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IRAQ CIVIL SOCIETY ASSESSMENT

Final Report

February 2012

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TABLE OF CONTENTS

ACRONYMS	IV
EXECUTIVE SUMMARY	I
INTRODUCTION AND BACKGROUND	5
FINDINGS AND ANALYSIS	8
DONOR MATRIX	31
KEY FINDINGS	33
RECOMMENDATIONS	35
ANNEX 1: DONOR MATRIX	50
ANNEX 2: SURVEY RESULTS	58
ANNEX 3: METHODOLOGY	59
ANNEX 4: LIST OF INTERVIEWS AND MEETINGS	60
ANNEX 5: SCOPE OF WORK	61
ANNEX 6: QUESTIONNAIRES	75

ACRONYMS

CAG	Community Action Group
CAP	Community Action Program
CAP III	Community Action Program, Phase III
CBO	Community Based Organization
CERP	Commander's Emergency Reconstruction Program
COTR	Contracting Officer's Technical Representative
CSCM	Civil Society and Conflict Mitigation
CSA	Civil Society Assessment
CSO	Civil Society Organization
CSD	Civil Society Development
CSS	Civil Society Strengthening
DOD	Department of Defense
DOS	Department of State
DRL	Democracy Human Rights and Labor
ePRT	Embedded Provincial Reconstruction Team
ETEC	Embassy Technical Evaluation Committee
FGD	Focus Group Discussion
GIK	Grant in Kind
GOI	Government of Iraq
IKR	Iraqi Kurdistan Region
ISO	Intermediary Support Organization
LC	Local Council
M&E	Monitoring and Evaluation
MOED	Ministry of Education
MOLSA	Ministry of Labor and Social Affairs
NGO	Non-Governmental Organization
OA	Organizational Assessment
PC	Provincial Council
PCM	Provincial Council Member
PDP	Provincial Development Plans
PSD	Personnel Security Detail
RRT	Regional Reconstruction Team
PERFORM	Performance Evaluation and Reporting for Results Management
PRT	Provincial Reconstruction Team
SIGIR	Special Inspector General for Iraq Reconstruction
SOW	Scope of Work
USAID	United States Agency for International Development
USAID/OTI	USAID Office of Transition Initiatives
USG	United States Government

EXECUTIVE SUMMARY

USAID/Iraq asked for an assessment of Iraq's civil society as it considers development of a new civil society project. With the withdrawal of all U.S. troops at the end of 2011, and a tighter fiscal environment for development aid, USAID's assistance to Iraq is entering a new phase. Assistance for civil society will need to support USAID's broader democracy and governance (DG) program investments in good governance, political process, and the rule of law to maximize the synergies of the entire DG portfolio. After a number of years without a program specifically targeted at building the organizational and advocacy capacity of Iraqi NGOs, the time is again ripe for a capacity building program focusing on thematic areas that will be vital for Iraq in 2012 and beyond: essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight.

For several years, USAID/Iraq's primary program for supporting the development of Iraq's civil society has been the Community Action Program (CAP), which is scheduled to end in September 2012. Other USAID/Iraq programs have civil society components, such as the Primary Health Care Project Iraq (PHCPI) and the "Justice for All" program. However, there will be no comprehensive USAID civil society program after CAP ends. As USAID plans for follow-on civil society programming, this assessment is written to inform the development of a strategy and provide programmatic options for USAID-supported civil society interventions.

The primary finding of this assessment is that Iraqi civil society has developed, albeit unevenly, to the point where it can transition from reliance on the CAP approach of long-term community development to one of NGO capacity building. The assessment profiles the Civil Society Organization (CSO) sector and compares it against seven interrelated dimensions of NGO sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. Conclusions for the sustainability dimensions are informed by focus groups, interviews and a survey, conducted in 18 provinces and 36 districts. For the survey, the assessment team collected data from a large number of respondents: 1,205 public, 449 CSO, 108 government and 84 private sector representatives.

In brief, the assessment answers the following questions.

Will targeted investments in civil society improve the responsiveness of Iraq's public sector to priority citizen needs?

Yes. In the past few years, investments in civil society have brought about a number of changes to Iraq that have benefited the CSO community, including an improved relationship with the Government of Iraq (GOI). The 2010 Law on Non-Governmental Organizations and the 2011 NGO Law in the Iraqi Kurdistan Region (IKR) are major milestones for Iraqi civil society, marking the culmination of a process that began with the restoration of Iraqi sovereignty in 2004. For six years, Iraqi CSOs worked with international NGOs to advocate for the adoption of NGO laws that would be more consistent with international law and best practices. The CAP program has also succeeded in creating common cause between local government and CSOs through its process of assisting Community Action Groups (CAGs) and local government councils in prioritizing community infrastructure projects.

What is the nature of the operating environment, context and current issues facing the development of Iraq's civil society?

Iraq's civil society continues to be affected by the legacy of Saddam Hussein's rule. In the last eight years, Iraq has experienced a proliferation of major development programs, which have set up over 6,000 NGOs in a relatively short period of time while expending hundreds of millions of dollars. This nonorganic, democratic transition has distorted the operating environment and incentive structures for Iraq's civil society. Focus groups and interviews conducted for this assessment found that many Iraqis perceive civil society's return following the fall of Hussein in 2003 to have been Western-funded, and remote. This history affects positively and negatively the perception of civil society in Iraq. It is accepted as it relates to the deep culture of charity and caring for neighbors, but the term civil society is often rejected when seen as a western import or reminder of subjugation.

Despite its faults, there is no question Iraqi civil society has made important gains in the past eight years, with thousands of NGOs working across the country operating under progressive NGO laws. As Iraq returns to a degree of normalcy, the biggest challenge will be to consolidate the gains in civil society since 2003 while allowing Iraqis to take the lead in growing the sector. Donors have tried to create a civil society in Iraq by funding NGOs. The donor community still has a large role to play in facilitating the growth of the sector, but cannot be viewed by Iraqis or their government as directing the work of civil society. USAID will need to find a way to sort through the vast array of Iraqi CSOs; supporting those with the potential to advance the positive aspects of civil society while allowing them to grow organically and sustainably. USAID-supported CSOs should address issues of real importance to Iraqis rather than an agenda perceived as responsive only to Western interests.

Focus group and survey data show an Iraqi public that is frustrated with its government and with civil society's apparent inability to effect change. Perhaps the biggest problem is the post-2003 deterioration of the Iraqi quality of life. Many people interviewed by the assessment team perceive their government as remote, non-representative and unaccountable to citizen grievances. Despite some moves towards strengthening local government units, Iraq remains a highly centralized country. Very little budget authority exists outside of Baghdad and CSOs without access to central government ministries are frustrated in directing their advocacy to units of government with no power to help them. NGO networks have not developed to the point that they can compensate for this lack of empowerment of local CSOs.

What are the key dimensions of NGO sustainability and identify priority intervention points to seize opportunities and address challenges?

Iraqi Civil Society Organizations have a mixed record when viewed through the prism of the seven dimensions of NGO sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. The legal environment has improved considerably for Iraqi CSOs with the passage of the 2010 NGO Law and its 2011 counterpart for the IKR. Still, there are problems with registration and a lack of clarity regarding the role of government in approving CSO activities. Regarding organizational capacity, Iraqi CSOs have many of the trappings of sustainable organizations – boards, paid staffs, volunteers – but have not succeeded in convincing most Iraqis of their improved capacity. In the financial viability dimension, there is a stark contrast between what CSOs think of their own viability and the far less positive view of government on the same question. With respect to advocacy, most CSOs and government representatives responded with a “don't know” to survey questions on the subject, indicating that advocacy is not a well-understood concept in Iraq. Only a quarter of Iraqi CSOs indicated their organization was part of a network – highlighting another major challenge for effective advocacy. On the subject of service provision, there was another perception difference, with CSOs rating their own capabilities highly and government representatives taking a much more critical position. With respect to NGO infrastructure, the survey highlighted a wide geographic

disparity between regions with access to NGO service centers and those without. Finally, regarding public image, the public at large does not view CSOs as trustworthy, an issue CSOs will need to address if civil society in Iraq is to have a long-term future.

In response to this analysis, the assessment report identifies three priority intervention points, in sequential order:

1. Train CSOs and appropriate GOI representatives in the rights and responsibilities of civil society under the new NGO laws. Launch a corresponding public relations campaign to educate the public about the role of NGOs and their importance in service provision.
2. Conduct a “CSO Inventory” that will begin the process of identifying and categorizing the thousands of NGOs operating in Iraq. Undergoing the inventory would become a prerequisite for participation in a new NGO capacity building program.
3. Most importantly, launch a new stand-alone capacity building program for NGOs. The program would provide training, capacity building assistance and a grants program, with an eye toward the lessons learned from past efforts.

Are proposed interventions technically feasible and socially acceptable?

None of the above recommendations involve radically new activities for Iraq and should not create controversy. Training of CAGs and local government officials is currently underway in the CAP program. USAID has implemented an NGO capacity building program in the past. As there is now a more favorable legal climate for NGOs since the Iraq Civil Society Program (ICSP) was discontinued, a new capacity building program may have a better chance of success. The recommendation that represents the biggest departure would be the CSO Inventory, which, aside from its logistical challenges, could be seen by some Iraqis as an unwelcome U.S. intrusion. However, if the outreach effort was explained properly and groups understood that it was a mapping exercise to understand the larger context and what assistance was needed, there may be more support and groups that were not interested in USAID assistance would not have to respond to the CSO Inventory.

Which interventions are best pursued through (1) a new, USAID stand-alone activity, (2) amendments to existing USAID projects, and (3) other ongoing or proposed donor-activities?

Recommendation 1 - CSO Capacity Building Program: The primary recommendation, to establish a CSO Capacity Building Program, would best be pursued through a new stand-alone activity. As proposed, the activity could be modeled on USAID’s Democracy Network Program (DemNet), implemented in Eastern Europe in the 1990s. DemNet was established to assist countries in transition from a one-party/Soviet political system and served to progressively winnow the field to a more sustainable and meaningful civil society sector. This new capacity building program for Iraq would establish a grants program, divided into three categories, each corresponding to and targeting the capacity building needs of NGO applicants at the time of their grant applications.¹ The three forms of grants would progressively identify and create a cadre of CSOs that would become increasingly important as USAID partners. The three types of grants would include:

¹ The technical approach in the IKR, with its unique perspective and history, might differ in some aspects.

- **Micro-grants** - ranging between \$2,500 and \$10,000, would target young and/or weak NGOs that wanted to implement a single, "one-off", probably community-based, activity.
- **Institutional Development Grants** would support CSOs that had a demonstrated track record in implementing activities under a micro grant. Institutional grants would start at \$10,000 with a maximum grant size of \$30,000 and would focus primarily on organizational strengthening.
- **Development Activity Grants** would be targeted to those few CSOs that had successfully implemented an Institutional Development Grant and wanted to expand the scope and coverage of their programs with a specific emphasis on influencing sector policy and promoting democratic reform. They would range between \$30,000 and \$60,000 with duration of up to 18 months.

Recommendation 1, which calls for establishment of a new CSO capacity building program, contains four sub-recommendations. They suggest that the new program should: 1) adjust expectations for advocacy; 2) allow CSOs to grow organically to avoid harming their reputation in Iraqi society; 3) focus on CSO sustainability; and 4) address youth disenfranchisement.

Recommendation 2 - Train CSOs and appropriate GOI representative in the rights and responsibilities of civil society under the new NGO laws in areas directly under the authority of the central Government as well as the Iraqi Kurdistan Region (IKR): This recommendation addresses the information deficit regarding the new NGO laws, both on the part of government and CSOs. The training and community outreach campaign would be focused on issues of NGO registration and government approval of civil society activities.

Given the imperative for increasing understanding of the NGO laws, USAID should consider implementing the training as part of an existing contract.

In addition to the training, USAID should launch a corresponding community outreach campaign to educate the public about the role of NGOs and their importance in service provision. USAID could enlist media-savvy CAG members to produce a number of television spots to be carried regionally across the country.

Recommendation 3 - Conduct an NGO Inventory: USAID should conduct an "inventory" of civil society, a process that would inform the design of the NGO capacity building program outlined earlier. The information generated by the inventory would be aggregated into a profile of the Iraqi CSO community, allowing program designers and implementers to differentiate the different types CSOs with which the program could or should partner.

Initial compilation of the CSO inventory could come from a capable, local NGO with data collection skills. It could take place as an early activity of the new CSO Capacity Building program.

INTRODUCTION AND BACKGROUND

After several years of programming aimed at improving the efficiency and responsiveness of the government to citizen needs, USAID has indicated its future emphasis will likely be in building the organizational and advocacy capacity of Iraqi CSOs in several key thematic areas. To be effective, new civil society activities will have to build upon previous USAID investments in Iraq's civil society² and complement broader Democracy and Governance program objectives. With this strategic imperative in mind, USAID has requested this assessment as it begins development of a new civil society project to support broader US Government democracy and governance program investments.

This assessment uses the term “civil society” as defined by USAID’s Office of Democracy and Governance - “*the independent, non-governmental realm of citizen activity.*”³ The terms civil society organization (CSO) and non-governmental organization (NGO) are used interchangeably, as is the case in much of the background source information.⁴ In this report, both NGOs and CSOs refer to organizations mentioned in the scope of work: i.e. Iraqi organizations engaged in essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight, but excluding media, labor unions, professional associations and political parties.

As stated in the State/USAID Quadrennial Diplomacy and Development Review (QDDR), “*working with civil society is not just a matter of good global citizenship, but also a more effective and efficient path to advancing key foreign policy objectives.*” In fragile democratic states such as Iraq where there is often a vacuum of governance, especially for provision of services, non-state actors such as civil society organizations have an ever greater ability to impact international affairs. Civil society in Iraq has the potential to act in areas or in a manner that a government simply cannot: as neutrals or aid providers in conflict zones, as thought-leaders, and as intermediaries between regions and factions at odds with each other. They are indispensable partners, force multipliers, and agents of positive change. The QDDR stresses that the USG should oppose efforts to restrict the space for civil society and create opportunities for civil society to thrive. This includes expanding direct engagement with indigenous organizations by materially increasing the percentage of total funding conveyed through direct local grants and contracts, as well as increasing the absolute numbers of such benefiting organizations.

² E.g., the Community Action Program (CAP), Civil Society and Independent Media Program (ICSP), Community Stabilization Program (CSP), Iraq Rapid Assistance Program (IRAP), and Iraq Community-Based Conflict Mitigation Program, (ICCM).

³ http://www.usaid.gov/our_work/democracy_and_governance/technical_areas/civil_society/

⁴ The World Bank in its definition of civil society states: “*the term civil society to refer to the wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. Civil Society Organizations (CSOs) therefore refer to a wide of array of organizations: community groups, non-governmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations.*” While the World Bank refers to NGOs as a sub-set of CSOs, this assessment does not make this distinction.

To date, USAID's democratic governance efforts in Iraq have focused on strengthening local government and decentralization, support for elections, assistance to government bodies such as Iraq's parliament, and in 2010, rule of law. In the civil society sector, USAID's flagship civil society program has been the Community Action Program (CAP), which will end in September 2012. Over recent years, USAID has supported Iraqi civil society organizations, primarily through activities promoting conflict mitigation and stability at the community level. The U.S. Department of State also funded civil society programs focused on promoting democracy, women's rights, human rights, religious freedom, and labor rights. These USG projects, and those of other donors, will be summarized in the Donor Matrix section of this assessment.

Despite the fall of Saddam Hussein in 2003, the legacy of his Ba'ath party rule continues to negatively impact Iraq's civil society by impeding the willingness and capacity of citizens to participate in decision-making. In the last eight years, the number of NGOs has expanded into the thousands, mostly funded by international donors.⁵ This nonorganic growth of civil society has distorted the operating environment and incentive structures of the sector. There is continued need for support to civil society, but with more of a focus on efficiency and sustainability.

In the Iraqi Kurdistan Region (IKR) the history is different. Iraqi Kurds won de facto autonomy in northern Iraq in 1991. Kurdish political parties filled the vacuum left by the withdrawal of Iraqi administration. Many CSOs subsequently developed in association with either the Kurdistan Democratic Party (KDP) or the Patriotic Union of Kurdistan (PUK), leaving some CSOs not affiliated with the two major parties with a sense of inequality.

Methodology

Primary data for this assessment comes from surveys, focus groups and interviews, conducted in 18 provinces and 36 districts. For the survey, the assessment team collected data from a large number of respondents: 1,205 public, 449 CSO, 108 government and 84 private sector representatives. Data was gathered in all 18 provinces. The full survey results are in Annex 2.

Survey results are disaggregated by region. Baghdad is reported separately. Groupings for the remaining provinces are represented as follows:

NORTH: Kirkuk, Ninawa, Salahaddine, Diyala.

SOUTH: Basrah, Maysan, Muthana, Thi Qar.

SOUTH CENTRAL: Babil, Karbala, Najaf, Qadissiya, Wasit.

WEST: Anbar.

IKR: Duhok, Erbil, Sulaimaniya.

⁵ Estimates of post-2003 registered NGOs range from 6,000 to 12,000. The number of currently active NGOs could be as low as 500. <http://www.ens-newswire.com/ens/sep2010/2010-09-09-01.html>.

Table A - Focus Groups and Interviews

	Number of meetings	Attendees (m/f)	
		Male	Female
International organizations/ agencies	30	99	27
CSO focus groups	21	60	30
Government focus groups/ meetings	20	26	15
“Public”	24	97	75
CAGs	6	52	14
Other	3	4	0

The assessment team also conducted focus groups and interviews in Erbil, Ninawa, Kirkuk/Ta'mim, Baghdad, Anbar, Babil, Wasit, Najaf, Basra, Dhi Qar, and Maysan. These focus groups and interviews targeted CSOs, CAGs, Government (Councils and Directorates), individuals, networks, and INGOs working with CSOs. The team conducted Interviews with other key informants including GOI Ministries, the NGO Directorate, Members of Parliament, DRL and USAID program staff. See Table A.

FINDINGS AND ANALYSIS

Analysis of the state of Iraqis' civil society and primary challenges and opportunities for its advancement

The range of civil society activities in Iraq is vast, with over 700 NGOs having applied for registration or re-registration under the 2010 NGO Law.⁶ The Iraqis interviewed during the fieldwork for this assessment have the impulse to engage and be part of civil society. However, this impulse is still waiting to be fully tapped and supported.

