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"U.S. Assistance to Promote Freedom and Democracy
in Countries with Repressive Environments"

Chairwoman Granger, Ranking Member Lowey and Members of the Subcommittee, thank you for inviting me to testify on U.S. assistance to promote freedom and democracy in countries with repressive environments. I appreciate the Subcommittee's attention to this issue—one that I have written about as a scholar, championed as an activist, and focused on very closely for the last four years at USAID. Thank you also for your continued support for USAID's democracy, conflict and humanitarian assistance programs around the world.

Introduction

For several decades now, the U.S. government has promoted democracy, human rights and governance (DRG) as an integral part of development. As the first and the largest global, bilateral donor supporting this sector, USAID has helped millions of people in their quest for dignity, freedom, and rights. We have done this in a way that has over time adapted to changing conditions around the world. For example, two years ago, we stood up a new Center of Excellence on DRG at USAID in order to lead this community in understanding what works, where, and why. We have enhanced our focus on innovation and 21st century technology, and the role they play in advancing DRG. Last year, USAID launched a new articulation of our overall strategy for how we support DRG around the world. And just last month, USAID Administrator Rajiv Shah announced the Agency's new Mission statement, which highlights how, in our global era, poverty reduction, economic growth, democracy, and national security are inextricably intertwined: "We partner to end extreme poverty and promote resilient, democratic societies while advancing our security and prosperity."

USAID programs the majority of U.S. foreign assistance promoting democracy, human rights and governance, working with our cadre of over 400 Foreign Service Officers and host-country nationals. We partner with civil society organizations, journalists, human rights activists, legislators, judges, electoral officials, mayors, and governors around the world to support their efforts to protect, advance and advocate for open and free societies. Because we see democracy, human rights, and governance as the foundation for future development gains regardless of regime type and in pursuit of our development mission, USAID works in all types of contexts. This includes in authoritarian states, where basic freedoms do not exist; transitioning states, emerging from conflict or moving toward political openings; and, increasingly, in "backsliding" states whose governments have become more sophisticated in their repression, specifically targeting civil society organizations through laws that restrict freedoms of association and peaceful assembly in the name of their national security. We know that democracy, human rights and

governance are critical foundations for achieving and sustaining development goals. Absent inclusion and political freedom, we see development in reverse.

Today I would like to cover three key areas: first, the growing, global trend toward greater repression of civil society; second, the U.S. Government's broad response to the issue, with a focus on USAID's approaches and lessons learned; and finally, our plans for future work.

The Backlash

This hearing is about closing and closed political space. But I want to first talk briefly about *opening space*; I believe these phenomena are inter-related. Twenty-first century DRG development is happening in a dynamic environment characterized by game-changing, affordable information and communication technologies. These tools allow people to self-organize and connect with one another like never before.

As a result, in many countries, regular citizens—whether as part of formal civil society organizations, or as bloggers, citizen journalists, or human rights activists—are flourishing and lending talent and expertise to drive political, social, and economic development. USAID is leveraging this wave of new communications technologies in its programming around the globe, fostering improved access to information for citizens even in the most repressive countries.

These rapid and dramatic advances in technology are fundamentally changing how people in societies interact, citizen-to-citizen and citizen-to-government. People are using new tools to hold their government accountable. In Kenya, Indonesia, South Africa, and elsewhere in the Global South, citizens are demanding and receiving more and better information about how government delivers (or does not deliver) services to their citizens. They use technology to talk about and monitor corruption, such as the "I Paid a Bribe" movement that moved from India to Kenya to Ukraine. They use technology to track fraud in voting, as we have witnessed in Russia and many other countries.

As citizen voices have grown stronger, we have also seen a backlash. Specifically, what we are seeing is a response (in part) to technological innovations that have eroded or softened states' ability to control information, thereby infuriating authoritarians. Evidence suggests that the backlash is contagious and growing in intensity across the globe. According to the International Center for Not-for-Profit Law, at least 50 new laws restricting freedoms of association, peaceful assembly, and expression have been proposed in the last two years alone—with about 20 of them already enacted into law.

