diversity of and somewhat surprising issues that are considered ‘sensitive’. In particular, it is striking that certain fields of work that most observers might take for granted as acceptable conservation activities, not least based on global conservation standards, have become – or remain – sensitive in certain countries.

A Central Asian interlocutor spoke of hunting laws becoming sensitive and leading to massive conflicts of interest alongside wildlife trade. One East Asian interviewee mentioned the difficulty of accessing monitoring data, given that much of it is considered confidential or classified. Although science, data and monitoring may appear as standard activities, it may quickly become sensitive. Yet, another representative mentioned how work in their country on dams, Ramsar sites and fisheries was considered sensitive and so subject to extensive government monitoring.

Sensitivity may have different consequences. IUCN NGO members across all regions have experienced loss of work permits or restrictions to areas and fields of activity. If numbers in the survey are too small to assert broader trends or patterns, they offer indication of restrictions at work on certain topics or areas. For some NGOs, the IUCN space can be mobilized to discuss and access international spaces on sensitive domestic topics, yet such opportunities are yet to be pursued strategically.



NGO Surveillance, Reporting Requirements, Renewal Permits and Targeting

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Surveillance and metadata gathering facilitated by Facebook and other social media platforms are very worrying.

Anonymous IUCN member

Many IUCN members expressed concerns about increasing surveillance, reporting requirements and deepening bureaucratic control of NGO action. What governments frame as a matter of ensuring order in the ‘murky waters’ of non-governmental action, is perceived by many NGOs as shrinking spaces for their action and increased control.

“

HUMAN RIGHTS, HYDROPOWER, FISHERIES... THEN GOVERNMENT MONITORS

Government closely monitors our voices – no problem – we do our tasks. For conservation NGOs, it is still ok. They can do their tasks in terms of preservation, replanting and dialogue. The problem is for advocacy and human rights organizations... if they want to dialogue on hydropower, fisheries...sensitive topics...then government monitors them closely.

Asian member

The surveillance risks raised by NGO members are multiple. While such problems may not threaten the activities of NGOs altogether, they can severely hamper the space for critical NGO activity: almost **40% of respondents listed “increased surveillance and control” among the three most important challenges** faced by their organizations. Only in Oceania, Western Europe and partially in Africa, did the majority of respondents not perceive an increase in NGO surveillance and control. As noted in a large Asian country: “Our country is really difficult. Every year they [make us] renew our license, every year there is an audit. They can simply stop us without serious reasons... That kind of pressure is serious” (personal interview). Another NGO member also underlined the significant pressure: “If it continues like this NGOs will disappear! Fourteen agencies need to give clearance for our activities, everyone has to clear me... if they don’t clear me, my renewal cannot be done.” (personal interview).

While such surveillance tactics are not confined to conservation NGOs, there are clearly perceptions of growing surveillance, fragility of institutional independence, policing and even targeted intervention in the conservation arena. As a Central Asian member noted, “from last year onwards we need to inform them about everything in reports, but one day if they want to make trouble they may ask in detail...” (personal interview).



POLICE OBSERVE, TAKE PHOTOS, RECORD THE NUMBER OF PARTICIPANTS

We need to ask permission action by action, then they also send police to observe and take photos, record the number of participants...

Asian IUCN member

FOR EVERY PROJECT WE NEED A ‘NO OBJECTION’ CERTIFICATE

Our MoU [Memorandum of Understanding] has to be renewed every year. For every project we have to seek a NoC [No Objection Certificate]. Provinces may sabotage an event. We have been stopped and have had to organize meetings at big hotels to avoid sabotage by agencies.

South Asian NGO member

THEY CONTROL OUR LICENSE, THEY CAN EVEN PUT YOU IN PRISON

The government is very serious and cautious about security. This is also a local government issue, so whenever you criticize an environmental issue, officials talk, they really push you. They control our license, they can even put you in prison.

Anonymous member

Organizations perceived to threaten political or economic actors are increasingly at risk of being red-tagged, blacklisted or otherwise targeted by security agencies (see also Larsen and Balsiger, 2021) or simply face further scrutiny. This is in direct contrast to the leniency extended to commercial interests on exploration and environmental permits. As a Central American member noted:

“

IGNORING INDIGENOUS AUTHORITIES AND OFFERING PERMITS

The presence of hydroelectric companies...they come and contact the municipalities who ignore indigenous authorities and offer permits. This creates the conflict. Indigenous authorities are disadvantaged...the contracts are established and there is a conflict with the state.

Central American NGO

The dangers are real, both in terms of personal and organizational threats. Most seek to adapt to such surveillance as part of their everyday working reality.

“

LAST YEAR, A THOUSAND NGOS WERE BLACKLISTED

It's the NGO sector as a whole. Last year, a thousand NGOs were blacklisted for not complying. Hundreds were questioned for not submitting reports.