Sector Profile

Iraq's political and historic context: The Iraqi people have long had a sense of community responsibility and charity, characterized by an ethic of neighbors helping neighbors. The idea of a mutually responsible community is rooted in the Muslim faith and tradition. Formal civil society existed in Iraq during the 1921-1958 monarchy, primarily in the form of political parties, professional associations and some organizations that delivered social support to the public, but did not contest the regime. Following the toppling of the monarchy (1958), the Ba'ath Party Coup (1968), and the subsequent consolidation of power by Saddam Hussein, civil society became increasingly repressed. After the 1991 Gulf War and the advent of Kurdish autonomy, civil society began to develop in what would become the Iraqi Kurdistan Region (IKR), administered by the Kurdistan Regional Government (KRG). Following the U.S. invasion in 2003 and the overthrow of Saddam Hussein, a large number of NGOs were established. The Coalition Provisional Authority (CPA) formed a Committee for Civil Society Organizations in an attempt to institutionalize state support for these new bodies.

While a large number of NGOs began as ventures to access western humanitarian and development aid, many of the post-2003 NGOs were formed as proxies for political parties in power.⁷

Focus groups and interviews found that many Iraqis perceive civil society's return following the fall of Hussein in 2003 to have been Western-funded, remote and non-organic in its evolution.⁸ This history affects positively and negatively the perception of civil society in Iraq. It is accepted as it relates to the deep culture of charity and caring for neighbors, but the concept is often rejected when seen as a western import or reminder of subjugation.

Political and governance structure: Despite support for civil society among some elements of the Iraqi government, currently no level of government is institutionally focused on interaction with the citizenry or civil society. There is no published copy of the constitution readily available or distributed to the citizens. Many Iraqis feel that parliamentarians are loyal to the head of their party, not to the electorate. The average Iraqi does not fully understand the structure of their government and who is responsible to whom. However, the assessment team did find some anecdotal evidence of successful relationships with CSOs at the district government level.

Regional differences: There are major regional differences between the IKR, which has experienced western-supported civil society for over 20 years, and the "lower 15" provinces where this phenomenon has existed only since 2003. The other difference is between the big cities, especially

⁶ The question of the number of Iraqi NGOs – registered and otherwise – as well as their mission and affiliation is explored in the recommendations section.

⁷ Iraq's Civil Society in Perspective; NGO Coordination Committee for Iraq, April 2011

⁸ This is less the case in the IKR, where many CSOs were established in the 1990s.

Baghdad, and the rest of the country. USAID implementers operating in rural areas speak of the difficulty in finding capable, viable CSOs with which to partner. Moreover, since so much governmental power remains with the central ministries and has not substantially been given to local government, NGOs operating in Baghdad have far more ability to conduct advocacy than groups in other regions by reason of proximity.⁹

Recent developments and opportunities for civil society

The last few years have brought a number of changes to Iraq that have benefited the CSO community, some security-related and some testament to an improved relationship with the GOI.

Improved legal environment: The new Iraqi Law on Non-Governmental Organizations (Law no. 12 of 2010), enacted in April 2010, is a major milestone for Iraqi civil society. It marks the culmination of a process that began with the restoration of Iraqi sovereignty in 2004. For six years, Iraqi CSOs worked with international NGOs to advocate for the adoption of a new NGO law that would be more consistent with international law and best practices. CSO advocacy was particularly effective in persuading the GOI to abandon several onerous provisions contained in a 2009 GOI draft. Highlights of the new law include the following:

- Iraqi NGOs are no longer prohibited from receiving foreign funds without prior government approval;
- The GOI must cite a specific provision of law if it denies an NGO registration;
- Improper NGO registration is not considered a criminal offense;
- The GOI needs probable cause to audit or inspect an NGO's office;
- A court order is now required to “suspend” registration of an NGO or confiscate NGO property; and
- Appropriate procedures must be in place to issue a court order versus left to the sole discretion of government authorities.

The Kurdistan Region of Iraq passed its own NGO law in 2011, which was similarly well received by Western donors. The IKR law:

- Improves and simplifies the process of registering an NGO and states that NGOs “registered by the federal authorities shall automatically be considered registered in the [Kurdistan] Region.”
- Obligates the allocation of KRG funds to support NGO projects.
- Removes all restrictions on the associational rights of foreign residents.
- Explicitly recognizes several key rights for NGOs, including the rights to monitor government institutions, “access information” from unregistered networks, and open branches abroad.

From Freedom House Freedom in World – Iraq Report 2011

“Domestic and international nongovernmental organizations (NGOs) are able to operate without legal restrictions, although safety concerns severely limit their activities in many areas. A law passed in January 2010 allows NGOs to seek funding without government approval, requires the government to provide specific cause for denying an NGO’s registration, removes criminal penalties for being a member of an improperly registered NGO, and requires a court order to suspend NGO activities.”

⁹ Although legislation has recently passed to provide Iraqi provinces more powers, CSOs continue to feel most true decision makers remain in Baghdad.

The two new NGO legal frameworks are the most salient improvements in the enabling environment, representing important differences between the present time and the period when the last USAID-sponsored CSO strengthening project (ICSP) was operating. However, it remains to be seen what the impact of the relatively new NGO Laws will be. NGOs continue to experience registration delays and registered NGOs may still experience legitimacy deficits with the Iraqi public.

Other advocacy successes: Aside from the NGO law, the other primary advocacy success in recent years relates to the post-2010 election period. Parliament had been elected in March 2010 but had convened only once, for 18 minutes, due to political stalemate. Partly due to CSO advocacy in October 2010, Iraq's Federal Supreme Court ordered Parliament to resume its session after finding the delay to be unconstitutional. The Acting Speaker reconvened the new Parliament again within days.

Improved public image decision-making potential: In a positive signal of increased legitimacy for CSOs with a mission of service provision, the Iraqi National Development Plan for 2010-2014 recommends that NGOs serve as a mechanism for provision of services to women and vulnerable groups. If CSOs succeed in improving the woefully inadequate service delivery system in Iraq, the image of civil society would likely improve. In addition, the new Iraqi government has established a Minister of State for Civil Society, a small but promising office that could potentially promote cooperation between civil society and government.

Civic education: There have been initial moves on the part of CSOs to work with the Ministry of Education on literacy, possibly resulting in a civics curriculum that could be introduced in public schools from primary through secondary grades. In higher education, the Civil Society Department at Kufa University in Najaf is now in its second year of partnership with University of Minnesota.

Other recent developments: Other events are likely to have an impact on civil society, but have happened too recently to determine what form that impact might take. The first is President Obama's decision that the last U.S. troops will indeed leave Iraq at the end of 2011. Another development is the October 2011 crackdown on ex-Ba'athists by the GOI. The government accused them of plotting a coup. The crackdown included the firing of about 160 professors and faculty members from the University of Tikrit. This was followed by an announcement from the head of the regional government in Tikrit, who said that the region would sever its ties with the central government and seek to become autonomous. There is speculation that this crackdown could reignite sectarian tensions that are only just below the surface.

Development Challenges

In the eight years since the removal of Saddam Hussein, the civil society sector can point to many accomplishments, as highlighted above. However, the growth of the sector has been non-organic and took place within an environment of war, sectarian divide, and a large donor community willing to spend funds through indigenous CSOs. As Iraq returns to a degree of normalcy, the biggest challenge will be to consolidate the gains in civil society since 2003 – thousands of NGOs working across the country operating under progressive NGO laws – while allowing Iraqis to take the lead in growing the sector. Donors have tried to create a civil society in Iraq by funding NGOs. The donor community still has a large role to play in facilitating the growth of the sector, but cannot be viewed by Iraqis or their government as directing the work of civil society. USAID will need to find a way to support CSOs, while allowing them to grow organically and without harming their reputation in Iraqi society.

Focus group and survey data show an Iraqi public that is frustrated with their government and civil society's apparent inability to effect change. Perhaps the biggest problem is the post-2003 deterioration in the Iraqi quality of life. It is hard to speak to an average Iraqi citizen about the benefits of civil society when they lack regular electricity. People are also frustrated by the non-representative structure of

government. Despite some moves towards strengthening local government units, Iraq remains a highly centralized country. Very little budget authority exists outside of Baghdad and CSOs without access to central government ministries are disenchanted in directing their advocacy to units of government with no power to help them.¹⁰ NGO networks have not developed to the point when they can compensate for this lack of empowerment of local CSOs.

NGO Sustainability

This section looks at Iraqi civil society through the lens of seven interrelated dimensions of NGO sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. The analysis focuses on NGOs engaged in the assessment's key thematic areas.¹¹ For each of these dimensions, the assessment answers the following questions:

1. What has been accomplished?
2. What remains a problem?
3. Do local actors recognize the nature of outstanding challenges?
4. Do local actors have a strategy and the capacity to address these challenges?

The primary tools for answering these questions came from focus groups and the national survey, described earlier. The figures cited here fill out some of the more relevant findings from the survey. The complete survey results, including breakouts by region or by sector (CSO, Business, Government or Public) can be found in Annex 2.

Sustainability Dimension I: Legal Environment

For Iraqi civil society to be sustainable, the legal and regulatory environment needs to support the needs of NGOs; facilitating new entrants, minimizing governmental interference, and providing NGOs the necessary legal basis to engage in appropriate fundraising activities and legitimate income-producing ventures.¹² Data gathered on this subject supports the view that the legal environment in Iraq has improved.

Currently, there are two separate NGO laws in Iraq: the 2010 law at the federal level and a 2011 law for Iraqi Kurdistan. The new federal law (number 12) is regarded as one of the best in the Middle East by international legal organizations such as ICNL. However, not all CSOs are convinced things have changed enough. Despite the new law, many people in focus groups seemed unaware or unconvinced that there is a positive new legal framework for CSOs. A community action group (CAG) representative in Basra commented: *“there is no clear law showing rights and duties of CSOs”*. Another CSO representative in Basra said *“there are no laws protecting the work of CSOs.”*

Ease of registration: At this relatively early stage in the implementation of the new NGO law, CSO experience in registering their organizations has disproportionate influence in how an organization will view the new legal environment. Unfortunately, the experience has not always been easy. Under the new law, Iraqi Government officials say it takes a month to finalize the registration process. However,

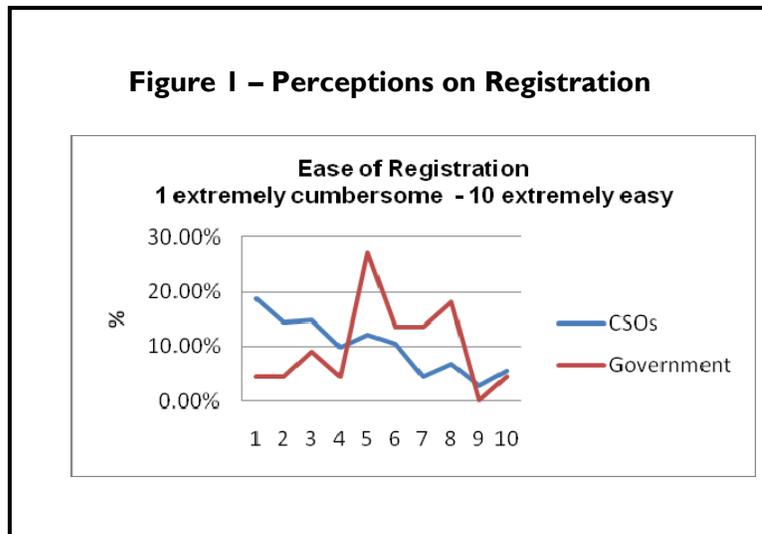
¹⁰ CSO cooperation across the internal border between the non-regionalized parts of Iraq and the Iraqi Kurdistan Region is especially difficult due to personal security checks, paperwork requirements and a lack of cross-border programs to build social capital between people who have not had a recent common development experience.

¹¹ I.e., NGOs engaged in either the delivery of or advocacy for essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight.

¹² From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

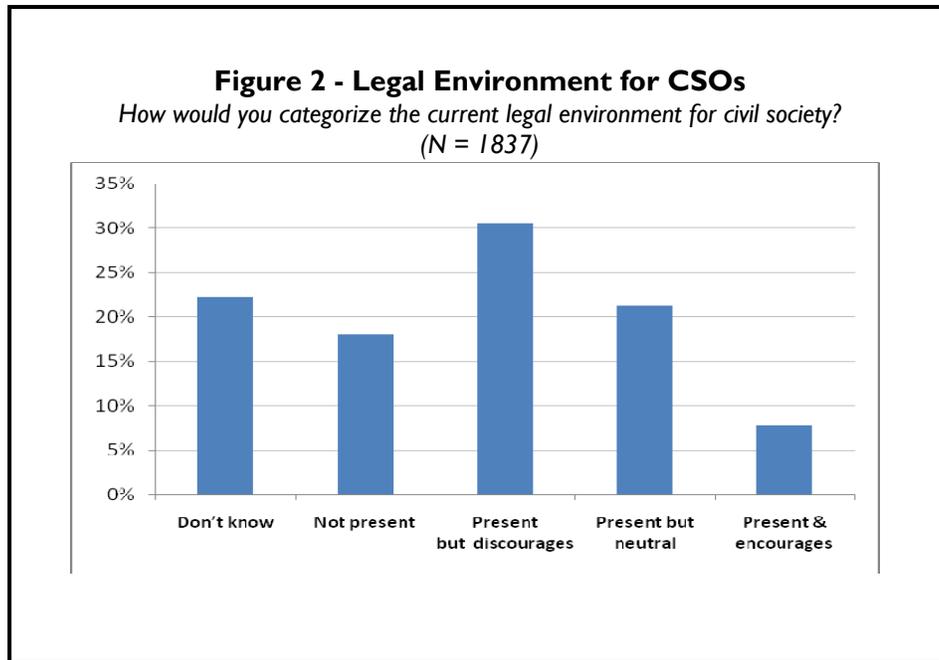
the assessment team did not find this to be the case, noting that the minimum time was closer to six months. Participants in focus groups often expressed exasperation with the registration process. One CSO representative said “we have to get a license for the organization with the Prime Minister's office. It was very difficult, always something wrong; we hired a lawyer just to follow the process.” Delays are more acutely felt in provinces where registration must be done in person. The NGO Directorate claims no extra requests are made of applicants and that NGOs were given a widely publicized six-month advance notice to file. It claims only incomplete applications are returned. However, the assessment team heard many stories of registration problems, including from a parliamentarian who spoke of three NGOs that, after a year of bureaucratic back-and-forth, are still not registered. These delays are, in part, related the security checks required by the de-Ba’athification law.

Figure 1 shows the gap between the perceptions of government and CSOs regarding how cumbersome or easy the registration process is for CSOs. Of the government respondents who were familiar with the new law, the majority (50 percent) thought it was relatively easy to register (scoring between 6 and 10 on the scale). By contrast, 70.2 percent of CSOs thought it was very cumbersome (scoring between 1 and 5) on the scale.



The two separate laws governing CSOs working in the Iraqi Kurdistan Region and the rest of the country cause an additional complication. NGOs in the IKR must also register in Baghdad if they wish to work outside of the autonomous region. Conversely, CSOs registered in Baghdad but intending to work in the IKR must register in Erbil. The registration process also involves a security clearance through the ministries in both Baghdad and Erbil. However, representatives of two CSOs affected by this process told the assessment team that the dual registration requirement caused no problems in working across province boundaries. A CSO already registered in Baghdad, wishing to open an office in the IKR, may do so but with staff having residency in the IKR.

There is a hiatus on new CSO registration in the IKR. Discussions in Erbil revealed differing views as to the reason. Some said the registration process stopped because “there were too many CSOs already registered.” Others thought the hiatus was temporary until the new NGO Commission was formed.



Legal rights and conditions regulating NGOs: As seen in Figure 2, most Iraqis surveyed recognize that there is a legal environment for CSOs, but do not see the environment as encouraging for CSOs. Around one third of total respondents, the largest category, believe that the legal environment discourages CSO activity. Of CSO respondents, over 46 percent fall into this category.¹³ Across the country, “present but discourages” was the largest or second largest category, indicating that most Iraqis do not think the legal environment is conducive to CSOs. One female participant in a Basra focus group said: “government is [using the law] to restrict the work of CSOs.”

Availability of lawyers and/or legal advice: The survey found little concern over the availability of lawyers to assist CSOs. The nationwide average was 82 percent. Regional totals ranged from 100 percent in the West to 68 percent in South Central. See Figure 3.



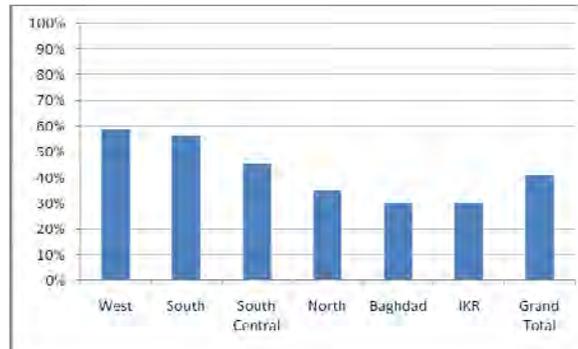
¹³ Figure 2 shows aggregate results for all survey respondents. The CSO breakout, cited here, is not indicated in Figure 2 but can be seen in the full survey results.