As citizens find new ways to organize, assemble, and express themselves, autocratic governments have found new ways to restrict public political space, suppress information, and label anything that they do not like as "foreign." It is not an exaggeration to say that this counter-movement is affecting not just the work of USAID or the U.S. Government but that of the entire global community involved in advancing democracy and human rights. We are seeing a new wave of repression in the draconian laws that are affecting the rights of members of the LGBT population in many parts of the world as well as a closing of freedom of expression globally, with 211 journalists jailed in 2013 and 70 killed for their work.

USAID's work has been fundamentally affected by this backlash; our Agency has been on the frontlines as our civil society partners have been shuttered, our U.S. funding vilified, and in some cases our Missions closed. Indeed, the distinction between "closed" countries like Belarus and Uzbekistan and "closing" countries like Russia, Zimbabwe, Ecuador, and Nicaragua is beginning to blur. Closed and

closing political spaces are part of the same phenomenon, and a development challenge that is a growing trend in more and more countries. This trend is dangerous because without a robust civil society, there is no democracy or effective, sustainable development.

For the past two years, USAID has systematically sought to identify lessons and to refine our own policies supporting civil society in restrictive environments and closed societies. We looked across our programs—both in Missions and in Washington—and consulted with staff in the field on their experiences with rapidly shrinking public political space.

We found challenges to the legal registration of civil society organizations in Uzbekistan, Zambia and elsewhere. We found, increasingly, laws restricting all foreign funding—not just from Western governments, but also from private donors—in Russia, Ethiopia, and possibly Kenya (where restrictive legislative amendments could likely be re-introduced in parliament this year). We found, in the aftermath of the Arab Spring, a trend of government efforts to restrict freedoms of association and peaceful assembly, such as in Cameroon. We found governments attempting to manage civil society organizations or to restrict sources of funding (Venezuela). We found civil society groups defamed by government-owned media and denounced as Western spies or traitors (Ecuador) and as foreign agents (Russia). And we found dangerous threats to both the physical and cyber security of journalists and civil society activists in too many countries: Zimbabwe, Syria, Russia, and Sri Lanka, to name only a few. But we also found our Missions were finding creative ways to continue to support these courageous women and men working to protect human rights and advance democracy and good governance, all in the pursuit of advancing our mission of development.

The USG Approach

The White House has recognized this threat to freedom and in September 2013 President Obama launched a new effort that coincided with the U.N. General Assembly. The President called on the entire U.S. Government—not only State and USAID, but also the Millennium Challenge Corporation, the Department of Treasury, and others—to make standing with civil society a whole-of-government priority.

We have embarked on a year-long process around four goals: 1). Improve the domestic policy environment for civil society by strengthening countries' adherence to international norms and promoting best practices for government and civil society engagement, such as through the Open Government Partnership; 2). Coordinate multilateral, diplomatic pressure to roll back restrictions and prevent new restrictions from being enacted, such as through the Community of Democracies; 3). Identify new and innovative ways of providing technical and financial support to civil society, such as considering how we can use technology to help civil society connect more robustly with fellow citizens and gain resilience against this pernicious epidemic of restrictive laws; and 4). Strengthen our internal U.S. Government processes to improve coordination and ensure we are using all of our levers of influence to combat the closing space issue.

USAID is integrally involved in all four of these areas. We provide core support to the Secretariat of the Open Government Partnership, which now includes 63 countries as well as civil society and private sector partners, all committed to meeting global challenges related to transparency, participation and accountability.

In 2012, USAID launched "Making All Voices Count: A Grand Challenge for Development," a $55 million public-private partnership with UKAID, Swedish International Development Cooperation Agency, Omidyar Network and the Open Society Foundations to support innovation and research that will enable citizens to engage with their governments and improve the ability of governments to listen and respond to their citizens. The first round of challenge grants received over 500 applications proposing innovative ways to use technology to enable citizens to better use public information. We are working closely with our colleagues at the State Department to support local civil society efforts to prevent new restrictions from being enacted. And we are leading a process, together with other governments, private donors, and non-governmental organizations to explore new innovative ways to support civil society around the world.