South Asian NGO

Ranging from black-listing to intensified scrutiny such as office visits and communications surveillance, the practice is found across a wide spectrum of political systems. As one Asian NGO noted: “authorities even check our social media pages. If we wrote certain things on our official webpage we would have trouble and we would be reported on” (personal interview). Across the network, red tape and foot-dragging by officials make it difficult for NGOs to get a project approved or even to renew their registration papers. This may involve both local and central officials, partly depending on where NGOs are registered. **A quarter of respondents have, within the last four years, experienced loss of work permits or restrictions on their work.**



Access to Conservation Finance and Restrictions

A core issue to ensure well-functioning NGO action is that of sustainable long-term finance and income. In many of the serious cases affecting IPOs and local community partners, there is extremely limited capacity. As an IPO from South America noted:–

“

WE DON'T HAVE THE RESOURCES

There are so many things. We don't have resources. Lawyers exist, but all need money. The big NGOs may have access to them but we, as an indigenous organization, do not have the money.

Personal interview, South American IPO

With rapidly evolving conservation finance mechanisms,⁴ it is no surprise that questions of access, strings attached, fundraising procedures and access to public/private donors or regulatory bodies have huge implications for conservation action. “About \$52 billion per year flows to conservation projects, the bulk of it in public and philanthropic funds” (Tidjane Thiam in Huwyler et al., 2016: 3). Such total figures, however, disguise major inequalities of access, not least in terms of access by small NGOs in the Global South.

“

IT'S A BIG EFFORT TO RECEIVE A GRANT FROM AN INTERNATIONAL FOUNDATION

It's a big effort to receive a grant from an international foundation. After new legislation, NGOs have lost opportunities with international agencies. You cannot act as normal NGO...it took us two months. It was the last grant. After that grants were no longer offered to NGOs. In another case, NGOs had to change their status to continue to work.

Central Asian NGO

¹ <https://www.fundsforngos.org/free-resources-for-ngos/guide-conservation-finance/>

Whereas some members see financing as more important than political constraints, others make the link between the two: as one member from South Asia noted; “we’re lacking NGO friendly policies...from taxation to government not giving opportunities to take part in tenders”.

On the positive side, for many small NGOs, the IUCN network fosters contacts and access. As one small NGO noted “As an IUCN member, we get a lot of support – financial, knowledge and science”. However, others stressed deteriorating conditions, including restrictions on financing from abroad, travel or exclusion of NGOs from certain finance and support schemes.

“

WE CANNOT RECEIVE GRANTS

We cannot receive grants. With new special registers under the control of government, you must pay advocates for registration... In the worst case, you can't register. A few years ago, it took us six months to register, paying a consultant to prepare papers. In the 1990s, the situation was better. We just had to inform the Ministry of Justice and send an electronic copy. That was in the 1990s.

Eastern European NGO respondent

In a global context, where the transfer of funds is a central part of conservation collaboration, from transboundary conservation to global environmental governance, many NGOs fear further channelling of funds into government-run initiatives which may not always provide the most effective or efficient form of support. For small NGOs, restricted access threatens the backbone of their outreach efforts, whereas renewed access, obviously, may provide a critical lifeline to enhance conservation.

“

WE NEED HELP NOT CONSTRAINT

The government is afraid that environmental NGOs will transfer funds to political parties... In this situation, it is a pity for our organizations...they decrease our status. You cannot act as a normal NGO. We need help not constraint. We cannot receive grants and there is an attempt to liquidate strong NGOs and force them to be under the control of the government through a special register.

Eastern European NGO respondent

NGO responses, IUCN Commitments and Conclusions

7.1. NGO RESPONSES: ADAPTATION, CONTESTATION, AND INEQUALITIES

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IT IS MORE EVOLUTION THAN REVOLUTION

We do lots of things. We don't try to be maverick and challenge the government. We believe in collaboration and that is the way: it is more evolution than revolution.

South Asian NGO member, personal interview

Asked about their reactions to threats, violence, sensitivities and restrictions in the last four years, **18% of respondents reported stopping their work on a given issue** or project altogether and **28% said they had reduced public protests and activism**. Some reactions involve retreating from spaces, while others are of a more pro-active nature.



CIVIL SOCIETY CAMPAIGNING AT WORLD HERITAGE COMMITTEE MEETING, 2015 (SOURCE: THE AUTHOR)

A fifth of respondents had changed partners, requested support from public authorities or taken legal action. Even more significantly, **almost half of respondents voiced concern through social media and 60% joined forces with like-minded partners.** Roughly, **a third requested support from international networks, yet only 16% engaged with the IUCN** to find responses.

In countries like Brazil, with a long history of violence, boomerang reactions include mobilizing wider local and international networks. As a Brazilian NGO noted in the Bolsonaro context: “we are in the process of strengthening our networks with other NGOs and local communities to ensure that socio-environmental policies are incorporated in decision-making” (personal interview). Similar forms are found in other countries shaped by authoritarian practices, where networking, mediation and collective platforms offer some level of protection against the targeting and stifling of individual NGOs. Faced with multiple challenges, from legal and organizational to personal, the interviews with NGO officials revealed the different levels of capacity responses. The ‘international’ IUCN space in such contexts can offer some kind of safe ground, ranging from addressing individual environmental defenders under attack towards creating spaces for dialogue around conservation controversies and strengthening dialogue spaces.