Freedom to Address Issues:

Figure 4 looks at survey results on Iraqi perception of how free CSOs are to address issues, combining the scores of all respondents who either agreed or strongly agreed that CSOs have the freedom to address any issue. The national average on agreement with this statement from all respondents (business, government, CSOs, and the general public) was 41 percent. At the national level, the percentage of CSO representatives agreeing with this positive statement was significantly higher - 52 percent. The national total does show regional disparities in this answer. In the West and South, close to 60 percent of respondents agreed or strongly agreed that CSOs were free to address any issue openly. That number was only 30 percent in the IKR and Baghdad.¹⁴

Figure 4 - Freedom of CSOs to Address Issues

CSOs have the freedom to address any issue openly – Percentage agreeing or strongly agreeing (n=1768)



Degree to which laws and regulations benefit or deter NGOs' effectiveness and viability:

Having a good NGO law in place is a positive development for CSOs in Iraq, as it gives official sanction to their activities and some measure of predictability regarding their interactions with government. However, the CSO law has not prevented local government councils from wielding their perceived authority to approve or disapprove individual CSO activities. While the power of local authorities to approve every CSO activity is unclear, as one CSO focus group participant put it, "CSOs have to get approval for everything." Another participant said of the approval process, "it is a long process, with many people involved. Some local decisions have to go to central, depending on the willingness to take responsibility for approval." In another focus group with local council members, the view was that CSOs needed to improve their communications with government. A council representative in Anbar province cited the case of a CSO that didn't adequately share information with the council: "It was a nice project, with benefits to community, but they hadn't asked [our permission] so we stopped them." The assessment team heard different explanations in different provinces. In some, the team was told that CSOs had to get written approval from the district or provincial council before even talking with the relevant directorate about their activities. In other provinces, the team was told that the CSOs could approach the directorates without any such permission. In Basra, the assessment team was told of one CSO that had to register with the Ministry of Education before they could receive funding for a project. Survey results show varying levels of understanding about approval processes. Of the 463 CSO responses, only 10 indicated that there was no approval needed, with the rest citing a range of different requirements.¹⁵

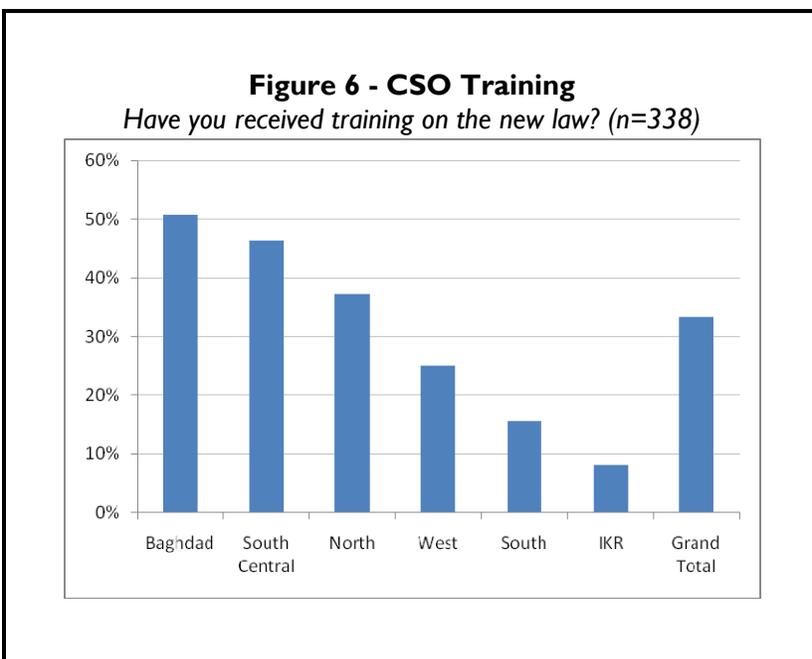
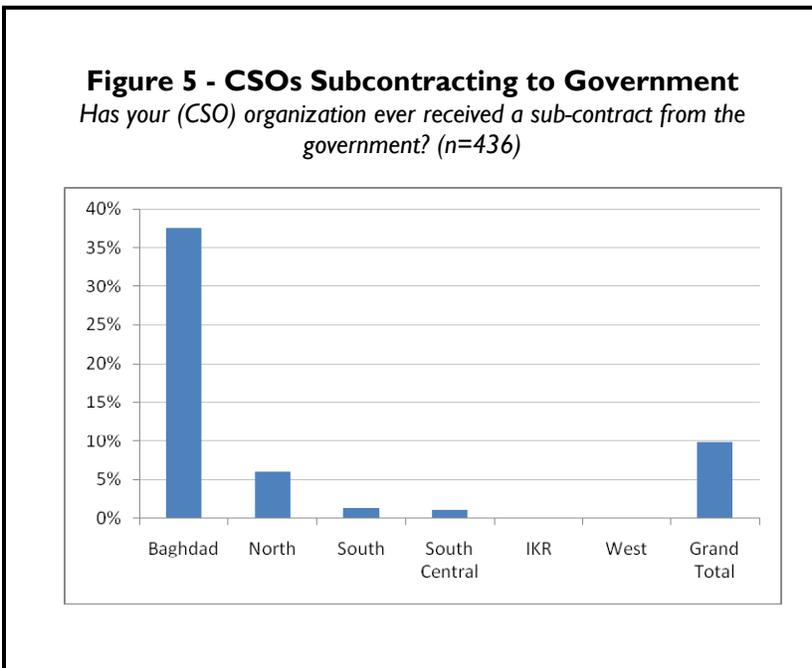
¹⁴ In a January 2011 survey of CSOs conducted by NDI, many respondents, including most from Baghdad, indicated that their decision to organize a public gathering would be influenced by the specific location and subjects discussed. Among the "forbidden subjects" of discussion enumerated were political parties (in the South), disputed territories (in the North and the West), and national security (everywhere).

¹⁵ Government respondents (108) indicated similar responses including "approval of the local council and governorate council and presentation of projects to the government" (Basra); "Backing of the local council approvals and security" (Maysan); "activities and purpose" (Wasit); and "submit all documents and reports and how to implement them to the government" (Salah ad Din).

The ability to sub-contract to government is important to the viability of some CSOs.¹⁶ Figure 5 shows that, on average, slightly less than 10 percent of Iraqi CSOs had received a sub-contract from the government. Most of this total represents Baghdad CSOs, where 37 percent of CSO representatives answered in the affirmative. Only the North, with 6 percent, had any significant “yes” answers to this question.

Payment of taxes is another important issue to CSOs, and one where Baghdad results differ greatly from the rest of the country. Fifty percent of Baghdad CSO representatives indicated they paid taxes on their self-generated income. Of the other regions, only the CSO representatives in North reported paying taxes (3 percent). The response was “0” in all other regions. The total number of respondents nationwide on this question was 139.

Legal knowledge and experience with NGO regulatory environment: The varied responses in the focus groups and answers to survey questions indicate there is a shortage of adequate knowledge of the NGO law within Iraq, both from the government and CSOs. CSO representatives surveyed highlight regional disparities regarding training in the new NGO law. While 51 percent of Baghdad and 46 percent of South Central CSO representatives indicated they had received training, only 8 percent in the IKR answered “yes” to this question. See Figure 6.



¹⁶ A distinction should be made between whether a CSO contractor is an advocacy group or service provider. There are examples of developing country CSO service providers receiving government funds for specific activities through “block grants” for community services, an objective that USAID missions elsewhere have sought to promote. For an advocacy group, however, a subcontract with government raises the specter of CSO cooption.

What has been accomplished?

The new NGO laws are clearly positive developments. CSOs, government and others are mostly aware that the sector has some legal protection. While many Iraqis believe the legal environment does not support NGOs, the actual laws on the books can objectively be called a benefit for civil society. CSOs themselves played a major role in its passage, possibly accounting for CSO representatives' more positive view of their own legal environment compared to the view of the public at large. CSOs have access to lawyers should they need them. Despite some regional differences on the subject, a substantial plurality of the NGO community feels they can address issues freely, an encouraging finding for a country with an active conflict and recent memory of oppression.

What remains a problem?

Registration remains a problem for CSOs. While there is limited evidence of any deliberate or selective delays in registration, the slow and uneven pace in NGO registration runs the risk of eroding the level of trust between civil society and government. Another issue facing the CSO community and its relationship with the government is subcontracting. Performing service subcontracts for government is a potential source of sustainability for NGOs. It also helps government with one of its biggest shortfalls – service provision. Outside of Baghdad, little subcontracting with CSOs appears to be taking place. Another problem is the range of disparate views regarding the appropriate government role in approving CSO activities. This problem seems to result from the lack of a uniform understanding of what the NGO Law actually requires. Training in the Iraqi and IKR laws would be helpful. There are gaps in training needs between regions such as Baghdad and South Central, where training on the NGO laws appeared commonplace, and the IKR and South where it has not.

Do local actors recognize the nature of outstanding challenges?

In the absence of a common knowledge base regarding the roles of the CSO sector and Government under the new NGO laws, relationships between the two sectors remain fluid and diverse depending on the actors involved. As one CSO representative remarked on the activity approval process, *“the outline is obvious, but the details are always changing.”* However, it is not so clear that the outline is obvious to everyone.

What most actors recognize is the importance of personal relationships to ease approval of CSO activities. This issue was stressed repeatedly in focus groups. It's about *“wasta - knowing someone who can push things through”* said a representative of an international NGO, in Erbil. A CSO representative in Basra said that *“approvals are based on personal relationships.”* A CAG representative said *“when [you] have one or more members from the LC in the CAG, it eases the work of CAGs, especially if you need help.”* Representatives of connected and less-connected CSOs both seemed to imply in focus groups that personal relationships were more important than actual project details. Across the country, the assessment team was told that the best way to advance the work of the CSO would be to have someone well connected to the government as part of the CSO's organizational structure. For instance, one CSO representative, who was also an employee in the Ministry of Health, admitted that his organization could get ministry approval to do health awareness campaigns, but that other CSOs could not.

While the advantage of personal connections is a universal phenomenon to some degree across the world, Iraq's security difficulties presented another twist. Various government authorities cited security problems as justification for maintaining control over CSO activities. One government official in Basra spoke ominously about an occurrence where *“some organizations came, had meetings, took photographs, and took them to another country to get money for their own interests.”*

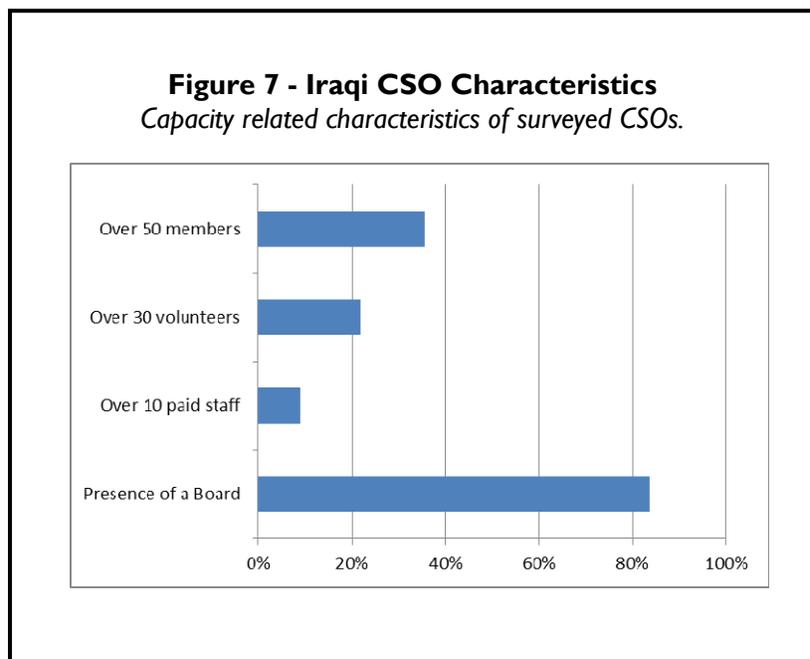
Do local actors have a strategy and the capacity to address these challenges?

The assessment team did not feel that either the CSO or government sectors currently had a strategy to address these challenges. One CSO representative from Baghdad said, “We admit that [the new NGO Law] is one of the best laws in Middle East.” However, he went on to say that the law needs to be amended with a “section holding GOI responsible for providing the required resources to NGOs to develop their financial resources.” This statement is indicative of unrealistic expectations harbored by some CSOs.¹⁷ Nonetheless, there is some positive movement, especially in Baghdad, towards mutually beneficial relationship between CSOs and government, at least with respect to subcontracting.

Sustainability Dimension 2: Organizational Capacity

A sustainable NGO sector is characterized by a critical mass of NGOs that are transparently governed and publicly accountable, capably managed, and that exhibit essential organizational skills. While a “critical mass” of such capable NGOs is probably a few years away, there is some evidence of current organizational capacity.¹⁸

Management Structure: As Figure 7 shows, of those CSOs surveyed nationwide, 36 percent had over 50 members, 22 percent had over 30 volunteers, 9 percent had over 10 paid staff, and 84 percent had a board of directors. This is indicative of a CSO sector with significant size, and at least the appearance of critical mass.

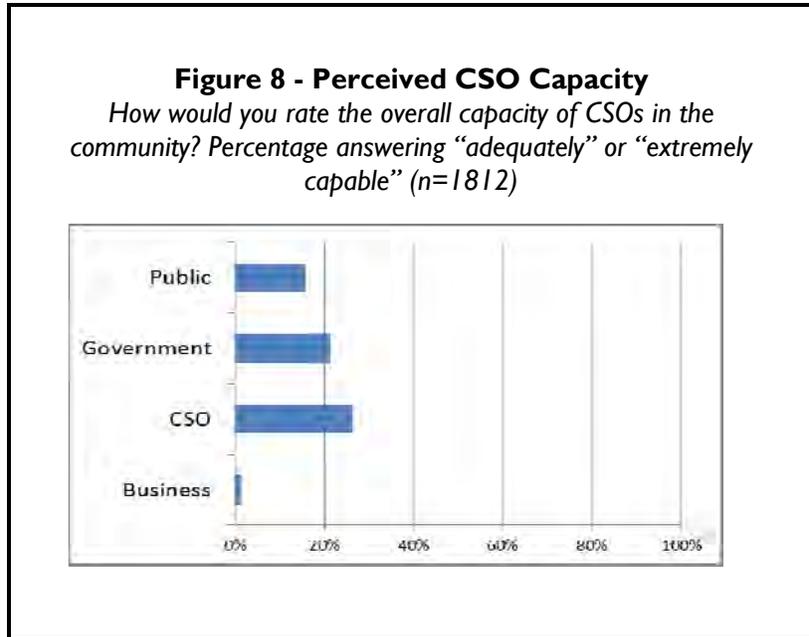


¹⁷ In the IKR, the previous NGO law allowed the KRG to provide institutional support grants to several local NGOs. The new law does not allow for such budgetary support, although the legislation provides project funds which can be awarded on a competitive basis according to the KRG’s development needs/priorities. Historically, institutional support funds were used as tools of political patronage. Indeed, many local NGOs in the IKR are concerned that they may fold because they existed on institutional support grants that were awarded based on party affiliations, and now they are required to compete for funds.

¹⁸ From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

Perception of Capability:

Regarding national perception, however, the picture is less positive. As Figure 8 shows, CSOs in Iraq are not seen as having adequate capacity. When asked if CSOs in their community were extremely capable, had adequate capacity, limited capacity, or were not at all capable, only a small percentage of respondents answered with either of the top two answers. Even among CSO respondents, only a combined 26 percent thought CSOs in their community were extremely capable or had adequate capacity. Among businesses, the combined top two answers came to only 1 percent.



What has been accomplished?

From the limited perspective allowed with a survey instrument, it appears many Iraqi CSOs have some of the requisite factors for organizational capacity, including a board, paid staff and a reasonable pool of members and volunteers.

What remains a problem?

Iraqi CSOs are perceived as having very poor capacity – even among the NGO community itself. This perception may prove an ongoing problem in trying to raise funds and recruit volunteers from the community. The survey did not address questions of the *quality* of management, staff and board members of CSOs. Staff of international PVOs interviewed indicated the quality of this organizational structure was uneven and quite weak in rural areas.

Do local actors recognize the nature of outstanding challenges?

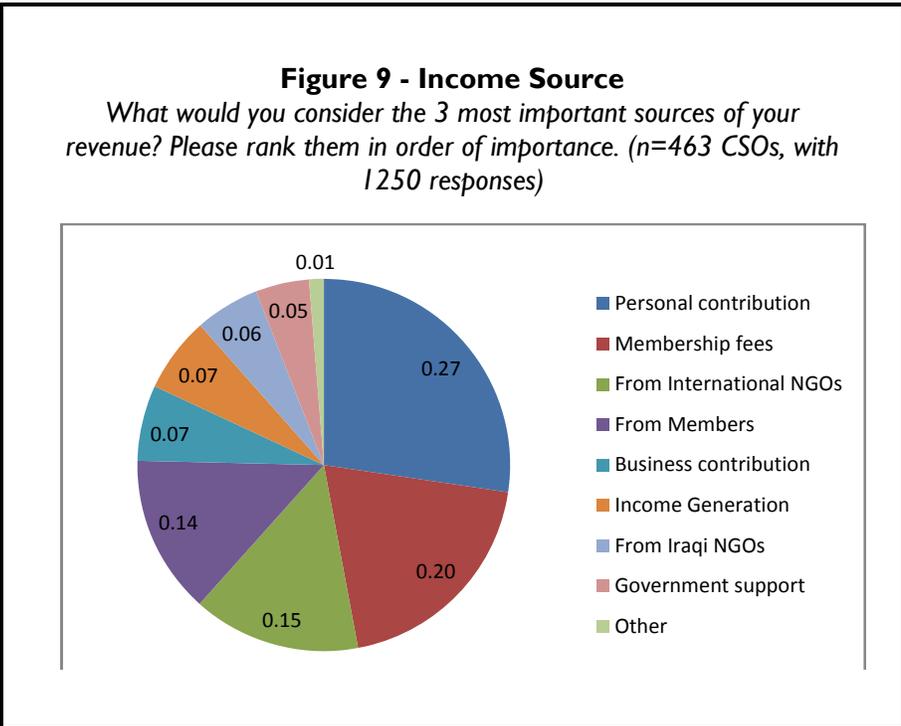
The fact that CSO representatives themselves rate their own sector so poorly indicates a self-awareness of the organizational capacity problem within the NGO community.

Do local actors have a strategy and the capacity to address these challenges?

Focus group results indicate that CSOs focus on individual projects more than increasing their organizational capacity. The assessment team did not see the elements necessary for a CSO organizational capacity plan without assistance.