The political trajectory of a country is ultimately a U.S. national security issue, and as such, we are intimately involved in advancing U.S. national security interests. Several of the countries we will discuss today are of high national security interest to the United States, and they are also in the category of requiring very long-term democracy efforts.

Accordingly, the investments we make in these closed societies will pay dividends in the future. We know this to be true in many countries where we have worked, where institutions and processes we supported became leading elements ushering in more democratic and accountable governments. That is the story of millions of dollars of USAID investments in Serbia, Georgia, and now Burma. And we believe that those we support in today's most closed societies will also one day have their voices clearly heard, with the ability to freely assemble.

Based on our comparative analysis of what works across countries, we have developed several approaches to the closing space phenomenon. Most important, we are focused on prevention, including monitoring legal developments aimed at restricting civil society. By tracking the legal enabling environment, we can develop real-time diplomatic and programmatic responses to threats to civil society.

USAID's flagship $3.5 million rapid-response program on laws restricting civil society provides timely legal analysis for policymakers and local non-governmental organizations to mobilize quickly when restrictive legislation is proposed. These efforts, when coordinated with like-minded governments, other donors, international financial institutions, and civil society partners themselves, have been effective in reshaping, mitigating, and rolling back restrictive laws. We have seen this approach produce results in Kyrgyzstan, Honduras, and most recently in Kenya. But we also must recognize that victories can be short-lived.

This preventive approach has also been beneficial in cases of opening space. Thanks to USAID's rapid-response capability on civil society laws, we were able to take advantage of political openings in Libya, Tunisia and Burma to encourage early reformers to adopt consultative government-civil society processes that have led to much-improved civil society legislation, which in turn will pave the way for further political opening.

Specifically, in Tunisia, years of hostile conditions for civil society had negatively affected the ability of civil society organizations to function, let alone advocate. However, the Arab Spring presented an opportunity to create a fundamentally better civil society environment. USAID, starting in early 2011, was able to offer both government and civil society leaders technical assistance on civil society

organization law, plus encouragement to the government to take up the issue on its legislative agenda. The new law passed as a result of a consultative government-civil society process and is now considered a model for the region; the new Libyan draft civil society organization law is based on peer consultations with Tunisians on their law.

The policy of the Obama administration is that we continue supporting civil society – even where space is severely restricted – often through regional platforms, third-country actors, and virtual platforms, and with a focus on information and physical security. This is how we support democratic actors in many of the countries of interest in this hearing. Venezuela is in today's headlines: USAID continues to support leading human rights organizations to advocate for improved human rights, document human rights abuses, and train civil society associations with diverse specializations to incorporate freedom of association and freedom of speech into their work.

Drawing on these and other examples, we have generated internal guidance on how to best approach our democracy programs in restrictive environments—guidance that is relevant not only to programs in the most closed countries, but to those facing the threat of closing space. For example, we created communication protocols to ensure that beneficiary information is protected. We work with our security officers on risk assessments and vetting of prospective grantees to ensure that programs are not compromised. We build more flexibility into our grants to allow our partners to better react to changing and difficult environments. We work closely with our implementing partners to ensure that they put in place sufficient digital security protocols. Finally, we have developed creative monitoring and evaluation approaches, including phone and third-party surveys, and we use cutting-edge data analytic tools to track programs with a virtual component.

Lessons about closing space have especially influenced our work on Internet Freedom. USAID early on made the decision to focus not on developing tools but instead on formulating principles of design. Specifically, we seek to understand how journalists and civil society activists use technology, what specific risks they face by working online, and then developing sustainable ways to mitigate those risks.