While responses indicate readiness to organize and federate, the IUCN, however, does not always appear to be the first choice for various reasons. A common modus operandi of NGOs involves keeping a low profile in public in order to maintain a certain working space, despite shrinking legal spaces. What also emerges is that conservationists are not always prepared to respond to such threats and violence. Safety and security protocols are not always in place and the nature of such challenges very often go beyond the reach of individual action.

“

WE TRY TO ADJUST OUR WORK

It is so challenging. We have no other choice so we try to adjust our work. Without us, the local community will be much more challenged... We try to find a way to adapt and to work – not confront.

Southeast Asian NGO

Going public is accompanied by too many risks. There is also matter of self-censorship: “there are certain government plans that NGOs no longer dare question”, an Eastern European observer noted. Just as the world has come to recognize the persistence of inequalities in responses to COVID 19, responses to shrinking civic spaces reveal highly unequal terms. It is, in this sense, no surprise that local organizations without international backing are among those hardest hit.

7.2. IUCN CONSTITUTIONAL COMMITMENT TO CIVIC SPACES

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Is it just a jolly good trip to Bangkok or Cancun, or are you taking the agenda seriously?

Member on being a member of the IUCN

The **central IUCN principle of NGOs, States and scientists coming together** is a remarkable one. Encouraging cooperation between conservation actors has, in theory, always been at the heart of the IUCN recalling the 1948 constitutional commitment to **encourage and facilitate co-operation between governments and national and international organizations** concerned with, and persons interested in, the ‘Protection of Nature’.



REGIONAL CONSERVATION FORUM IN ROTTERDAM, 2019 (SOURCE: THE AUTHOR)

This original emphasis, already in 1948, was not only about governments and organizations, but also people interested in the protection of nature. It concerns both NGO members and the IUCN Commission members who, in their individual scientific or professional capacity,

engage with conservation. We might speak of this as the founding moment of the inclusive IUCN social contract, not limited, to State membership as, for example, the United Nations, but one that embraces other organizations and persons engaged in nature protection. The foreword to the 1948 founding document speaks of world coordination and advisory groups – the everyday institutions and mechanisms making up the nuts and bolts of international environmental cooperation today.

IUCN statutes address the importance of environmental civic spaces in both direct and indirect terms. The preamble speaks of a “**responsible** international organization” with an aim as stated in article 2 to “**influence, encourage and assist societies...**”. Although the article dedicated to membership merely lists the kinds of different membership categories, **article 3 actually suggests an ambitious governance role, including direct recommendations**, as illustrated in the matrix below (emphases added).

TABLE 1: IUCN STATUTES AND CIVIC SPACE IMPLICATIONS

IUCN STATUTES (ARTICLE 3) TO ATTAIN THESE OBJECTIVES, IUCN	POTENTIAL CIVIC SPACE IMPLICATIONS
(a) mobilizes its Members, components and partners to build alliances for conservation ;	Room for IUCN membership mobilization and partners to engage in alliance building .
(b) strengthens the institutional capacity of its Members to conserve biological diversity and safeguard ecological life-support processes at global, regional, national and local levels ;	Room for capacity building of NGO members and wider CSO capacity ; an enabling environment.
(c) promotes enhanced cooperation between its governmental and non-governmental Members to strengthen the capacity of its Members and partners;	Enhanced cooperation between governmental and non-governmental members requires solid ground rules and enabling civic spaces .
(e) provides a forum for discussion of conservation issues , including their scientific, educational, legal, economic, social and political dimensions, at global, regional, national and local levels ;	Forum discussions – and enabling environments – at both domestic and international levels on legal, economic, social and political dimensions of conservation at both local and national levels .
(f) develops expert networks and information systems to support its Members and components ;	Potential for systematic monitoring of civic spaces and working conditions in support of its membership .
(g) prepares and disseminates statements on conservation, drawing on the expertise of its Members and components ;	Systematic space for access to information and participation of expert networks in assessments and statements of conservation.

IUCN STATUTES (ARTICLE 3) TO ATTAIN THESE OBJECTIVES, IUCN	POTENTIAL CIVIC SPACE IMPLICATIONS
(h) influences national and international legal and administrative instruments so that societies are enabled to enjoy the benefits provided sustainably by nature and natural resources;	Moving towards more explicit guidance on national and international legal and administrative instruments for equitable and enabling civic spaces .
(i) makes representations to governments and international agencies so as to influence environmental policies;	Representations to governments and agencies, multilateral environmental agreements and their Secretariats on the importance of enabling civic spaces.
(j) assists in the development of mechanisms for debating and resolving international environmental issues ;	Mechanisms for debating the status and health of civic spaces.
(k) contributes to the preparation of international agreements relevant to the conservation of nature and natural resources and encourages States to adhere to these agreements ;	Contribute to inclusion and strengthening of enabling civic spaces as a priority in international agreements and implementation mechanisms and encouraging States to adhere to the agreements.
(l) takes any other appropriate action which will promote the conservation of nature and natural resources; and	Develop support mechanisms and action modalities with National Committees and the Secretariat where civic spaces are under threat.
(m) implements the provisions of these Statutes.	An implementation and monitoring focus.

Membership admission, as spelt out in article 7, is contingent on the IUCN Council determining that the applicant **“shares and supports the objectives of IUCN”, has the achievement of its objectives as one of its central purposes and has a track record demonstrating the above** (emphasis added). In particular, members that “pursue objectives or carry out activities that conflict with the objectives or activities of IUCN” would, in principle, be excluded. Here is the crux of the matter.