Sustainability Dimension 3: Financial Viability

A critical mass of NGOs must be financially viable and the economy must be robust enough to support NGO self-financing efforts and generate philanthropic donations from local sources. For many Iraqi NGOs – especially those engaged in advocacy and government watchdog functions – financial viability may be equally dependent upon the availability of international donor support funds and their ability to compete for them.¹⁹

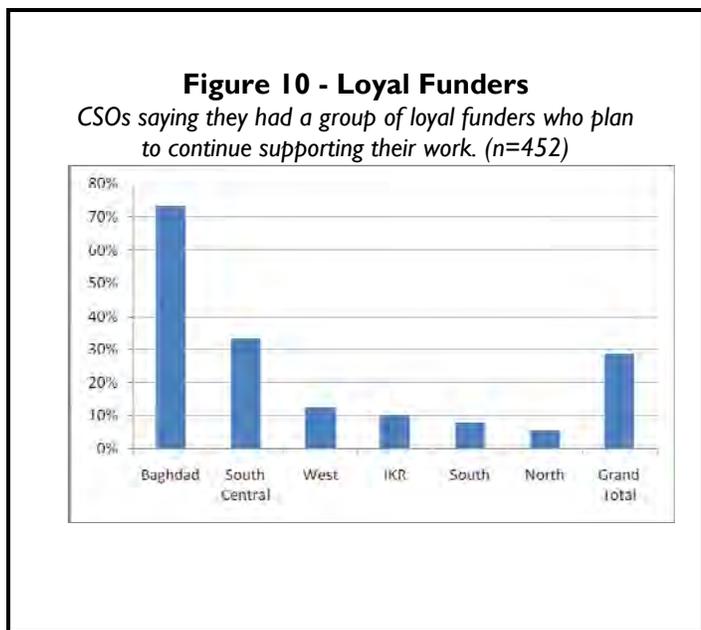


Diversity of Income Sources:

In a survey of 463 CSOs, respondents

were asked to list their top three sources of funding (See Figure 9). The top answers were: personal contribution, 27 percent; membership fees, 20 percent; and international NGOs, 15 percent. Government support was mentioned as a top three source only 5 percent of the time. Business contributions and income generation were each cited only 7 percent of the time.

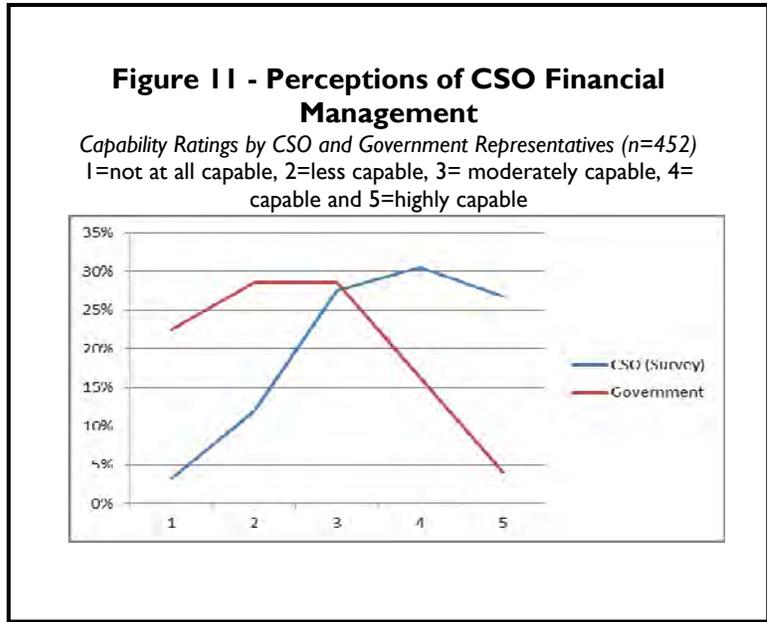
CSO representatives were also asked whether they had a group of loyal funders who planned to continue supporting their work. (See Figure 10) In total, only 29 percent answered “yes” to this question. However, there was a large regional disparity, with 73 percent of Baghdad CSO respondents answering in the affirmative, and less than 10 percent of respondents answering “yes” in the West, IKR, South and North.



¹⁹ From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

Perceptions of Financial Management:

Figure 11 illustrates diametrically opposed views held by CSO and Government representatives regarding CSO financial management. A relatively high percentage of CSO representatives rated CSOs as capable or highly capable, with a corresponding percentage of government representatives rating CSOs as less capable. This lack of confidence in the financial management of CSOs may play a role in the relatively small amount of government contracts CSOs have received.



Factor influencing financial viability - State of the economy:

The average Iraqi feels poor, despite Iraq’s oil wealth. This paradox, and the cynicism and apathy that has resulted, has been damaging for the development of civil society. Without economic development, there will not be an active, well-informed civil society or skilled, knowledgeable CSOs. An active civil society depends as well on a stable economy. In a 2009 opinion poll (D3 Systems and KA Research for ABC News, the BBC and NHK, 2009), Iraqis rated unemployment as the single biggest problem in their lives. This was the single highest figure, although close to services and security in the volume of response. In focus groups for this assessment, the team found the deepest concern over youth unemployment. The youth the team spoke with expressed feelings of disenfranchisement and seemed more interested in finding work – usually with the government – than in issues of civic engagement.

Factors influencing financial viability: Philanthropy and volunteerism:

Figure 12 illustrates the Iraqi perception of whether people want to volunteer with CSOs. The results vary by region. In the West, 76 percent agree or strongly agree that people want to volunteer. This number falls to 37 percent in the IKR. Nationwide, the figure is 51 percent.

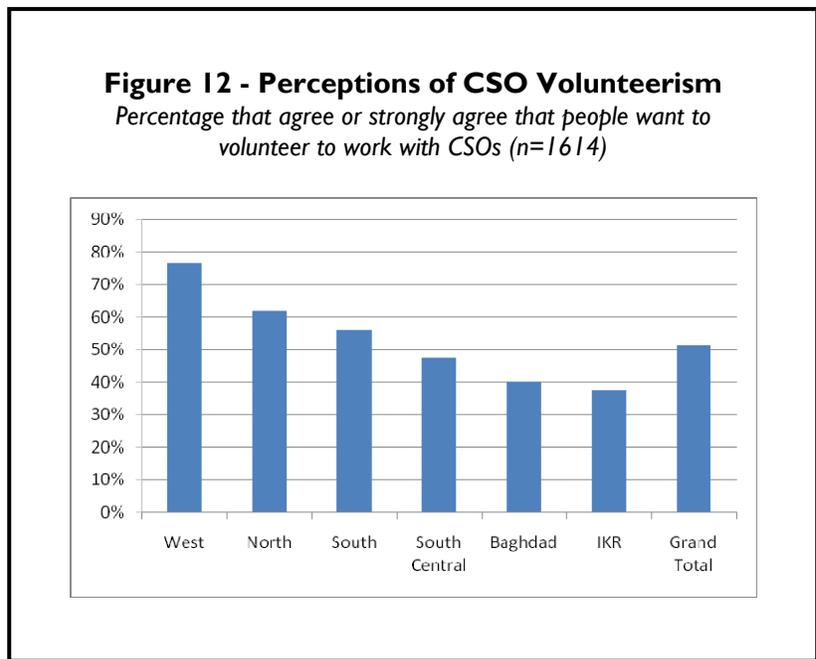


Figure 13 - Private sector responses

	No	Yes
Do you ever meet with CSOs or community groups?	96.4%	3.6%
Are you a member of a CSO?	97.6%	2.4%
Do you participate in activities conducted by a CSO?	91.7%	8.3%

Potential of commercial sources of financing: The disconnection between the business and the CSO sector appears consistently in survey data. As Figure 13 shows, most business representatives surveyed had never met with a CSO, were not a member and had not participated in CSO activities.

What has been accomplished?

Reported income sources for NGOs were fairly diverse. Contributions from international NGOs were reported in the top responses of CSOs surveyed only 15 percent of the time – less than personal contributions or membership fees. There is also a positive perception of volunteerism in Iraq; with slightly over half of those surveyed saying that people would want to volunteer with CSOs.

What remains a problem?

Aside from Baghdad or South Central, most CSOs did not express confidence in a loyal group of funders who would fund their work. Government’s perception of CSO’s financial management is very poor and the private sector has next to no interaction with CSOs at all. U.S. PVO implementers have found that many Iraqi CSOs are unable to provide basic answers to questions about their cost structure or produce financial spreadsheets.

Do local actors recognize the nature of outstanding challenges?

While CSO perception of their sector’s financial management is much higher than that of the government’s perception of civil society financial management, the rating is not unrealistically high. More CSO representatives referred to their sector as “capable” than “highly capable.” There is an understanding within civil society of their sector’s room for improvement.

Do local actors have a strategy and the capacity to address these challenges?

The assessment team did not get the sense that a strategy existed within the CSO sector to address this challenge without assistance.

Sustainability Dimension 4: Advocacy

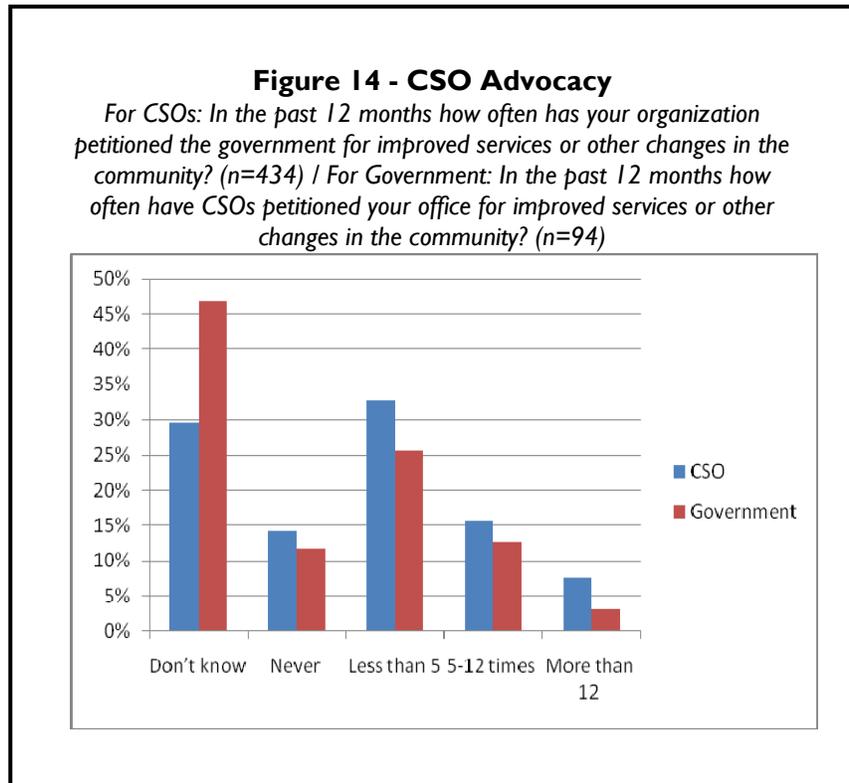
For Iraqi civil society to be effective, the political and advocacy environment must support the formation of coalitions and networks and offer NGOs the means to communicate their messages through the media to the broader public, articulate their demands to government officials, and monitor government actions to ensure accountability.²⁰

Capacity and record of NGOs in influencing public policy: As seen in Figure 14, most CSO respondents to the survey either indicated their organization petitioned the government less than five times in the past year, or didn't know how to answer the question. "Don't know" was one of the largest categories for both government and CSO representatives when asked about CSO advocacy. Almost 30 percent of CSO representatives surveyed expressed no knowledge of the extent of their organization's advocacy.

Problems for advocacy in Iraq:

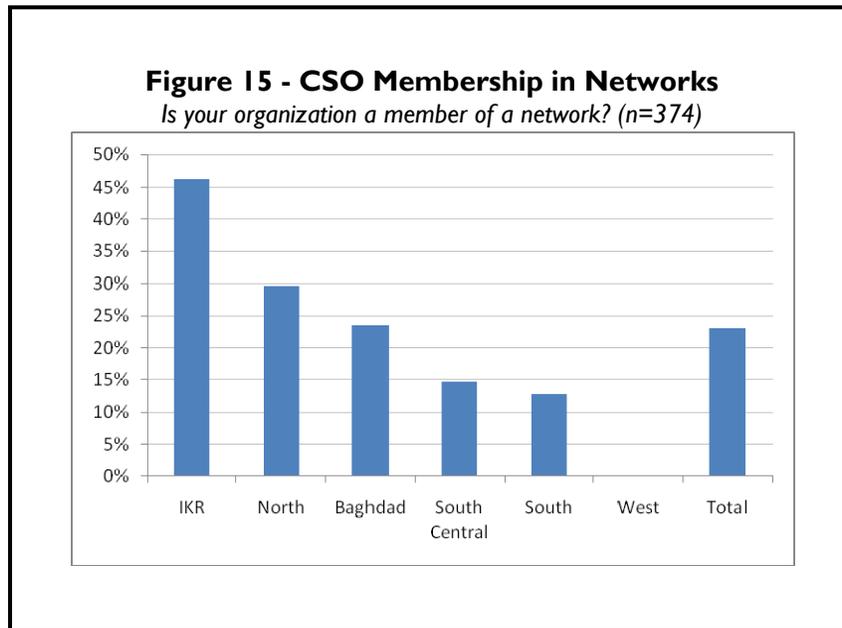
One roadblock for citizen advocacy in Iraq is the

nature of electoral representation. Geographic constituencies elect neither parliamentarians nor council members, resulting in the view that advocacy efforts are futile if directed anywhere but the ministerial level. Most GOI elected officials have limited accountability or ability to respond to advocacy. Also, provincial and district councils do not have the power to deliver services – that power is in the hands of the federal or regional ministries.



²⁰ From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

Extent to which coalitions of NGOs have been formed around issues: Being part of a network of similar organizations is a key ingredient in successful advocacy. Among CSOs surveyed, however, only 23 percent answered that their organization was a member of a CSO network. See Figure 15.



What has been accomplished?

The passage of the new NGO law is the single largest accomplishment of Iraqi CSOs. In that case, hundreds of CSOs were mobilized to participate in regional and national conferences to advocate for the new law. In addition, there are a number of specific sectors in which NGO advocacy has also been successful, albeit at a smaller scale. For instance, several Iraqi CSOs have worked to advance women’s legal, economic, social and political rights. CSO advocacy for women’s rights has resulted in the adoption of 12 constitutional provisions, including an electoral quota of 25 percent of seats reserved for women on the Council of Representatives. USAID funded numerous forums, including regional and national conferences, to organize coalitions and develop advocacy campaigns for women’s issues.

Also, USAID has supported Iraqi human rights organizations in developing capacities for human rights education, monitoring, documentation and reporting. Through provision of training and technical assistance, many CSOs have improved their abilities to monitor and report on human rights abuses, including poor conditions in detention centers and unlawful detainment. CSOs have developed partnerships with police departments, human rights departments and other government agencies to provide for observance and protection of human rights.

What remains a problem?

Judging from the finding shown in Figure 14, there is an inadequate understanding of the concept of advocacy in Iraq. The high number of “don’t know” answers recorded by both government and CSOs themselves indicates the need for more understanding about what constitutes advocacy.

Do local actors recognize the nature of outstanding challenges?

Candid responses of “don’t know” to this question, might imply that both CSOs and government realize they have more to learn about advocacy

Do local actors have a strategy and the capacity to address these challenges?

Despite the low percentage of CSO representatives involved in networks, the survey did reveal the existence of several CSO networks and coalitions active in Iraq. Those mentioned included: Arab Education Network, Baghdad Women’s Network, Child Rights Network, Human Rights Network, International Social Forum, Iraqi Future Network, Iraqi Network for Children, Iraqi Non-violence and Youth Network; Iraqi Women Network, NGO Network, Prisoners' Equity Network, and Special Assembly for Disabled Human Network. However, the assessment team did not encounter evidence that these networks are being encouraged to their full capacity.

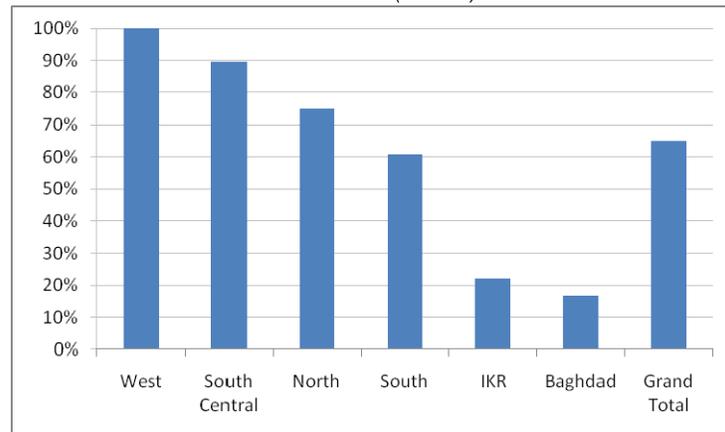
Sustainability Dimension 5: Service Provision

Sustainability of NGO service provision will require a critical mass of service NGOs that consistently meet the needs, priorities, and expectations of their constituents, in a manner that is more efficient than public sector or commercial counterparts.²¹

Extent to which government or private sources rely or contract for the delivery of such services: When government representatives were asked whether CSOs added value to basic service provision, the grand total was reasonably high – 65 percent. However, there was a wide geographic disparity, with 100 percent of respondents in the West answering “yes”, to only 17 percent in Baghdad. See Figure 16.

Figure 16 - Perception of CSO Value in Service Provision

Do CSOs add value to the provision of basic services? Asked of Government (n=106)



²¹ From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

When comparing the perceptions of CSOs and government representatives on CSO capabilities in service provision, there is a strong divergence of opinion. Less than 3 percent of government representatives saw CSOs as “highly capable” as compared to 35 percent of CSO representatives. See Figure 17.

What has been accomplished?

The Community Action Program (CAP) has operated since 2003. It works at the grassroots level to facilitate the creation and training of community action groups (CAGs) that are responsible for identifying and prioritizing community needs and mobilizing resources.

CAP also seeks to strengthen the capacity of local government councils to draw on the Government of Iraq’s own resources. A major challenge for CAP, however, is the fact that local government councils have no budgetary authority.