Our Information Safety and Capacity (ISC) program works directly with democracy and human rights activists in countries where governments monitor and/or attack via the Internet and provide them with long-term mentoring to help them develop safe communication protocols. One-off trainings on Internet Freedom are simply not enough; we know that our partner organizations need longer-term support to ensure that they can both understand their risks and manage them effectively and sustainably.

For example, in some regions, we have provided the resources to keep important human rights organizations' websites functional in the face of distributed denial of service (DDOS) attacks. In places of great violence, we are helping influential bloggers stay safe. Our work on Internet Freedom is now a fundamental pillar of all of our democracy and human rights work in closing societies, and we build into all of our civil society programs the need to keep information safe online.

What Next?

We know that autocratic governments are engaged in lateral learning—watching for whatever consequences arise due to the adoption of restrictive laws. Ethiopia's draconian civil society law was copied by Kenya and considered by its Parliament in December 2013. While the legislation was not

passed, trends in Kenya as they relate to respect for civil society operating space suggest that the legislation could likely be re-introduced this year. Adoption of such a law would mark an enormous set-back for democracy in Kenya and beyond. Russia's foreign funding restrictions were mirrored in Azerbaijan's laws. States in Central Asia monitor closely the Russian laws and use a range of similar repressive measures to constrict the activities of civil society. We must face what amounts to a contagion head-on.

We know that authoritarian governments are on a cynical quest that involves the exploitation of nationalist sentiment masked as hyper-sovereignty: they label ideas and funding as "foreign" and question the legitimacy of civil society organizations and news outlets (particularly ones that work on democratic reforms, anti-corruption, and human rights), and they denounce such organizations as traitors or puppets of Western donors.

While possible antidotes to the current contagion must be specific to each country, no one size fits all. We believe that solutions will involve several common elements that we are already implementing. For example, USAID is working closely with other governments, and we hope soon to be collaborating with some in the technology industry, to think creatively about new ways to support democratic actors and help develop or encourage domestic sources of philanthropy. We are also looking at helping civil society organizations better connect to their constituents and considering how to lessen the over-reliance of organizations on external sources of funding. We recognize that we will need to adapt and work nimbly, addressing the lateral learning that we witness from authoritarian regimes around the world.

We know that part of the answer will involve working regionally or transnationally. USAID's field presence—with literally hundreds of democracy officers in Missions—is an important and unique American strength, giving us a better ability to design programs tailored to country context, and to monitor and evaluate our work for results. So building out those regional platforms will be important.

Another aspect of the solution will likely lie in using technology and peer-to-peer learning to help better connect civil society, journalists, and democracy activists to innovations that are being pioneered elsewhere around the world. And yet another means or redress will involve the enabling of democracy and human rights activists to better and more robustly connect their work to the concerns of everyday people. Over the coming months, we will be reaching out to civil society actors around the world to better understand whom they connect with, and how they do so.

Conclusion

Our support to advance freedom in closed societies is a long-term endeavor. Indeed, I have been involved in this work virtually my entire professional career. As a scholar, implementer, activist, and now as an official of the Obama Administration, I have always been humbled by how hard this work is, and how brave our colleagues are who risk their lives on the front lines of freedom and democracy every day.

This work is a reflection not only of American values but also of universal values. We are at a pivotal moment in the struggle to advance democracy and human rights around the world.

As the backlash grows, it has never been more important that we work in a coordinated manner inside the U.S. Government as well as with like-minded governments, the private sector, and civil society partners

to support efforts to keep political space open. We need <u>your</u> continued support to be able to do this work—work that is not only in our national interest, but that is fundamentally the right thing to do.

With all our programs, we coordinate as closely as possible with the U.S. Department of State and the National Endowment for Democracy, as well as with private philanthropies. With limited resources for this sector, we find coordination essential to ensure that we are as effective and efficient as possible.

Due to the sensitive nature of our work in these repressive countries and the importance we place on the physical security and protection of our partners, this testimony does not detail country specifics. I look forward to providing more information in the hearing.

Thank you and I look forward to your questions.