In cases where States (or other members and affiliates) pursue activities or regulatory ideas in direct contradiction with key criteria this could, perhaps, one day prompt the creation of a new governance and dialogue mechanism for the IUCN to work on improving conditions. Although **Article 13 allows for potential suspension, rescission or expulsion in cases of inconsistency with IUCN objectives**, earlier dialogue approaches would appear to offer better opportunities than such measures.

It is, for example, interesting to explore the potential of national and regional committees. The statutes on national and regional committees in Part VII remain fairly vague on actual implications (other than strictly formal requirements such as membership eligibility and having a legal personal). Part VI of the **IUCN regulations, in turn, specifies the importance of**

Committees acting in conformity with IUCN objectives as well as endeavouring to “ensure full participation of their members” (emphasis added). This, once again, would offer a window for reviewing – and improving – spaces for civic engagement.

Still, current draft model bylaws for national committees would seem to mainly indicate a narrow programmatic focus. The preamble stresses the Committee as a means to “participate in the preparation and evaluation of the IUCN Programme and strategies”, yet also mentions cooperation and coordination. While the draft model mentions the “full participation of all IUCN Members” and transparency, it has limited language regarding dialogue and implementation of IUCN policy. While it indicates that the Committee “may take positions, announce policies, and issue statements”, there is only indirect and reactive language on upholding general IUCN policy and statutory commitments.⁵ What, then, are the options for taking this forward?

Examples of closing civic spaces abound and many NGO members struggle against restrictive initiatives, yet IUCN national committees are rarely the main arenas for such conversations. However, in a number of cases, IUCN country and regional offices *have* worked behind the scenes with government partners on specific defender issues (Larsen and Balsiger, 2021).

While there is a certain call among smaller and more vulnerable NGOs for more active mobilization of national committees, there is also considerable scepticism in the NGO community. Some raise questions about whether the IUCN is siding more with governments, leaving little space for NGO inputs on critical questions and policy development. NGO members experiencing restrictions or harassment often report feeling isolated with only little support in general calls for public participation. As one noted:

“I’m not sure they [the Secretariat] put a high priority on organizing meetings of the national committee...there are no regular meetings of members in our country, yet one could imagine more meetings like workshops on how to raise local issues at regional and global levels... or how to submit a motion” (personal interview).

Although overall IUCN statistics show membership on the rise, it should be noted that a number of organizations have pulled out over time.

Management appears aware of the challenges, many senior officials having themselves been confronted with field-level realities. While a common first reaction is uneasiness about engaging in new fields of dialogue, many IUCN officials also see considerable scope for quiet diplomacy expanding the union’s convening role. One regional representative called for a clearer set of principles and good practices when entering into dialogue with national officials in countries where NGOs are facing hardship. Some expressed hope that the IUCN could play a mediatory role. “Their voice carries a certain weight”, one interviewee said, referring to dialogues with government in their country. As former Director General Grethel Aguilar noted, “It’s not enough to guide people about safety... we need something more” (personal interview). Other members are more sceptical: “The IUCN is like a bureaucratic agency –

⁵“The Chair of The National Committee shall communicate such positions and policies at once upon their adoption by The National Committee to the Director General of IUCN. Should the Director General find that such positions and policies may be inconsistent with the objectives of IUCN, the Chair of The National Committee shall make all reasonable efforts to resolve such problems, and if the problems cannot be resolved with the Director General, the Chair may address the issue to the Council of IUCN.”

special language, special issues. Most people feel outside of the process”, one noted while another said that the IUCN is “perceived as yet another NGO. They also need to renew their license. The IUCN in our country does not support us”. While some NGOs perceive the IUCN offices as competitors for resources, others enjoy cooperative arrangements and benefit from international connections, capacity support and further access. Indeed, when exchanges were held at the Regional Conservation Forum, one observer noted this was the first time such topics had been aired in an IUCN context.

Others stress a continuous effort by the Secretariat and Commissions to work on specific defender issues, for example. This is largely on a case-by-case approach, and today depends on leadership commitments. Yet, in other cases the tone is more critical, citing the lack of support from and influence of country offices in regard to the challenges experienced by small NGO members and partners. Whereas the level of support is today is largely dependent on the individual commitments and capacities of country/regional officers, many members signalled the potential for a stronger role and position if a more formal policy position were adopted. It should also be noted that some members expressed discontent, feelings of injustice expressing fears that IUCN more readily sided with governments than with its NGO membership in complex cases. The IUCN is lacking any “NGO inputs on critical questions and discussions”, as an Asian member phrased it. Each case will have its particularities, yet the overall picture is one about NGO uncertainty about what to expect from the IUCN when faced with shrinking spaces.

“

IT'S ABOUT COLLECTIVE VOICE WITHIN THE SECTOR

We have learnt that we need to unite, donors and NGOs together. Some of our old donors are scared, saving their own skin... I question, why are we then giving lectures to communities about collective voice? It's all rubbish. We have no right to preach if we are not practicing ourselves. There is a lot of grouping among NGOs: we are not practicing advocacy, it's about collective voice within the sector.