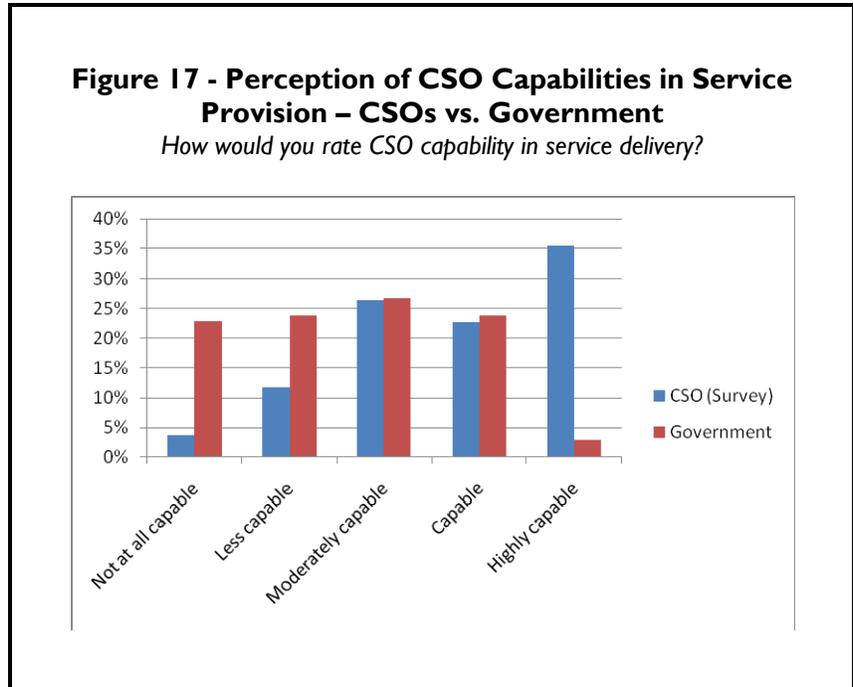
In interviews and focus groups, NGO leaders expressed appreciation for CAP, which they credit with helping create a safe space to speak, to develop and practice leadership, to develop working relationships with local councils, and to practice long-term planning skills. CAP personnel know their communities and have improved the future prospects of civil society in Iraq.

What remains a problem?

While the assessment team found provincial council members to be accessible, access to other levels of government was more problematic.

Do local actors recognize the nature of outstanding challenges?

Figures 16 and 17 reflect a paradox. Figure 17 shows that CSOs rate the capabilities of their sector very highly – in stark contrast to the way government sees the same capabilities. Nonetheless, as Figure 16 shows, government (with the notable exceptions of Baghdad and the KRG) see CSOs adding value. Perhaps this reflects recognition by government of its immense need for service provision. Government representatives may be conceding that CSOs add value despite their negative views of the same CSO’s capabilities. Given that only CSO representatives rate CSO services highly, it may be that their services are not of high quality.



Do local actors have a strategy and the capacity to address these challenges?

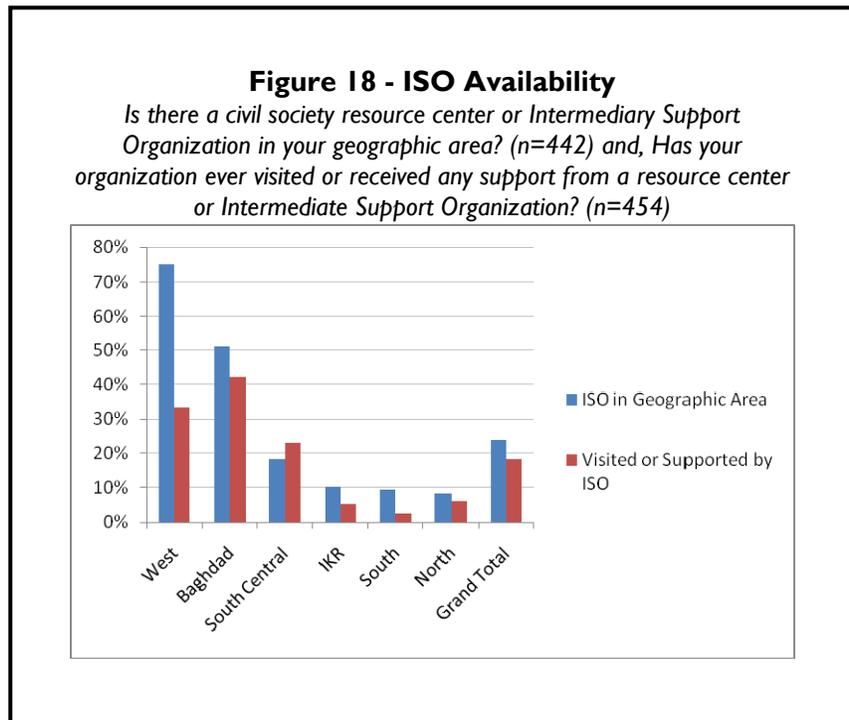
Service provision is dictated by funds available. Many small groups willing to provide services (child care, literacy classes to women, IDP support, conflict mediation, and services to youth) were getting by with minimal support. Service delivery provides an opportunity for USAID to improve the lives of Iraqi citizens while enhancing skills and behaviors needed for a robust civil society. The CAP program strategy reflects this reality.

Sustainability Dimension 6: Infrastructure

Iraq does not have a sustainable infrastructure for NGO support. If it did, NGO intermediary support organizations (ISOs) and/or NGO resource centers would be active in all areas of the country and provide advanced training, informational services, legal support and advice, and philanthropic development activities. A sustainable infrastructure would also have established and endowed community foundations, indigenous grant making institutions, and/or organizations to coordinate local fundraising. A professional cadre of local experts, consultants and trainers in nonprofit management would exist.²²

The legacy of USAID's support to intermediary support organizations (ISOs):

As Figure 18 shows, a grand total of 24 percent of CSO representatives surveyed said there was an intermediary support organization nearby, with 18 percent saying they had visited or were supported by an ISO. There was, however, a great regional disparity on ISO availability, with as many as 75 percent answering "yes" in the West, to as few as 10 percent or less in the North and IKR. On the whole, availability of an ISO in the geographic area did correlate to whether CSOs had visited or had received assistance from an ISO.



²² From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

What has been accomplished?

Under the now-closed Iraq Civil Society and Independent Media Program (ICSP), USAID established four ISOs, known as Regional Civil Society Resource Centers, in Erbil, Baghdad, Hillah, and Basra to provide services for civil society development across the country. These Iraqi-staffed Centers provided training, technical assistance and grants designed to develop the capacity of civil society organizations. The Centers served as hubs for CSO activities and resources and provided training and technical assistance. The Centers sought to link CSOs together for joint action and advocacy through forums and conferences. The CAP program also provides for entities that could be considered ISOs – primarily CAGs involved in community development and service delivery.

What remains a problem?

The IKR and north and South regions have very low rates of ISO presence and, understandably, of ISO visitation.

Do local actors recognize the nature of outstanding challenges?

Figure 18 shows that the presence of ISOs does correlate with ISO visitation.

Do local actors have a strategy and the capacity to address these challenges?

Currently, there is less a true civil society infrastructure than a series of stand-alone NGOs. ISOs, coalitions, and networks should be present in any infrastructure framework. At present, there is inadequate ISO presence to allow what CSOs need – a space to increase capacity through shared resources, information and education. An ISO will give physical place to begin the relationships ultimately leading to the formation of networks and/or coalitions. In a shared space, people are able to relate to each other in a way that could lead to “collaborative tension” and new ideas.

Sustainability Dimension 7: Public Image

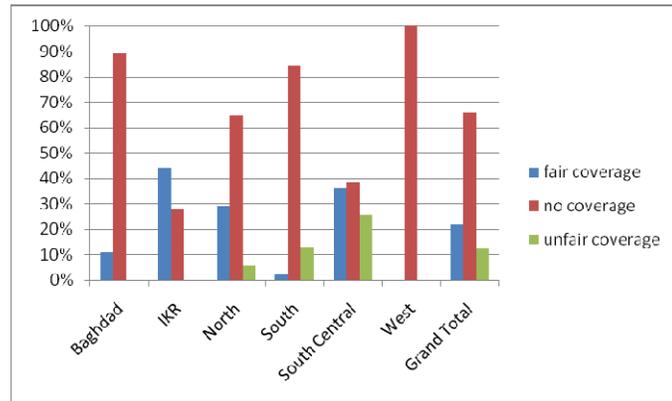
For the civil society sector to be sustainable, government, the business sector, and communities should have a positive public image of NGOs, including a broad understanding and appreciation of the role that NGOs play in society. Public awareness and credibility directly affect NGOs' ability to recruit members and volunteers, and encourage indigenous donors.²³

Media coverage of NGOs:

Figure 19 shows that 66 percent of CSO representatives surveyed on media coverage of their activities said there was "no coverage." When there was coverage, it was generally considered fair (22 percent) rather than unfair (12 percent). The IKR was an exception, where only 28 percent of those surveyed said "no coverage."

Figure 19 - Perception of Media Coverage

Does the media provide fair coverage of your organization's work (n=432)

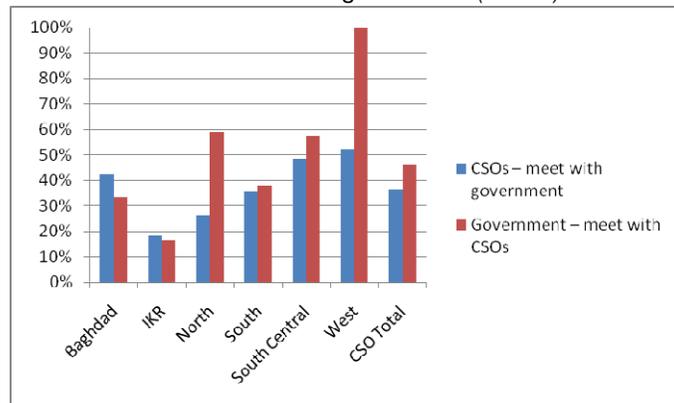


Government engagement of NGOs:

Government representatives were surveyed regarding whether they met with local CSOs. CSO representatives were asked if they met with government. Their respective responses are shown side-by-side in Figure 20. Government representatives were more likely to report meeting with CSOs than the other way around, sometimes, as in the West and North, by a substantial amount. The IKR stands out for its low responses by both groups.

Figure 20 - Government and CSO Perception of Interaction

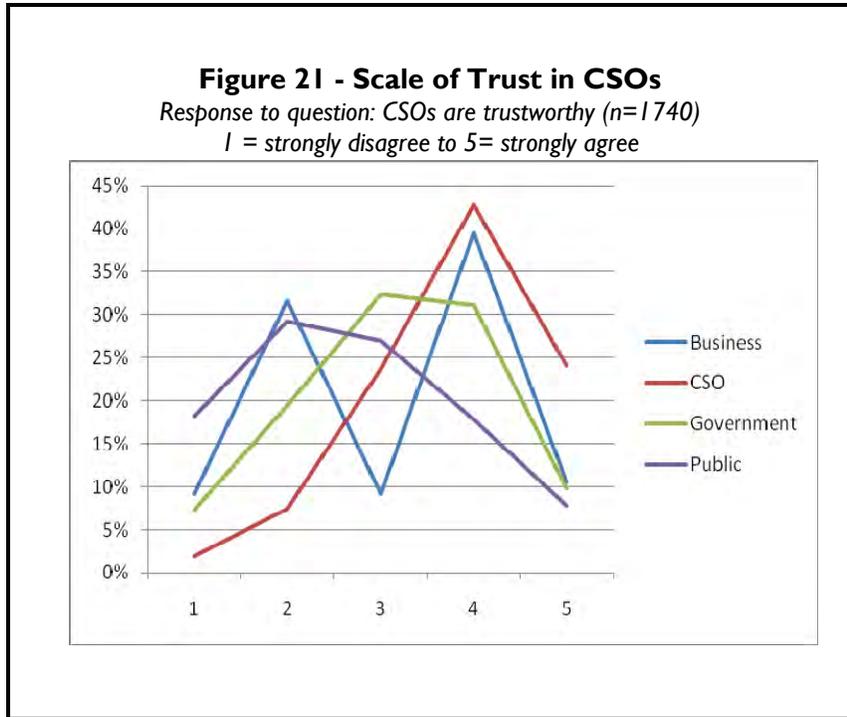
Does your ministry/department/office meet/interact with local civil society organizations (community groups)? (n=96) / (CSOs) Do you ever meet with the government? (n=395)



²³ From Scope of Work for Iraq Civil Society Assessment; Appendix C – NGO Sustainability Assessment Framework

Public's knowledge and perception

As seen in Figure 21, four categories of respondents were asked to respond to the statement "CSOs are trustworthy" on a scale of 1 to 5, with 1 meaning strong disagreement and 5 meaning strong agreement. The range of responses from representatives of business, CSOs, government, and the general public are charted here. CSOs had the strongest statements of trust. The public has the least trust in CSOs of any of the four categories. Among the public, 18 percent said they strongly disagreed that CSOs were trustworthy, versus 7 percent that said they strongly agreed with the statement.



What has been accomplished?

To the extent that there is media coverage of CSOs, it is mostly fair. CSOs and government are meeting, although not as frequently as might be hoped. CSOs have some measure of trust from business and government, indicating that civil society is engaging positively with its counterparts in other sectors.

What remains a problem?

The level of trust in CSOs by the general public is low. This credibility gap is one of the more alarming findings of this assessment. Although the media coverage of NGOs that exists is considered positive, "no coverage" is the norm.

Do local actors recognize the nature of outstanding challenges?

CSOs' acknowledgment of their lack of media coverage may indicate an understanding by the sector that much of their message is not getting through.

Do local actors have a strategy and the capacity to address these challenges?

The assessment team did not see evidence of a significant public image strategy on the part of the CSO sector.

A regional summary

CSOs from different regions of Iraq will have different needs. In Baghdad, CSOs report a level of contracting with the government at a higher level than anywhere else in the country and have the highest levels of loyal funders. Baghdad CSOs also report some of the highest levels of training in the new NGO law and access to ISOs. However, the public has a much lower opinion of CSOs and what they can accomplish in Baghdad than elsewhere in Iraq. Baghdad, with its 7 million people, is unique among Iraqi regions. This urban character may account for the dichotomy of having both higher levels of CSO capacity and higher levels of cynicism regarding these same organizations. Baghdad had been among Iraq's most privileged regions in the past and the current level of poor services is in sharp contrast to the pre-2003 period.

IKR polls poorly regarding the perception of CSOs and their work. However, IKR CSOs are more likely to be part of a CSO network, despite reporting poor access to ISOs. IKR CSOs have been in existence for a decade longer than their counterparts in the rest of Iraq, giving them more time to develop networks.

There is no discernable pattern of CSOs with better access to ISOs reporting higher participation in networks. For instance, CSOs in the West reported high levels of ISO availability, but few claimed to be networked – the opposite profile of the IKR.

There do not appear to be any clear patterns based on religion, with the predominantly Sunni North and West, and the predominantly Shiite South Central and South, showing little in the way of salient differences.

Regional Grouping	Provinces Included	Ethnic/Religious Characteristics	CSO Characteristics
Baghdad	Baghdad	Mixed Sunni and Shiite Arab	High number of CSOs contracting to government; Large number of loyal funders, High level of training in NGO Law; Higher levels of ISO availability; Poor perceptions of volunteerism, CSO freedom, CSO service provision and of CSOs overall. Little CSO media coverage
IKR	Sulaymaniya Erbil Dahuk	Predominantly Kurdish	Poor perception of CSO freedom and volunteerism; Poor perception of CSO service provision. Highly networked; Low levels of ISO availability
North	Ninawa Salah ad Din Kirkuk Diyala	Predominantly Sunni Arab	Poor perception of CSO freedom; Low levels of ISO availability
West	Anbar	Predominantly Sunni Arab	Better perception of CSO freedom and volunteerism; No networks; Higher levels of ISO availability; Little CSO media coverage; Higher degree of government/CSO interaction.
South Central	Babil, Karbala, Wasit; Qadissiya Najaf	Predominantly Shiite Arab	High level of training in NGO Law; Higher levels of loyal funders; Poorly networked
South	Maysan, Dhi Qar, Muthanna, Basrah.	Predominantly Shiite Arab	Better perception of CSO freedom; Poorly networked; Low levels of ISO availability; Little CSO media coverage

DONOR MATRIX

This section reviews existing USAID, USG and other donor civil society activities. It summarizes current and planned donor investments in Iraq's civil society. The full matrix can be found in Annex I.

Lessons learned from donor experience

As the matrix indicates, there are numerous USG and other donor programs operating in the civil society sector in Iraq. These programs are serving a vast array of CSOs. The assessment team asked CSOs what international organizations with which they had worked. In all, the team compiled a list of almost 30 names. Some were UN organizations like UNICEF or UNOPS. Others mentioned names of USG implementers, such as NDI, ADF, or IREX; or U.S. Government entities such as USIP or OTI (which has not worked in Iraq for several years). Some respondents provided just the name of a donor country, such as Holland, Norway or Germany. Also mentioned were the now phased-out Provisional Reconstruction Teams (PRTs).²⁴ What the answer to this assessment question highlights, along with the Donor Matrix itself, is the confusing array of both current and past projects benefiting CSOs. There is little clarity on what interests or sponsors the myriad CSOs in Iraq represent, or even how many of them there are. Aggregated information on what CSOs have accomplished in Iraq is difficult to find, as is data on CSO capacity.

USAID's Current Civil Society Program, CAP III: The primary USAID civil society program currently operating is the Iraq Community Action Program (CAP), implemented by several U.S. PVOs. Now in its third and final phase, CAP engages Iraqi community leaders and elected local councils in implementing local projects. It is not, nor has it ever been, an NGO strengthening program.

CAP has evolved since its beginning in 2003 from a predominately infrastructure-focused program to a broader effort that attempts to build a foundation for democracy and grassroots advocacy mechanisms. CAP I and II sought to build the capacity of community action groups (CAGs) to fill the gap of local government by implementing projects on their own where necessary, and in partnership with local government where possible. CAP III focuses on building the capacity of local government in community needs assessment, prioritization, project design, funding, and implementation. CAP III has three objectives: 1) Improve *communities'* abilities to articulate needs and mobilize resources to solve common problems, 2) enhance local executive and representative *government* in USAID/Iraq Community Action Program communities to better meet the articulated needs of the community, and 3) assist civilian victims of conflict via the Marla Ruzicka Iraq War Victims Fund.

CHF implements CAP III in Anbar, Karbala, Wasit, Najaf, Babil, and Qadissiya. International Relief & Development (IRD) implements CAP III in Baghdad. ACDI/VOCA implements it in four provinces of northern Iraq: Diyala, Kirkuk, Ninawa and Salah ad Din. Mercy Corps implements CAP in South Iraq (Basra, Muthanna, Thi-Qar and Missan).

The community action program model has been implemented in several countries as part of the USAID portfolio. While its visibility has served an important purpose in Iraq, CAP is not designed for the broader objective of building and strengthening a sustainable civil society sector. Instead, the CAP model has worked to empower communities to demand government responsiveness to local needs, while teaching district and sub-district officials about the importance of responding to these needs. A future

²⁴ The recommendations section will address the issue of fully documenting the relationship between CSOs and their donors.

civil society project offers the next logical step to build from these demand/supply principles through organized, non-governmental citizen groups.

KEY FINDINGS

Conclusion of whether targeted investments in Iraqi civil society will likely to lead to material and measureable improvements in:

Broad-based, citizen activism organized by Iraq's NGO sector: Iraqi civil society has shown a willingness to engage in civic activism. CSO participation in the passage of the new NGO laws was instrumental in the enactment of two of the most progressive civil society frameworks in the Middle East. In turn, these new laws should lay the framework for a legal environment conducive to civic activism. However, it will be critical that current delays in registration of CSOs are rectified. There is also a need for more clarity about GOI approvals required for NGO activities. While some delay and confusion following the passage of such a major pieces of legislation is understandable, it is critical that these uncertainties be addressed as soon as possible.

Advocacy is still a poorly understood concept in Iraq, with both CSOs and government unsure of the extent to which it occurs. More investments in civil society will be necessary for the USAID's investment in CSO advocacy to pay off.

Responsiveness of government to citizen needs: The Iraqi government is meeting with CSOs and, as the case of the NGO law shows, sometimes listening to them. CAP's work with citizen action groups has created awareness of the importance of government responsiveness to constituent needs. However, the fact that much of government below the ministerial level does not have the accountability mechanisms to respond to citizen demands creates a sense of fatalism and disillusionment on the part of many in Iraqi civil society. Government is not well structured for responsiveness to citizen needs.

Key characteristics of the operating environment, context and current issues facing the development of Iraq's civil society in identified thematic areas:

The legal operating environment for CSOs in Iraq has improved greatly with the passage of the new NGO laws. Officially, at least, NGOs cannot be denied registration for arbitrary reasons. They can receive funds from international donors and advocate relatively freely. However, there is a knowledge gap on the legal environment that needs to be filled – probably requiring training and a public relations campaign. Despite registration delays and instances of arbitrary governmental control, CSOs do not appear to be overly harassed or hindered in their work. Nonetheless, civil society continues to operate in a state of uncertainty, undercutting its potential to serve as a democratic force for change.

The thousands of CSOs in Iraq are far from a unified force, and many may not be what USG policy makers would consider a positive influence on a pluralistic Iraq. Many NGOs serve as arms of political parties, or represent the interests of individuals more than grassroots constituencies. This disparate collection of organizations with uneven reputations may be part of the reason there is so much skepticism on the part of government, business and the public regarding the NGO sector.

In the Iraq of 2011, with the breakdown of governmental ability to provide reliable services, CSOs provide a valued niche. However, CSO service provision has not translated into a corresponding respect of their capabilities. CSOs are an accepted part of the Iraqi landscape, but they have not yet engendered faith on the part of most Iraqis that civil society will help solve their country's problems. This may be because CSOs have not had much publicized success in addressing issues with broad constituencies in Iraq, such as public safety, job creation, charity, neighborhood watch groups for safety, etc.

Identification of priority intervention points to seize opportunities and address challenges:

Based on the challenges identified here, three priority intervention points can be identified:

1. Train CSOs and appropriate GOI representative in the rights and responsibilities of civil society under the new NGO law. Launch a corresponding public relations campaign to educate the public about the role of CSOs and their importance in service provision.
2. Conduct a “CSO Inventory” that will begin the process of identifying and categorizing the thousands of NGOs operating in Iraq. Undergoing the inventory would become a prerequisite for participation in a new NGO capacity building program.
3. Launch a new stand-alone capacity building program for NGOs. The program would provide training, capacity building assistance and a grants program, with an eye toward the lessons learned from past efforts.

These intervention points will be further highlighted in the recommendations section.

Conclusion of whether proposed interventions are both technically feasible and socially acceptable:

None of the recommendations involve radically new activities for Iraq and should not create controversy. Training of CAGs and local government officials is currently underway in the CAP program. USAID has implemented an NGO capacity building program in the past. The improved security situation and more favorable legal climate for NGOs since the Iraq Civil Society Program (ICSP) was discontinued give a new capacity building program a better chance of success.²⁵ The recommendation that represents the biggest departure would be the CSO Inventory, which aside from its logistical challenges could be seen by some, especially CSOs with murky origins and funding sources, as an unwelcome U.S. intrusion. However, groups interested in USAID assistance would have a strong incentive to participate.

Determination of which challenges and opportunities are best pursued through 1) a new, stand-alone activity, 2) amendments to existing USAID projects, or 3) other ongoing or proposed donor-activities:

The proposed capacity building would best be implemented as a stand-alone activity. Unlike CAP, the primary beneficiaries will be existing, indigenous NGOs, although some CAGs formed through the CAP program might wish to apply for assistance. The program would work closely with other USAID implementers and those of other donors to ensure programs complement each other. The CSO Inventory would be an early activity of the capacity building program.²⁶ The training and communication activities should be contracted to a capable and mature Iraqi CSO.

²⁵ The ICSP was an earlier USAID-sponsored NGO Capacity Building program. It will be discussed further in discussions about Recommendation 1.

²⁶ Further discussions about the use of existing or new programs are included in the Recommendations section.

RECOMMENDATIONS

Proposed strategy for programming, including prioritized areas of intervention and program recommendations

This section of the assessment provides three recommendations based on the findings in the Findings and Analysis section. The most comprehensive and strategic recommendation - establish a CSO capacity building program - is addressed first. This is a multi-faceted recommendation, with several sub-recommendations emphasizing important aspects to be covered by the proposed program. It is followed by two activity-level recommendations: a training and public relations campaign on NGO rights under the new NGO laws, and the conduct of a "CSO Inventory." Each recommendation will address the various topics suggested by the assessment scope of work.

Recommendation 1 – Establish a CSO Capacity Building Program

USAID should launch a new CSO capacity building program to capitalize on the improved legal environment for NGOs. This overarching recommendation forms the core of the civil society strategy requested in the assessment scope of work. Recommendation 1 flows from the findings of the assessment team. It is based on a review of literature on civil society in Iraq and best practices from other civil society programs. As such, this new program is proposed to grow on the accomplishments of other civil society programs such as CAP, and learn from the lessons of the now disbanded ICSP.

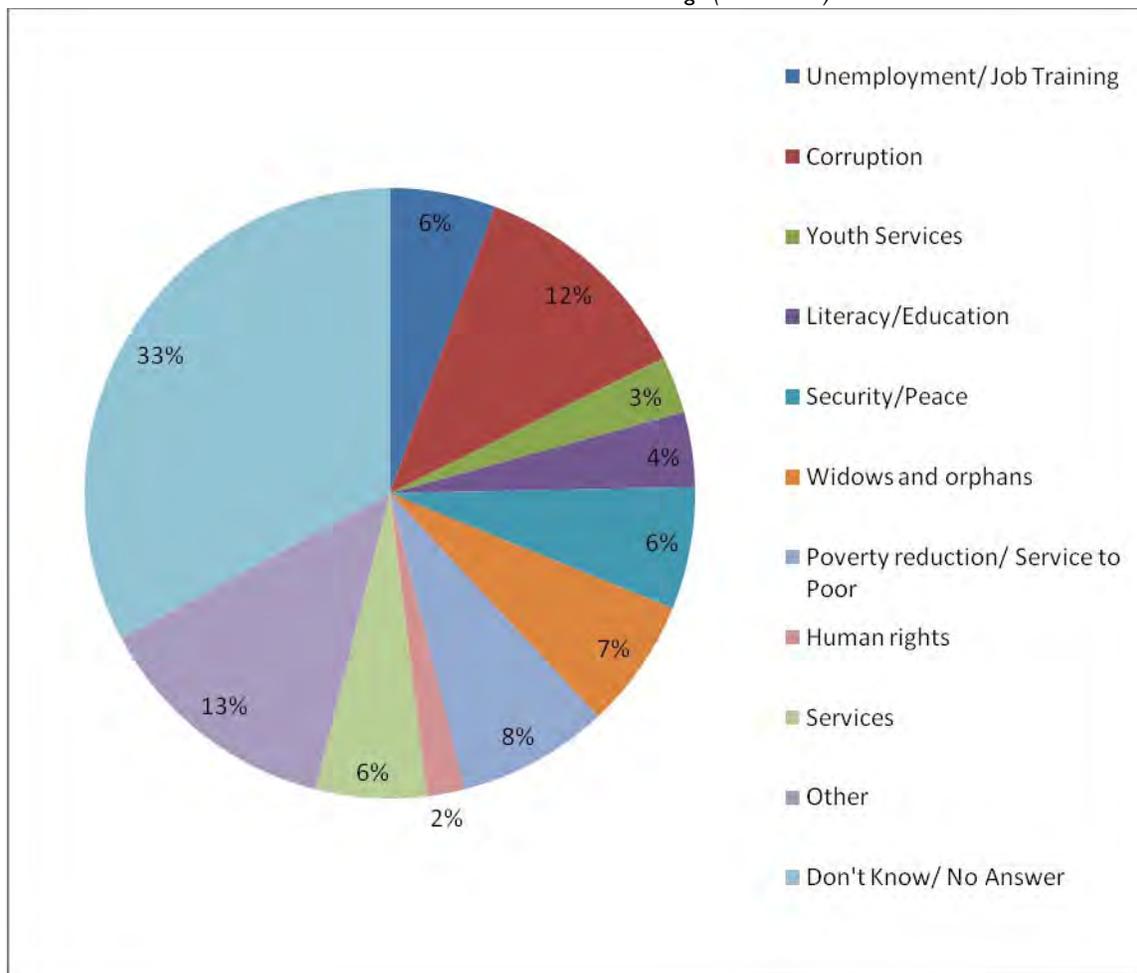
Priority project objectives and development problems addressed: In keeping with the findings from the previous section of this assessment, the objectives of this proposed capacity building program should address the following:

- **Internal governance:** The new program should address the internal structuring and rule-making of CSOs to ensure broad-based member participation and transparency in the making of organizational decisions. It should promote accountability and responsiveness of leaders to members and clients. Interventions should include board member training in their roles and responsibilities; developing a constitution and by-laws that promote member participation in all internal matters; and establishing internal checks and balances designed to ensure the effective allocation and management of organizational resources. This will address the development problems reflected in the review of sustainability dimensions. In particular, activities under this objective would be responsive to the organizational capacity and NGO infrastructure dimensions cited in the scope of work.
- **Effective management:** Capable CSOs will need a full range of skills and knowledge, as well as the necessary systems and procedures, in order to plan, implement and monitor their programs and performance. Technical assistance (TA) and training interventions could include: strategic planning, fundraising, coalition building, service provision, public image, financial management and accounting, project design, management, and evaluation. This objective would address the financial viability, organizational capacity, and NGO infrastructure dimensions.
- **Civic action and policy advocacy:** CSOs should be provided with the tools and knowledge to advocate effectively. Interventions should go beyond traditional "advocacy" training and TA to impart a broader conception of civil society's role in promoting citizen empowerment and civil society strengthening. This objective will address the legal environment and advocacy.

Key beneficiaries and potential partners: The new capacity building program should contain TA, training and grants components and will need to be selective regarding the CSOs with which it works. The CSO Inventory, contained in Recommendation 3, will be a major tool in this undertaking. Beneficiary CSOs should reflect the diverse nature of Iraqi civil society, including CSOs focused on women, youth, internally displaced persons, and religious minorities.

However, the new civil society program should endeavor to work in sectors that will be seen by the Iraqi public as relevant to their lives. The Assessment Team survey provides some clues as to what these issues are. Figure 22 shows a breakdown of some of the most common responses to the question, “what issues should CSOs be addressing.” Of those that answered, the largest single issue was corruption, with 12 percent. The second most common response was poverty reduction and services to the poor with 8 percent, an answer that may be consistent with the Muslim tradition of equating civil society to helping neighbors in need. A related answer was assistance to widows and/or orphans at 7 percent. Services, security/peace and employment/job creation gathered 6 percent each. Other common answers were literacy/education, services to youth, and human rights.

Figure 22: Survey Responses From Public
What Issues Should CSOs be Addressing? (N = 1159)



Implementation approach: This assessment suggests adaptation of an approach from an analogous point in the history of NGO capacity building: USAID's Democracy Network Program (DemNet), implemented in Eastern Europe in the 1990s. Despite the obvious differences - Eastern Europe did not have the poor security environment that currently plagues Iraq - there are several similarities. DemNet was established to assist countries in transition from a one-party/Soviet political system, not dissimilar to Ba'athist Iraq. At the time, Eastern Europe had large numbers of newly constituted NGOs, many serving a small group of individuals rather than a real constituency or societal need. USAID needed an approach that would work initially with a large number of NGOs and progressively winnow the field to a more sustainable and meaningful civil society sector. Impact reports for programs in Lithuania, Poland, Albania and other countries in the late 1990s and early 2000s found the DemNet approach to have been highly effective.

DemNet was launched in 1994 with an initial \$30 million, three-year grant for US implementing Public Voluntary Organizations (PVOs) for work in 11 former communist countries. It represented a break with traditional USAID policy in that it relied on a much more cooperative relationship with the US implementers. The overall purpose of the program was to strengthen NGO capacity in four priority sectors: democracy, environment, economic growth, and social safety net. Implementers provided eligible NGOs with a combination of technical assistance, training, and financial grants. The implementer formally and informally served as a local resource center where NGOs could come and discuss their grant ideas, even if they were not eligible for funding. While the principal program interventions - training, TA, and grants - were designed to build the policymaking capacity of NGOs working in one or more of the four target DemNet sectors, a special class of NGOs providing support to the entire sector was also targeted.

Each country with a DemNet program established a local advisory committee that developed grant-making guidelines and procedures, an approach that might succeed in Iraq. Following this model, a new capacity building program for Iraq would establish a grants program divided into three categories, or tiers, each corresponding to and targeting the capacity building needs of NGO applicants at the time of their grant applications. The three tiers of grants would progressively identify and create a cadre of CSOs that would become increasingly important as USAID partners. The three tiers of grants would include:

- **Micro-grants**, ranging between \$2,500 and \$10,000, would target young and/or weak NGOs that wanted to implement a single, "one-off" activity.²⁷ The activity would contribute to improved public policy, but require little institutional capacity. Micro-grants would provide CSOs grantees with an opportunity to develop a "track record," permitting them to apply for funding from other donors or "graduate" to an institutional development grant (see below). Implementation of a micro-grant would take no longer than six months. These grants should be provided primarily to CSOs focused on the priority issues that will help establish more credibility to Iraqi civil society. A portion of the funding could be used for institutional capacity building. If feasible, USAID should use micro-grants to help promising but unregistered community-based CSOs. A portion of the grant funding would focus on the institutional strengthening necessary to help them register.

²⁷ Grant figures are based on a review of DOD's Commander's Emergency Response Program (CERP) micro-grant funding, which indicates the size of USG grants to which Iraqis have become accustomed. Grant funding levels should be based on previous average grants to the extent possible, but tempered by an expected funding reduction.

- **Institutional Development Grants** would support CSOs that had a demonstrated track record in implementing activities under a micro grant. Institutional grants would start at \$10,000 with a maximum grant size of \$30,000. The implementer would complement classroom training and onsite technical assistance with sufficient finances to implement activities, allowing the CSO to put into practice what it had learned. Grants of this size would permit CSOs to hire one or two key staff, rent office and/or training space and purchase critical equipment such as a computer or fax machine. Institutional Development Grants would last between 12 and 18 months. There may be a number of CSOs with existing track records from previous USG-supported programs that could qualify right away.
- **Development Activity Grants** would be targeted to those few CSOs that had successfully implemented an Institutional Development Grant and wanted to expand the scope and coverage of their programs with a specific emphasis on influencing sector policy and promoting democratic reform. Funding at this level would range between \$30,000 and \$60,000 with duration of up to 18 months. Development Activity Grants would be given at a later stage, allowing the implementer to focus the bulk of its resources in building the capacity of 10 to 20 CSOs.

The effect of this DemNet approach would be to progressively narrow the field of NGOs to which assistance is given as the size of the grant grows. A broad-based committee, using carefully formulated criteria, would choose the CSOs that would be given development activity grants through an open competition. In addition to development professionals and donors, the committee would include Iraqi community members. Depending on the grant tier the committee was considering, it would award grants based on criteria including prior track record, quality and feasibility of the proposal, and whether the grant proposal reflected the priorities of the Iraqi public. The committee would also take note of each proposal as it pertains to the National Development Plan.

Once grants were awarded, the implementer would provide highly specialized training and technical assistance with the goal of strengthening these CSOs in the areas specified above, and would help them to meet their objectives.

The new program should also provide grants and TA focused on advocacy. However, instead of working with individual CSOs, advocacy work should be conducted primarily through geographically disparate NGO coalitions. The current political structure of Iraq limits the ability of single CSOs to conduct isolated advocacy campaigns. Therefore, advocacy networks are likely to have more success in the current Iraqi culture in which personal relations/connections are required to get things done.

The new Iraq CSO Strengthening project will be challenged by the long record of partnership many CSOs will already have had with USAID and other Western donors. The selection committee will need to temper the DemNet approach with a realization that there may be some instances in which Institutional Grants should be given to nascent grassroots or community-based organizations. Not all existing NGO partners, even some with successfully project implementation records, will have the right priorities or community connections for this next stage in CSO development.

Government of Iraq counterparts, including (to the extent practicable) their incentives to support proposed implementation approaches and project objectives: With the absence of the US forces and the Provincial Reconstruction Teams, counterparts will need to be identified with the GOI at all levels. As highlighted in Recommendation 3, a “CSO Inventory” should include a thorough review of Iraqi governmental offices with an impact on civil society. The results of this review will help determine which offices will make the most effective counterparts. Given the tenuous relationship between the CSO and government sectors highlighted in the Findings and Analysis section, care should be taken to ensure that the counterparts chosen are transparent, accountable, and have the best

interests of the civil society sector in mind. Possible counterparts include various Ministries, the Commission for Public Integrity (CPI), Parliament, and Provincial Councils. Incentives for government cooperation would include the potential of CSOs to assist in service delivery, an area where the NGO sector can help government with a tremendous need.²⁸

Designers of the new program should consider what is reasonable to expect from its GOI counterparts. Hopefully the new program will serve to make governmental officials more responsive and sensitive to CSO relations. Government officials interviewed by the assessment team described themselves as responsive to CSOs. However, they articulated this relationship in a tone of control rather than facilitation or cooperation, focusing on their role in registration and monitoring of CSO activities. CSOs interviewed expressed that the GOI often opposed their receipt of international funds. One CSO leader in Basra recounted how an international donor approached that governorate council for information on potential partner CSOs in his region. According to the CSO leader, the local government told the international donors that there were no capable CSOs in the area and that the donor should instead provide funding through the governorate council. The new USAID program should endeavor to reduce this pattern. Once a level of respect and mutual cooperation with the GOI has been established, government officials should be expected to exhibit a more positive attitude regarding CSOs when communicating with the international community.