Asian IUCN member

From a membership point of view, this is an area clearly in need of organizational and policy investment. This may, indeed, also contribute to reinforcing the decision of small NGO members whether to join or remain in the IUCN.

Following the clear call for action at regional consultations in preparation for this report, a number of members pursued the preparation and submission of an IUCN motion to bring this concern to a wider Union audience for deliberation and decision-making at the Congress in Marseille. However, both the **initial submission and a later appeal were rejected** on the grounds that **“IUCN policy and practice already supports and protects effective safe spaces for environmental civil society”** (emphasis added: see annexes). Given the deep-seated challenges exposed in this report, such conclusions may seem overly optimistic as to the contents and effects of existing IUCN policy. While, at a stretch, it may be granted that IUCN

policy (indirectly) supports civic spaces, suggesting that IUCN policy “protects effective spaces” is outright problematic and erroneous.⁶ The Council’s rejection of the motion as well as rejecting the second appeal after the need for the motion had been further justified, could be interpreted to indicate that the Union leadership in the Council does not yet recognize the gravity of the working conditions being experienced by its NGO membership. Indeed, by not sending a clear message, one can understand local NGOs reading this as the Union’s tacit acceptance of deteriorating NGO conditions.

“

WARM CHAIRS IN THE CAPITAL

Currently the IUCN is not equipped. They’re sitting on their warm chairs in the capital – not knowing or understanding the situation of members. I am totally disillusioned.

South Asian member

If the IUCN cannot serve as a forum for support and equitable NGO engagement, there is a clear risk that conditions will deteriorate in silence and other fora and partnerships will eventually be sought out by its members. Although conferences and workshops have long been heralded as triggers of policy-making and agenda-setting, attention to the limitations of this approach need to be considered. It is, in this sense, not enough to create mega-events of dialogue and participation every four years; a more substantive agenda on civic spaces tied into everyday environmental decision-making and conservation practice is urgently needed. There is an opportunity to reinforce the role of the IUCN Secretariat and national committees in protecting such spaces. Exploiting this space will require a far more explicit mandate and commitment by the organization’s leadership. While the opportunity for a firm IUCN resolution has been postponed another four years, it is not a sine qua non condition for action. In fact, members are very clear about what can be done.

When approaching NGOs in terms of priority actions to undertake, we included a range of possible responses such as monitoring, model legislation on enabling environments, working towards a global code of conduct and facilitating mediation and dialogue between NGOs, governments and third parties. **Nearly half (45%) of respondents voted for strengthening mediation between NGOs, governments and third parties.** This may be read as a vote of support for **IUCN’s convening role.** The second priority, with a **43% vote, was to work towards a global code of conduct for environmental NGOs/IPOs and defenders.** Although some observers raised the risk of such a code of conduct being “used to repress us and [therefore] should not be pursued”, others saw scope for IUCN to **raise the bar in terms of standards for enabling civic spaces.** A third of respondents, in prolongation also saw the relevance of **model legislation for enabling environmental civic spaces.** Another **priority is that of training and awareness raising.**

⁶“If it isn’t broken, why fix it?” seems to be the credo, in a policy logic that would appear to ignore the dire situation faced by many NGO members. The social contract fundamental to IUCN policy does appear broken or at least in urgent need of healing and support.



TRAINING TO DEAL WITH THREATS AND INTIMIDATION

“It would be great if IUCN could provide some training to IUCN partners to be able to deal with threats and intimidation to persons or organizations. Also, how to mobilize support from IUCN members at country level or the IUCN Regional Office to monitor and give support to the partners.”

Anonymous NGO member

Some 30% of respondents also saw **room for public statements and advocacy**. One member specifically called for the IUCN to “Shame governments into action. Track and report on defenders killed, investigations, prosecutions, and convictions” (personal interview). Finally, a quarter of respondents underscored the relevance of **facilitating “access to international procedures and mechanisms”**. Indeed, rather than a single type of response, this points to the relevance of a multi-pronged approach.

7.3. CONCLUDING REMARKS AND RECOMMENDATIONS

The contrast between the IUCN social contract of conservation dialogue and the fractured reality of NGO marginality is striking. Shrinking civic spaces are a common experience of large parts of the IUCN membership: such challenges are no longer exceptions only encountered by confrontational activism versus big business or megaprojects too big to fail. They are experienced by mainstream conservation organizations, their partners and community hosts across all the main types of conservation activity and conventional domains such as protected area conservation, species conservation, development planning and conservation dialogue. This is feeding a vicious circle of shrinking environmental civic spaces which is in dire need of response.

If the enthusiasm characteristic of the early days of environmental NGO cooperation is not to be abandoned, nor a glorious past of dialogue idealized, the emerging patterns are today cause for urgent attention. The political space and economic resources for conservation NGOs have shrunk rapidly over a very short period of time – and they continue to shrink and be hollowed out. The right to disagree, dissent and protest, so essential to healthy environmental democracies, is being infringed upon systematically.