Description of strategic linkages of project objectives to USAID Democracy and Governance objectives, as well as broader USG strategic commitments, such as those in the in the US-GOI Strategic Framework Agreement: The 2008 US-Iraq Strategic Framework set the date of December 31, 2011 for all U.S. forces to withdraw from Iraq, a date that was reaffirmed this year. It reflects *“the increasing capacity of the Iraqi Security Forces ... as well as an improved regional atmosphere towards Iraq, an expanding Iraqi economy, and an increasingly confident Iraqi government.”* This will be the new context as USAID reexamines its Democracy and Governance objectives. A new civil society capacity building program has the potential to link with the entire DG portfolio. Currently, USAID operates programs in local governance, community action, legislative strengthening, elections support, and access to justice. CSOs will play an active role in the implementation of all these objectives and, most likely, to the follow-on objectives as well.

During the design stage, the program to which a new capacity building program would be most closely linked would be the Community Action Program, CAP III. USAID/Iraq does address capacity building in the CAP III, with an emphasis on sustaining the CAP community involvement model and CAP-funded projects. The goal is that newly empowered local councils and citizens can use the training and hands-on experience to continue advocating for their needs after CAP III ends. By enrolling selective CAGs in the new capacity building program, the sustainability of CAP activities would be enhanced. A number of CAGs, given their close relations to their communities, might be well positioned to be true grassroots CSOs. If so, they should be encouraged to register as NGOs.

Since CAP III will likely end by the time this new project begins, it is important to consider linkages with other USAID/Iraq programs that have civil society components. These include the Primary Health Care Project Iraq (PHCPI), which works with civil society organizations and other community groups to link with primary healthcare services, and the “Justice for All” Program, which provides grants to Iraqi NGOs working in the access to justice field.

²⁸ Since the KRG NGO Directorate has project funding for NGOs, this component may need to be redesigned for the IKR.

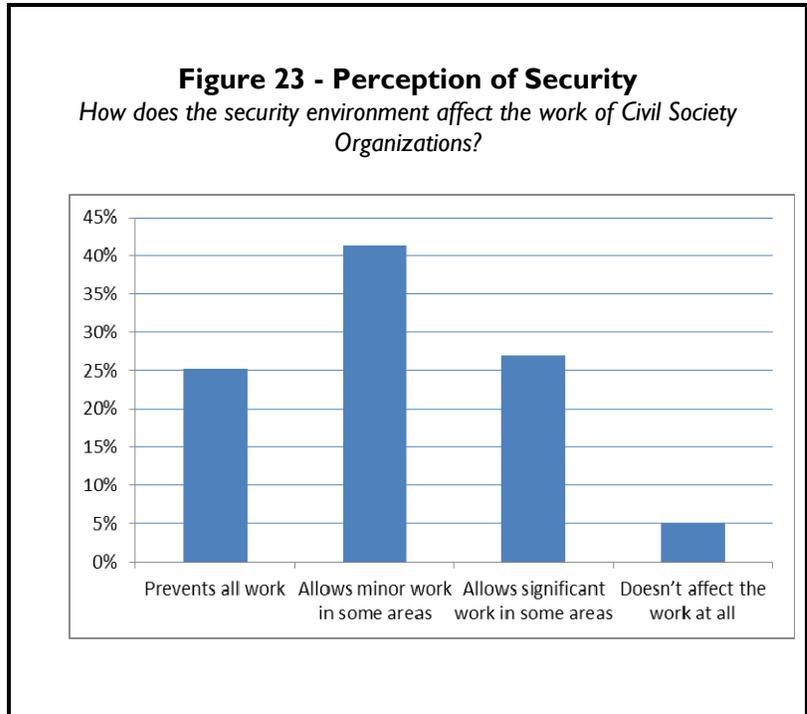
Gender considerations: Gender roles should be taken into account during the planning and design phases so that gender can be effectively integrated through all phases of the program. M&E best practices should be followed, including obtaining sex-disaggregated baseline data and developing sex-disaggregated indicators, objectives, and targets.

Civil society has an important role to play both in addressing gender-specific needs of citizens as well as advancing gender equality more broadly. Despite ongoing advocacy, women have been marginalized during the post-invasion peace and reconstruction processes, as well as in the current government. CSOs play a crucial role in advocating for the legal and structural reform that is necessary for Iraqi women to realize full equality in law and in practice. Any civil society capacity building program implemented by USAID therefore represents a significant opportunity to advance the cause of gender equality in Iraq. Specific recommendations for integrating gender into a civil society capacity building program include the following:

- Ensure that women have equal access to training and capacity building for CSOs. A CSO capacity building program should not only target gender and women-focused organizations, measures should be taken to ensure female members of all CSOs have an equal opportunity to participate and that CSO members understand the importance of gender balance in their organizations. This may require tactics such as gender-awareness training, engaging both male and female trainers and facilitators, providing childcare and programming women-only training sessions. Lessons learned from USAID’s ICSP, which conducted extensive training on gender and women’s advocacy with Iraqi NGOs, should be utilized to leverage the skills and networks that were strengthened through ICSP capacity building efforts.
- Engage men constructively as partners for gender equality and to address issues affecting men and boys. Build the capacity of women’s organizations to effectively engage men and boys as partners for gender equality, as well as other areas of civil society that may be dominated by women or seen as “women’s issues,” such as health and education. Ensure support for CSOs addressing issues of particular importance to men and boys, including migration, internal displacement, and unemployment. Engage women and women’s groups as partners on men’s issues and encourage a holistic approach to topics such as trafficking in persons and gender-based violence, recognizing that men and boys can be victims as well.
- Leverage web 2.0 and social media tools to engage more citizens, particularly women and youth, in developing civil society in Iraq. Social media tools, including blogging, Twitter, text messaging, and social networking, are increasingly being used by young Iraqis to engage in the civil society arena, including advancing women’s rights.²⁹

²⁹ Lessons learned from Iraq media and technology projects, including two recent US Department of State (DOS) initiatives implemented by IREX (Media and Technology for Community Development and Media and Civil Society for Transparent Governance), should be examined to identify best practices that can be leveraged and replicated. Likewise, the DOS Civil Society 2.0 initiative’s “TechCamps,” the first of which took place in Chile and Lithuania, may offer a model for workshops designed to help NGOs and CSOs use technology and digital media more effectively to achieve their goals.

Security issues: As Figure 23 illustrates, only 5 percent of Iraqi CSO representatives surveyed by the assessment team do not feel the security situation affects CSO sector work. A large plurality (41 percent) says that the security environment allows only minor work in some areas. Focus groups expressed additional concerns about the government’s capacity to maintain the current level of security. While CSOs have, and likely will continue to, operate programs in Iraq despite the poor security situation, expectations of results will need to be realistic given the conflict environment.



Implementation of a CSO capacity building program will be challenged by security issues, as are all USG

programs. Partner NGOs may face the risk of insurgent retribution for acceptance of USG funds and assistance. Despite the risk, USAID should be above-board and transparent in its assistance to CSOs. Attempts to conceal or obscure the true nature and scale of assistance would only serve to perpetuate a view that the USG has undisclosed motives in its civil society programming. CSOs that want to accept USG assistance and funding will need to acknowledge the risk. Local perceptions may be different for indigenous NGOs receiving USAID funding for community-level activity vs. organizations established primarily to work on USG policy priorities. However, the capacity building implementers should be cognizant of the impression all contact with CSO beneficiaries might have and act with discretion.

Maximizing USAID’s comparative advantage: As the donor matrix in Annex I makes clear, there are numerous NGO programs operating in Iraq, funded both by the US Government (mostly Department of State) and numerous other donors. This has resulted in a civil society landscape where many CSOs have significant relationships with other benefactors. The advantage that USAID has is its holistic approach toward the CSOs and the other objectives of its democracy and governance portfolio. USAID should ensure that the NGO capacity building program is linked to its other objectives. The fact that many CSOs are already receiving assistance should not preclude their work with the USAID capacity building project. A large donor base provides more opportunities for sustainability. However, the CSO Inventory should attempt to catalogue the donor base for all NGOs it surveys to ensure donor coordination.

Potential risks related to proposed approach: The DemNet model suggested here is not without its critics. Reporting and accounting requirements made the program more complicated than those administered by other donors. DemNet’s bureaucratic approval processes did occasionally result in disagreements between the host-country advisor committee and the USAID Mission. Because the program was under effective embassy control, there was sometimes the perception that the grants were awarded for political reasons and in support of US policy objectives. It is unlikely that Iraq, with its turbulent history and uneasy relationship with the United States, will be a consistently easy partner.

Geographic focus: The Team’s findings indicate that civil society has needs throughout Iraq. Certain regions have advantages and disadvantages compared to others. For instance, Baghdad CSOs have greater access to training, a more reliable source of funding, and a record of subcontracting with government. However, survey respondents also view them more negatively. Likewise, CSOs in the IKR have significant resources and are highly networked, but have similar perception problems regarding some of their work.

The capacity building program might locate regional offices in the same areas used by the old ICSP capacity building program. These include the four regional civil society resource centers, located in Erbil for IKR and the North Region, Baghdad for the Central Region, Hillah for the South-Central Region, and Basra for the South Region. This would allow establishment of capacity building services for civil society development in all provinces of Iraq.

Lessons learned from current and previous USAID/Iraq, USG/DRL & PRT, or other donors’ civil society assistance programs in Iraq. Is it premature to move from the grassroots CAP model and focus on assisting formal, registered NGOs that operate on a broader level? USAID Iraq has experience in capacity building. The now-closed Iraq Civil Society Program (ICSP) was designed to develop and institutionalize of a cadre of indigenous CSOs to foster participatory democratic governance.³⁰ A key activity of ICSP was the establishment of four ISOs, or Regional Civil Society Resource Centers (CSRCs), to provide services for civil society development such as training and capacity building technical assistance. ICSP had three core activities:

1. Develop strong and sustainable Civil Society Resource Centers (CSRCs).
2. Support Civil Society Capacity Building through technical and/or grant assistance.
3. Targeted training, technical assistance and grant support to CSOs involved in civic education, women’s advocacy, anti-corruption and human rights.

ICSP was criticized for its lack of progress in encouraging CSO advocacy. An independent evaluation of ICSP from 2007 found after three years that *“the impact that ICSP capacity building has had on encouraging CSOs to advocate with the institutions of government to promote citizen interests has been limited. It has been argued that this general lack of demonstrable impact is due to the length of time it takes for CSO capacity building to come to fruition and that expecting measurable impact after just three years is premature. However, this is a large program designed with the anticipation of quick results. Iraq desperately needs an active civil society that can help demonstrate that citizen views are taken into consideration by elected officials”*.

While the 2007 ICSP evaluation did find that the number of CSOs grew from less than 200 before 2003 to an estimated 2000 under ISCP, 20 to 25 percent of CSOs were found to have closed during this period, a relatively high dropout rate that was not curtailed by workshop training. The evaluation did not find that more visits to the CSRC or attendance at training courses resulted in a corresponding increase in advocacy. The evaluators speculated that the combination of training events, workshops and conference attendance, (an average CSOs attended 20 to 21 events in one year) might actually be taxing a CSO’s ability to do advocacy. There was a positive correlation between advocacy and visits by an ICSP/CSRC staff member to a CSO and a negative correlation between advocacy and number of training courses attended. The number of conference attendances had a modest positive effect on advocacy while workshop attendance and visits by the CSO to the ICSP had no effect on the number of advocacy events. More workshop training did have a statistically significant positive effect on CSO sense of empowerment.

³⁰ ICSP also had a media component.

Despite these mixed findings, the ICSP experience provides a starting point for a new capacity building program. It can also be assumed that the improved security environment since ICSP terminated in 2007 will be an asset, as will the passage of the NGO Laws. This, and the subsequent building of civil society through the CAP and other programs, should make this an appropriate time to reengage in a large-scale capacity building program.³¹

Sub-recommendations for Recommendation I

The following sub-recommendations all pertain to the primary recommendation of establishing a CSO Capacity Building Program. Each focuses on issues raised earlier in this assessment report and the way in which a new program could address them.

Recommendation 1a: Adjust Expectations for Advocacy

The evaluation of the ICSP was critical of the results achieved by the advocacy component of that program. While the ICSP may have had its faults in this regard, it is important to acknowledge the difficult environment in Iraq for CSO advocacy. Focus group participants for this assessment expressed frustration with a governmental structure in which real budgetary power is concentrated at the Ministry level in Baghdad. Moreover, under the proportional representation system that determines how the Iraqi parliament is elected, members of parliament are not accountable to individual constituencies. In short, CSOs feel they have no realistic advocacy targets, resulting in a sense of fatalism and disillusionment.

It will be important to manage expectation regarding advocacy. Successful efforts to date (e.g. the NGO Laws) have been focused at the national level, with heavy involvement by the international community. Given the current environment, community level advocacy should not be the primary focus of the new program. Advocating to the provincial and district councils, which currently do not have the power or authority to affect much change, is unlikely to yield substantial results, especially since CSOs must get approval from the government for nearly all activities.

Instead, programming should focus on the capacity building skills that could be transferred to advocacy in later years:

- Building a constituency, and identifying and building a relationship with it.
- Gaining public input into and support for initiatives
- Conduct of public awareness campaigns
- Skills for engaging in *dialogue* with government, including appropriate channels; how to approach sensitive issues; and conflict resolution and negotiation skills

Emphasize Dialogue: An appropriate focus on dialogue would build communication and result in a more equal relationship between CSOs and government. Currently, the relationship is one-sided and characterized by CSOs requesting permission from the government for their activities rather than a dialogue of the problems facing communities and how to address them. Incorporating a dialogue component in the program – in which USAID helps facilitate discussions between the government and CSOs – would be an important interim step towards greater advocacy. Dialogue and relationships can also be built through inclusion of both CSOs and government in joint training events. The new program

³¹ Another legacy will come from USAID's Iraq Rapid Assistance Program (IRAP), which operated from 2007-2010. Administered by DAI, IRAP provided grants through Provincial Reconstruction Teams (PRTs) to provide in support of community development needs. IRAP grants supported local indigenous groups, cooperatives, associations, informal groups, NGOs, local and provincial governments, student groups, media, and businesses.

should also work with the government to open space for dialogue with CSOs and the public through community visits; town hall meetings; and an “open door” day.

Is it premature to move from grassroots civil society work (such as the work with CAGs) to advocacy? The answer is a qualified no. It is premature to focus primarily on advocacy and to assume that CSOs and the government are ready to move in that direction. However, it is not premature to begin the process of moving towards advocacy, with the understanding that the CSO partners in the program must also build a strong foundation of working with their constituencies. CSOs must build a solid reputation, credibility and capacity before moving to more serious advocacy.

The problem of directing advocacy to the wrong target will have to be addressed. As the Advocacy Resource Handbook, developed for USAID in West Bank Gaza puts it, “*an advocacy target is always a person. It is never an institution or elected body.*” (See Figure 24) Iraqi CSOs should focus on individual targets within a Ministry or the COR, with whom they might have a regional or other connection.

Limited national level advocacy is possible, with a focus on larger organizations and networks. At the provincial level, the focus should be on helping CSO partners identify priorities. If a need for advocacy is raised, the focus should be on advocacy for improved services and directed at the provincial offices of the Ministries (the Directorates).

Figure 24: Five major strategy elements of advocacy

1. Long-term, intermediate, and short-term goals
2. Targets - the people who can give you what you want
3. Allies and opponents
4. Organizational considerations
5. Tactics

*The Advocacy Resource Handbook,
Developed by Advocacy Institute,
USAID/West Bank Gaza*

Use ISOs to Strengthen CSO Networks: The advocacy component of the program should encourage networks, utilizing Intermediary Support Organizations (ISOs) to provide networking opportunities. There are several sector-specific networks present in Iraq and ISOs that could offer a forum for information sharing.³² Networks also can help build broad-based support for issues before approaching government. As one CSO mentioned during the assessment, “*If you approach them [the government] alone they think it is a personal issue, if you approach them in a group they know that it is a community issue.*”

When focusing on advocacy, the program should work with a variety of issue or sector-based networks. The key will be strengthening the ability of the network to disseminate information, provide support to its members, and bring members together to strengthen CSO relationships through inclusion of a range of CSOs in trainings, conferences and events.

These networks can also form the basis for national level issue-based advocacy to the national government or ministries. This should be an initiative that comes from the network and its members and should not be a requirement of participation in the program.

³² ISOs are a capacity building mechanism and would not be expected to grow “organically” as would Iraqi CSOs. Existing ISOs were created by Western donors, but there is no evidence that they are seen as illegitimate given the services they provide to CSOs.

Recommendation 1b: Allow CSOs to grow organically to avoid harming their reputation in Iraqi society.

Organic growth of CSOs, and the corresponding buy-in from Iraqi society at large, will come when civil society addresses and significantly effects issues that have constituencies – public safety, job creation, charity, neighborhood watch groups for safety, etc. NGOs need to establish a track record not just with donors, but also more importantly with citizens. Focus groups conducted by the assessment team as well as survey responses found this lack of track record was hurting CSO credibility. Statements like “citizens have no confidence in them”; “CSOs lack credibility”; and “illusory organizations” were typical responses in open-ended survey questions on this topic.

Demonstrate implementation: One clear path to credibility is visible evidence of good work. USAID programming should encourage CSOs to:

- Undertake projects visible to the community
- Reflect the needs of the community by soliciting input into project design
- Gathered community (constituency) feedback
- Plan achievable projects with limited expectations

Encourage volunteerism for existing CSOs: It is not necessary for every person interested in community involvement to start a new CSO. Links should be created between civil society and community members to provide opportunities for volunteering or working with CSOs. As CSOs build credibility they will attract the interest of volunteers. The program should work with CSOs on volunteer recruitment and community outreach so that interested individuals are drawn to increasingly credible, existing CSOs rather than needlessly creating new ones.