Whether in relation to businesses or states curtailing civic spaces, these phenomena often fly under the radar of existing monitoring (including membership surveys and global dialogues) due to their sensitive nature. It is time to break this silence. While conservationists are accustomed to raising the flag about the conditions of biodiversity, they also need to raise the flag about violence and the deteriorating conditions in which they work.

Although growing attention is being directed towards the most extreme cases of violence against environmental defenders (Global Witness, 2020), this report reinforces wider calls to address the less visible forms of threats, violence and shrinking spaces. The challenge is not

the existence of a tumultuous, even competitive or conflictive, relationship between NGOs and government. This comes with the territory, so to speak. In contrast, however, NGO relations are far too often individualized, uneven and subject to inequitable practices. As long as members are being barred from decision-making, censured for speaking environmental truth to power and threatened with criminalization, the future of any biodiversity agendas, no matter how well-articulated their goals and targets (Larsen et al., 2020), remains bleak.

Dialogues organized at regional conservation fora in Lima, The Hague and Islamabad as well as the World Conservation Congress in Marseille highlighted the widely experienced and structural nature of the problems. The CSO space we have taken for granted in the conservation field is melting away, or at least being transformed rapidly for many without to trigger a systematic collective response.

Domestic NGO-State relations are yet to become an explicit target of IUCN policy and good practice. The status quo is one of IUCN-led environmental democratic spaces being undermined without a clear-cut Union-wide message about the importance of maintaining well-functioning, equitable and enabling spaces for conservation dialogue. Sponsor arrangements for NGO participation in international meetings and occasional encounters cannot replace healthy environmental governance institutions and everyday dialogue spaces at home.

In fact, IUCN processes today, for many NGOs, appear as islands of democratic performance in a sea of growing restrictions. To put it in provocative terms, is the IUCN fiddling tunes of cooperation, while the Union, as another heavyweight Titanic, is sinking? What is the point of investing in public events of global dialogue, if the conditions of national dialogues and implementation are eroding the very basis? Looking forward, can the IUCN islands offer stepping stones for more enabling conditions and equitable bridges between state and NGO membership?

Given that the United Nations has recognized the challenge even without NGO membership (Gutierrez, 2020), it is about time that the IUCN follows. Without a vibrant NGO membership, the IUCN will quickly become a mere shadow of itself. Yet, is it realistic to expect the IUCN leadership to step up to its constitutional commitments and move outside of the comfort zone of consensual conservation? Not acting on these challenges as a union would equally be a lost opportunity to reach out where help is urgently needed among the majority of the IUCN's membership.

No chain is stronger than its weakest link, the saying goes. In times when stronger IUCN action is more important than ever to secure effective biodiversity outcomes, the eroding basis for members to engage in decent societal debates on conservation is nothing less than a crisis. The IUCN 2021 Marseille Manifesto proclaimed one "nature, one future", underlining the "perspectives and agency of all citizens" in the pursuit of partnerships:⁷ such an ambition requires urgent attention to enabling civic spaces. The recently adopted IUCN resolution on environmental defenders is a step in the right direction. However, supporting the protection of environmental defenders is the last line of defence, when the shrinking civic spaces have given way to violence. To effectively revert this trend, the IUCN must actively seek to promote building blocks for enabling and peaceful environmental civic spaces.

⁷ https://iucn.s3.eu-west-3.amazonaws.com/en/CGR-2021-1.6-2_Marseille_Manifesto_IUCN_World_Conservation_Congress_10_%20September_2021.pdf

While one NGO member noted that “we have no other choice then to adjust”, the IUCN as a union not only has a choice, it has a statutory obligation to make a difference. If the IUCN wants to come out on the other side of this civic space crisis stronger and more united, there is a need to recognize the global nature of the crisis, reverse the patterns of degradation and show more solidarity with those members struggling to maintain their work and activities.

Although there are instances of the IUCN providing direct support to individual defender cases, either through its Secretariat or membership, this report argues that standards and mechanisms of solidarity can – and should – be strengthened considerably. Indeed, the IUCN continues to maintain some leverage on State members and collective voice. Members have emphasized a wide range of priority concerns to secure safe and enabling working environments. Over 70% stressed further dialogue between government and civil society, which serves as a firm call for Union activity; 60% called for more public participation; and, more than half of respondents opted for training and awareness. A third of respondents support strengthening international monitoring and independent investigations, while almost one half support policy reform and strengthened legal protection measures. Striking the right mix of measures and practices will require adaptation to particular regions and countries. In fact, almost half of participants **prioritize mobilizing the IUCN's convening power for mediation and dialogue between NGOs/IPOs, governments and third parties**. Some **43% also prioritize moving towards a Global code of conduct for environmental NGOs and defenders**, while 40% again prioritize further training and awareness. There is also considerable interest in developing model legislation (31%), and in developing further documentation and support mechanisms.

A constructive approach is clearly called for to counter the tendency of restrictive policies; a purely moral condemnation of eroding spaces and killings is not enough. There is a clear opportunity for a new agenda clarifying core IUCN standards as well as developing practical measures and dialogue mechanisms to support effective and equitable state-NGO relationships as part of a reinforced IUCN social contract. Relevant possibilities include an IUCN Council membership working group to work on a set of concrete policy standards and practical measures for the Union.

SECTION 8

References and Annexes

8.1. REFERENCES

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ANNEX 1: MOTION ON PROTECTING ENABLING AND EFFECTIVE ENVIRONMENTAL CIVIL SOCIETY SPACES (NOT ACCEPTED)

Protecting enabling and effective environmental civil society spaces

SPONSORS

Association Biom - BirdLife in Croatia, BIOM

Bulgarian Biodiversity Foundation

Foundation for the Preservation of Wildlife and Cultural Assets, FOWC

The Indigenous Peoples of Africa Co-ordinating Committee, IPACC

IUCN Netherlands (supportive)

PROVITA

SAVIA Bolivia

WWF International

PREAMBLE

RECOGNISING that civil society organizations, Non-Governmental Organizations (NGOs) and Indigenous People's Organizations (IPOs) are a core pillar of the IUCN family.

CONSIDERING that NGOs and IPOs play a crucial role in reaching the objectives of IUCN to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable.

NOTING with concern the growing number of IUCN's NGO and IPO membership that faces deteriorating working conditions, regulatory restrictions and shrinking civic space hindering active participation in developing effective conservation solutions.

STRESSING that open and equitable environmental civil society spaces are a condition sine qua non for achieving Sustainable Development Goal 16 for 2030 to promote peaceful and inclusive societies and balanced cooperation with States and other actors.

CONSIDERING that the IUCN aims to strengthen the institutional capacity of its Members at global, national and local levels and to promote enhanced cooperation between its governmental and non-governmental Members.

RECALLING IUCN Resolutions 18.2 *on the governance of the World Conservation Union* (Perth, 1990), 17.9 *NGO Partnerships with IUCN* (San José, 1988), 5.003 *Prioritizing IUCN membership awareness and support* (Jeju, 2012) and 3.081 *The Implementation of Principle 10 by building comprehensive good governance systems* (Bangkok, 2004).

The World Conservation Congress, at its session in Marseille, France, 11–19 June 2020:

1. ADOPTS the attached Marseille Principles of Good Practice on environmental civil society spaces and cooperative arrangements between governmental and non-governmental Members.
2. URGES States to adopt and uphold policies guaranteeing healthy environmental civil society spaces.
3. CALLS on the Director General to work with State and non-State Members, Commissions, Regional Offices, the Secretariat and other International Organizations to:
 - a. Develop good practice policy standards and model legislative measures articulating the Marseille principles in concrete regulatory measures and practices.
 - b. Facilitate dialogue between NGO, IPO and Government membership on cooperative arrangements and equitable environmental civil society spaces
 - c. Actively monitor, through its Membership Unit, evolving civil society conditions and report to the IUCN Council on global and regional trends
 - d. Facilitate a global awareness raising campaign to promote the Marseille principles
 - e. Undertake resource mobilization with donor countries and foundations to finance activities in support of environmental civil society and environmental defenders action.
4. CALLS on IUCN Members to promote and uphold the Marseille principles as a basis for membership cooperation and solidarity
5. REQUESTS Commissions in particular CEESP and WCEL to contribute to knowledge generation, fund-raising and technical support to develop analysis and good practice approaches.

ANNEX to be added to the resolution (as per discussion with Secretariat):

IUCN “Marseille Principles” of good practice on enabling environmental civil society spaces and enhancing cooperation between NGO and Government membership

1. *Enabling and open* civil society spaces grounded in access to information, public participation and access to justice are a pre-requisite for achieving IUCN’s mission and vision. Such spaces can be maintained and enhanced through *inter alia* the following good practice principles to:
2. *Prioritize* cooperation to maintain and enhance enabling environmental civil society spaces and genuine dialogue based on good faith with room for dissent and disagreement.
3. *Uphold* environmental civic spaces and platforms grounded in the freedom of association, expression and the full range of conservation activity.
4. *Adhere* to and *ratify* international agreements on public participation and civic spaces such as the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the Regional

Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) and other relevant instruments.

5. *Ensure* well-funded civil society spaces and funding schemes for CSOs to formulate, implement and evaluate conservation policy and practices.
6. *Duly protect* civil society spaces alongside environmental activists, whistleblowers and NGOs from third-party attacks in conservation conflicts.
7. *Support* civil society organization contributions to and voice in global and regional multilateral environmental processes.
8. *Allow* access to both domestic and international financing and cooperation mechanisms for the full range of environmental activities.
9. *Promote* national dialogue, conflict resolution and grievance mechanisms for civil society membership.

[Explanatory Memorandum (approximately 3,500 characters including spaces/maximum 500 words)]

Environmental civil society organizations, a key pillar of IUCN's membership, have long played a key role in shaping how environmental problems are understood and craft solutions. Yet, the ways and conditions under which NGOs and IPOs work have changed rapidly over the last decade. Many NGOs encounter new regulatory requirements and changing conditions challenging the ways they work and potentially undermining their ability to respond to pressing environmental challenges and engage in the kinds of international cooperation solution building and cooperation promoted by the IUCN. This motion promotes the adoption of a series of good practice principles to support healthy and effective civil society spaces and enhance cooperation between IUCN NGO and government membership.

ANNEX 2: NGO APPEAL TO RECONSIDER MOTION ON CIVIC SPACES

Dear members of the Congress Preparatory Committee,

In response to the decision of the Motions Working Group to not accept Motion 40684 on the grounds of admissibility and specifically that the "MWG does not consider the motion to be proposing or modifying IUCN's general policy", we would like to appeal the decision and urge the Congress Preparatory Committee to consider the general, indeed fundamental, policy importance of the motion. We understand from the Secretariat response, furthermore, that the MWG found it difficult to see how found that it was difficult to see how "this motion adds (proposes or amends) to what IUCN's already has in its Resolutions and Recommendations".

Motion 40684 on Protecting Enabling and Effective Environmental Civil Society Spaces responds to the growing need to strengthen and protect enabling civil society spaces for IUCN's NGO membership to engage effectively and equitably in conservation. Across the world, a growing number of IUCN's NGO and IPO membership face deteriorating working conditions,

regulatory restrictions and shrinking civic space. This is being documented by an on-going collaborative research and survey initiative between the University of Geneva and the IUCN membership unit in a report, which will be presented in Marseille. Addressing and securing an enabling, rather than deteriorating, civil society space may be considered a fundamental policy priority for the very sake of securing a strong, healthy and diverse Union with room and space for everyone including its weakest members.

Existing resolutions such as 17.9, 18.2, 3.081 and 5.003 only very partially and indirectly speak to this policy gap and need. 17.9 calls on the Director General of IUCN to strengthen NGO cooperation and partnerships, but does not speak to enabling civil society spaces, nor does it clarify the kinds of principles highlighted in the proposed motion. Resolution 18.2 is about the general governance of the World Conservation Union without specific reference to NGO/ IPO membership and its distinct needs. REC 3.081 calls for implementation and partnership building around Principle 10 of the Rio outcomes, yet does not as such propose a comprehensive set of policy principles to be adopted by IUCN membership. WCC 2012 Res 003 (5.003), in turn, is essentially about “improving knowledge, understanding and application of IUCN’s work and knowledge products among the membership”, whereas the new motion seeks to secure adequate conditions to enable effective and contributions from the Union’s NGO membership and equitable engagement between government and NGO/ IPO membership.

NGOs and IPO membership play a crucial role in reaching the objectives of IUCN to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable. However, many NGO members today experience deteriorating conditions including the adoption of restrictive policies undermining their conservation work. Consultations held at the RCFs in Europe and Asia as well as during the Latin Parks Congress in Lima confirmed the importance of additional IUCN policy attention to this challenge including additional NGOs wishing to sponsor the motion. This reflected how additional NGOs, regional councillors and other partners welcomed the motion in the spirit of ensuring One IUCN. A set of clear principles which outline Good Practice on enabling environmental civil society spaces and cooperative arrangements would clarify and enhance policy on a fundamental relationship constitutive of Our Union and is of urgent importance to allow for cooperation and coordinated conservation action. This is matter of critical importance across all regions, and a clear policy from IUCN would offer a constructive policy signal and basis for convening membership and equitable cooperation. We remain at your disposal for further information. You may also contact Dr. Peter Larsen regarding survey and research findings concerning NGO membership and the kinds of challenges faced by this important IUCN pillar (peter.larsen@unige.ch).

ANNEX 3: REPEAL DECISION BY CONGRESS PREPARATORY COMMITTEE

Subject: RE: Decision of the Congress Preparatory Committee Acting as the Appeals Body - Motion 40684

Thank you for your email response following the decision of the Congress Preparatory Committee Acting as the Appeals Body for motion appeal (ID 40684) entitled - Protecting Enabling and Effective Environmental Civil Society Spaces.

To clarify the rationale of the Congress Preparatory Committee Acting as the Appeals Body, please note that all the rejected appeals fell in one or both of the groups below:

In the first group, motions were rejected if it was determined that they were not proposing or modifying IUCN's policy (Rule 54(a)i), they did not contain technically sound and coherent arguments (Rule 54(a)iii), were not precise in what they aimed to achieve (Rule 54(a)iv) or, in many cases, were repeating the content of already adopted - and active - Resolutions and Recommendations (Rule 54(a)vi) (Resolutions and Recommendations database searchable here).

In the second group, motions were rejected if they did not sufficiently specify which of the Members and/or components of IUCN or third parties that the motions called upon to undertake action had been consulted or had collaborated in the motion (Rule 54(b) x a)), or which of these had been consulted to identify solutions in accordance with Rule 54(b) x b).

The CPC acting as the appeals body felt that your motion fell under Group 1 since IUCN policy and practice already supports and protects effective safe spaces for environmental civil society. We appreciate and respect all your efforts in preparing, proposing, consulting, and submitting motion 40684. We therefore, encourage you to keep on engaging in all IUCN processes as we aspire to make our processes even more efficient. With the aim of ensuring that the membership concerns are well addressed, we will be releasing a detailed report soon, which will provide opportunities for Members to address any issues at Congress as well as some reflections of the appeals process.

We welcome any constructive comments and suggestions on improving our processes further.

Respectfully yours,

Kathy MacKinnon

Chair of the Congress Preparatory Committee Acting as Appeals Body
(on behalf of the Committee).



FOR FURTHER INFORMATION

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February 2022, Geneva