Encourage CSO Focus: Many CSOs surveyed for this assessment do not have a focus. While they may claim a mission, when asked about the sectors they work in, CSOs surveyed averaged 10.3 different sectors overall, with an average of 3 service delivery sectors, 3.8 advocacy sectors and 3.5 awareness raising sectors. Of 463 surveys, 241 responded that they work in human rights, 154 in anti-corruption; 234 on women’ issues; 121 on reproductive health issues; and 160 on election monitoring. This lack of focus may be contributing to a lack of effectiveness. Greater focus by individual CSOs on a single issue identified as important to the community, such as job creation or public safety, would likely result in more community support and eventual credibility.

Recommendation 1c: Focus on CSO Sustainability

Iraqi CSOs, like their counterparts throughout much of the world, will face sustainability challenges as donor funding decreases. For Iraq, with a much higher-than-average pool of available donor money, this will be an even bigger hurdle. Available funding from international donors is likely to recede. Increased subcontracting with GOI will be a source of funding for some CSOs, primarily with a service provision mission. But more effort will be needed to increase the diversity of CSO funding. The new program should contain a robust component to address sustainability, with a focus on engaging businesses and establishing private public partnerships.

The program will need to focus on different sustainability strategies for different CSOs. For some, funding may be available from the government itself, particularly in the IKR. In non-Kurdish Iraq, there are discretionary funds from the Prime Minister’s office. Politically affiliated CSOs may have access to party funds, although these are unlikely to be the organizations with which the new program will work.

Businesses are a largely untapped potential source of revenue. In the assessment survey, CSOs were asked to list their top three sources of revenue. Business contributions were only listed 6.5 percent of the time. Only 9.5 percent of the businesses interviewed had been approached by CSOs for assistance. Among those businesses that were approached, the request was for information, (e.g. data on poor families or other needs in the area) rather than requests for financial assistance. In the survey, no businesses indicated they had provided financial or material assistance to the CSO, nor had any business ever sub-contracted activities to a CSO.

The new program should work through the ISO mechanism to help CSOs identify businesses and individuals within their community with the means to support civil society work in their chosen sector.

Look broadly at “sustainability”: When discussing sustainability, the focus should be on the types of sustainability that are achievable. Sustainability has several non-financial, elements that should be covered in the capacity building program as well. According to the World Bank, other types of sustainability include:

- **Benefits sustainability:** the continuation of benefits that result from the service delivery of a program. The source of those benefits may change (i.e., the government takes over from an NGO as the service provider), but the supply of the benefit is still available while there is demand for it.
- **Programmatic/institutional sustainability:** building the internal capacity of a CSO by strengthening systems, attracting competent leadership and staff and developing their technical competencies; and being entrepreneurial, flexible, and adaptable to changing internal and external conditions.
- **Political sustainability:** through the work of CSOs and strengthened civil society in general, gaining government and community support and participation in CSO program/ activities.
- **Sustainability of participation:** sustained participation by community members in the active lives of the community and through participation in civil society, as well as the sustained opportunities for inclusion in political, economic and social life in the community.

Recommendation 1d: Address youth disenfranchisement

While this assessment intended to examine the possibility of youth participation and activism, a deeper problem surfaced; the alienation of youth, their hopelessness, and lack of ability to envision an economically secure future. About half of Iraq’s 33 million people are 19 or younger, suggesting an urgency regarding this finding, given the recent history of radical groups in Iraq. The primary aspiration expressed by the youth in focus groups was to get a position in the government, despite their expressed lack of faith in the GOI. Government employment is seen as the only opportunity for job security. The youth interviewed by the CSA team were able only to respond to the issue of employment or careers. They expressed little interest or curiosity in other areas of the economy. According to a youth interviewed in Erbil, the young generation experiences an education system that *“does not allow [them] to be creative, a university system that does not prepare them with skills to find a job after graduation, and an economy where there are few jobs available.”* When talking with youth, unemployment is by far the biggest issue they raise.

As one focus group representative put it, youth in Iraq are “lost.” They were born into an environment of suspicion and mistrust, where civic understanding and the practice of helping one’s neighbor, which may have existed in their grandparents’ time, have been forgotten. Unlike other post-conflict environments where the assessment team has worked, the enthusiasm and energy of youth is lacking in Iraq. Efforts to work with youth have primarily stopped with training, with few programs following them and mentoring them.

Address the void in civic awareness across Iraq: Civic awareness and knowledge of civil society opportunities will tap the spirit of compassion and duty to others that lies within the culture and religions of Iraq. As part of its focus on youth, the new NGO strengthening program could work with capable CSOs to provide civics education. USAID should consider activities that combine or enhance the work of the Ministry of Education and the ministry of women’s affairs. Civil society strengthening will be more successful with an informed and engaged population. In coordination with the appropriate local CSO, a program could be structured as follows:

- Short-term: Introduce the concepts of civic education into schools through awareness campaigns, and school clubs.
- Medium-term: Civic education can be added into the education curriculum at all levels, especially targeting primary and secondary school pupils.
- Train teachers in civic awareness and look at ways to weave in principles of civic education throughout the curricula or in the lesson plans for other subjects.
- Create links between school students (including secondary and university) and CSOs, including volunteerism, on-the-job training/ internships for skill building

Recommendation 2: Implement a training program and communications strategy on new NGO Law

As the Findings and Analysis section of this assessment concluded, there is an information deficit regarding the new NGO laws. At least with respect to the 2010 law, government representatives seem to be interpreting it in different ways in different locations. NGOs that are not being registered in a timely fashion, or with activities delayed because of government reviews, need to more clearly understand their rights and responsibilities. The same is true of government officials who may be operating outside the scope of the NGO Law in their oversight of CSOs, either intentionally or unintentionally. In either case, more education on the laws is necessary. USAID should launch a project to train CSOs and appropriate GOI representatives as they seek to navigate the legal terrain of the new NGO laws.

Training modules would ensure major issues from the NGO laws would be covered (See Figure 25). Training should be provided to both CSOs and government officials. The content of the training modules should be developed in coordination with both civil society and government to ensure common understanding. The implementer of the training program should consider training for both sectors jointly, ideally in all regions of Iraq. For monitoring and evaluation purposes, the implementer should administer pre- and post-training tests to gauge acquisition of knowledge.

Given the imperative for increasing understanding of the NGO laws, USAID should consider implementing the training as part of an existing contract.

Figure 25 – Illustrative Training Content

Iraqi NGO Law

- Rules on affiliation and receipt of funding from foreign and domestic entities
- Rules on registration
- Ability to appeal denial of registration or suspension or revocation of license
- Criminal or administrative penalties allowed under the law
- Discretion of government to audit or inspect an NGO’s office
- Rules on suspension of an NGO and confiscation of its property
- Restrictions on purchase or sale of real estate
- Reporting requirements
- Fundraising

Donor Coordination Issues: Such a training program will present donor coordination challenges. In July 2011, the United Nations Office for Project Services (UNOPS) solicited bidders for an NGO Law Awareness Training in Iraq. USAID should consult with UNOPS to ensure that any new training program is complementary and not duplicative. If the aims of both donors are similar, USAID and UNOPS may wish to coordinate on the training curricula and division of territory for the training. Even if the UNOPS is conducting a training program, there are reasons why USAID should still implement this activity. Training sessions will be opportunities for collecting information on the CSO community in Iraq for the CSO Inventory (Recommendation 3), and establishing contacts for the new CSO Strengthening Program (Recommendation 1).

Communications: In addition to the training, USAID should launch a corresponding public relations campaign to educate the public about the role of NGOs and their importance in service provision. As with the training modules, the PR campaign should be developed in conjunction with government and civil society. USAID could enlist media savvy CAG members to produce a number of television spots to be carried regionally across the country.

Finally, the training and public relations components should apply also to the IKR, which recently passed a new NGO law as well. The training on both laws should incorporate information for CSOs that work both in the IKR and the rest of Iraq.

Recommendation 3: Conduct an NGO Inventory

USAID should conduct an “inventory” of civil society, a process that would inform design of the NGO capacity building program outlined in Recommendation 1. The information generated by the inventory would be aggregated into a profile of the Iraqi CSO community, allowing program designers and implementers to differentiate the different types CSOs with which the program could or should partner.

As became clear during the course of the assessment, there is inadequate information on the full size, nature and capacity of the Iraqi civil society sector. The total number of registered CSOs is in flux and the number of active and viable organizations is in dispute. Barwen Muhammad Amin, a senior Iraqi government official dealing with NGO affairs, said that from a peak of some 6,600 registered groups in the years following the United States-led invasion, only around 500 are still active today.³³

While a large number of NGOs began as ventures to access western humanitarian and development aid, many of the post-2003 NGOs were formed as proxies for political parties in power.³⁴ Politically affiliated NGOs have operated in the IKR even longer. Some of these groups continue to assume governmental functions and control state agencies at the local, regional, and national levels. The growth of these politically affiliated NGOs tends to reflect the ethnic, religious and sectarian divisions in Iraq’s political environment. Their funding sources are often non-transparent.

USAID may wish to use the result of the CSO Inventory in different ways. It should not publicize its detailed assessments of whether a particular CSO has ties to political parties or ethnic groups. However, it may wish to have a public version that could be shared with the NGO and donor communities for networking purposes. For instance, Pakistan has an online NGO Database that allows users to find out about NGOs in the country, or how to register as one. NGOs can exchange ideas, find out about the latest developments in the sector, or report observations through the e-Forum. The site has a search function that allows searches of NGOs by name, district, province, thematic area or area of operation.³⁵

³³ <http://iwpr.net/report-news/iraqs-dwindling-ngo-sector>

³⁴ Iraq’s Civil Society in Perspective; NGO Coordination Committee for Iraq, April 2011

³⁵ <http://www.ngosinfo.gov.pk/>

Initial compilation of the CSO Inventory could come from a capable, local NGO with data collection skills.³⁶ Illustrative questions for the Inventory could include: name of organization, focus of organization, year of founding, management structure, names of paid staff, number of volunteers, and areas of operation. CSOs would also be asked to list the largest three projects over past five years with name of donor, size of grant or contract, number of beneficiaries, etc. A USAID-appointed committee would review the inventory information and draft the non-public report, which would be shared with relevant USG implementers. The inventory would serve as a reference for grant making, coalition/network building and capacity training.

No CSO would be required to cooperate with the CSO Inventory. However, inventory information would be necessary for a CSO to participate in a USAID-funded capacity building program.

³⁶ Illustrative CSOs that might be qualified for this purpose include:

- Iraqi Al-Amal Association: A non-political, non-sectarian, profit association of volunteers.
- NGO Coordination Committee for Iraq (NCCI): Receiving funding from Sweden, NCCI is an autonomous body created by NGOs working in Iraq, focused on information sharing and coordination.
- The Iraqi Kurdistan NGO Network (IKNN): A voluntary network of Kurdistan NGO's and agencies that works to enhance develop and expand the role of NGO's in the IKR. They worked extensively on the IKR NGO Law.

ANNEX I: DONOR MATRIX

Donor	Title of Activity	Summary of Activity	Key Iraqi Counter parts and Beneficiaries	Location of Activity	Key Accomplishments and Impacts	Implementer and Funding Level	Project Duration	Links
USAID	Iraq Community Action Program (CAP)	Foster citizen involvement in local government by forming Community Action Groups; capacity building for representative democracy; working with communities to identify needs by selecting priority projects and advocating their priorities with GOI partners	Grassroots CSOs; civilian war casualties and their families	15 Lower Provinces under CAPIII (all 18 provinces under CAPI and CAPII)	Marla Ruzicka Iraq War Victims Fund provided assistance to civilian victims of armed conflict; trained local citizens and citizen-led groups and government officials to enhance civic engagement and better understand democratic principles	ACDI-VOCA, Mercy Corps, International Relief Development, and CHF International CAPI - \$269,564,246; CAPII - \$147,013,258; CAPIII - \$322,960,000	May 2003 – anticipated September 2012	http://iraq.usaid.gov/node/121
USAID	Primary Health Care Project Iraq (PHCPI),	PHCPI includes three components: 1) Strengthening Supportive Management Systems and Processes, 2) Strengthening Quality Clinical Care, and 3) Building Community Partnerships for PHCworks with civil society organizations and other community groups to link with primary healthcare services;	Iraqi Ministry of Health (MoH)	Across Iraq	Putting in place key building blocks to support the delivery of quality PHC services at the community and facility levels. Includes grants to NGOs	University Research Co., LLC \$74.8 million	March 2011 – March 2015	http://iraq.usaid.gov/node/38 http://iraq.usaid.gov/node/60
USAID	"Justice for All" Program	Provides grants to Iraqi NGOs working in the access to justice field. Program efforts include: •Public awareness campaigns •Link Iraq's vulnerable population with	NGOs providing legal services and support to vulnerable and disadvantaged Iraqis; Professional legal associations	Across Iraq		DPK Consulting \$43.7 million	October 2010 - September 2013	http://iraq.usaid.gov/node/121 http://iraq.usaid.gov/node/60

Donor	Title of Activity	Summary of Activity	Key Iraqi Counter parts and Beneficiaries	Location of Activity	Key Accomplishments and Impacts	Implementer and Funding Level	Project Duration	Links
		government institutions. •Promote a legal framework and procedural processes						
USAID	Youth Entrepreneurship Activity (YEA) and Young Entrepreneurs Access to Finance (YEAFF)	Assist youth (17-35 years) in addressing barriers to employment/ small-business startup; provide micro loans to graduates	CSOs, youth	Across Iraq	N/A	Targeted Development Program (TDP)/ Local NGOs; approx. \$11 million	2009-2011	
US DOS (DRL: Bureau of Democracy, Human Rights and Labor)	Media and Civil Society for Transparent Governance (MCSTG)	Improve professionalism and sustainability of Iraqi media; increase the capacity of CSOs to provide oversight of and hold their government accountable; improve advocacy and democratic regulatory organizations	CSOs and local media organizations	Across Iraq	N/A	IREX (International Research and Exchanges Board)	N/A	http://www.irex.org/project/media-and-civil-society-transparent-governance-mcstg
US DOS (DRL)	Interfaith Cooperation Project	Enhance religious freedom and promote interfaith cooperation by awareness-building media projects and public dialogue	Iraq Foundation; Beneficiaries: Iraqi youth, faith communities including religious minorities	Baghdad; several virtual activities	Training sessions on use of arts for engagement, documentary competitions	Iraq Foundation	January 12, 2011 – April 12, 2012	http://www.iraqfoundation.org/projects_new/icp/index.html
US DOS (Office of Global Women's Issues)	Empowering Iraqi Widows to Thrive Project (EIWT)	Provide life skills education and awareness of women's rights to large groups of widows; select smaller groups of widows to receive vocational and entrepreneurial skills training	Iraq Foundation; Iraqi widows	Baghdad, Ninawa, Maysan, Basra, Dhi Qar	Widows awarded micro grants; several training cycles completed; received donations of useful items (e.g. sewing machines) and official approval for use of various facilities	Iraq Foundation, Iraqi Ministry of Health and Ministry of Labor and Social Affairs, local municipal councils	September 2010 – September 2012	http://www.iraqfoundation.org/projects_new/wep/wepindex.htm
US DOS (DRL)	Post-Election Democracy Project (PEDP)	Improve government accountability by strengthening civil	Iraq Foundation; women parliamentarians	Across Iraq	Iraq's first Transparency and Accountability	Iraq Foundation; Freedom	December 1 2009 – November	http://www.iraqfoundation.org/projects_new/pepd/Index.html

Donor	Title of Activity	Summary of Activity	Key Iraqi Counter parts and Beneficiaries	Location of Activity	Key Accomplishments and Impacts	Implementer and Funding Level	Project Duration	Links
		society oversight capacity; strengthen the national parliament and its capacity to resolve disputes by focusing on training women parliamentarians; develop Iraqi youth's understanding of democratic processes	; youth		Report launched and publicized; several meetings and trainings held for civic leaders and women parliamentarians; peer networking campaigns for women parliamentarians; youth camps conducted; grants to support Iraqi youth implemented	House	30 2012	
US DOS (Office of Global Women's Issues)	Women for Equitable Legislation	Legislators, civic activists and legal experts to coalesce on achievable priority areas for legal reform on women's rights; draft legislation that protects women's rights and advocate for its passage; promote the ratification of proposed legislative measures in the Iraqi Council of Representatives	Iraq Foundation; Iraqi women	Across Iraq	N/A	Iraq Foundation	September 2011 – August 2013	http://www.iraqfoundation.org/projects_new/wel/index.html
World Bank	Second Emergency Assistance Program for Primary Healthcare	Increase access to and quality of basic health care services for vulnerable groups, including pregnant woman and children, through improved partnerships between public health care providers and community-based health services	Amar International Charitable Foundation	Basra, Thi-Qar, Maysan and Babil	N/A	Amar International Charitable Foundation (\$1.2 million)	14 April 2011 – 31 May 2013	http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P123689
World Bank	The Quick Response Fund (QRF) program is	IQ-Youth Livelihoods Development in Southern Iraq	Conflict prevention and post-conflict	Save the Children Federation,	N/A	N/A	Save the Children Federation,	27 December 2010 -- unspecified (active project)

Donor	Title of Activity	Summary of Activity	Key Iraqi Counter parts and Beneficiaries	Location of Activity	Key Accomplishments and Impacts	Implementer and Funding Level	Project Duration	Links
	a flexible mechanism to enable PRTs and ePRTS (teams embedded in military brigades) to support the activities of Iraqi local neighborhood organizations, government organizations and community-based organizations. The QRF program works to improve local government performance, enhance social stability, build civil society capacity, and foster economic growth.		reconstruction; youth employment	Inc.; Iraqi youth			Inc. (\$2.73 million)	
UNICEF	Provision of Child Protection Support	Improving child protection and support services in vulnerable communities; develop and implement community based mechanisms for monitoring, reporting and responding to child's rights violations	ACTED; local CSOs; direct benefit estimate for 4,085 children, youth and women	Kurdistan Regional Government; and the Muthanna and Qadissiyah Governorates	Conduct several child's rights and gender based violence awareness workshops; establish 9 Child Protection Committees; establish 9 Child & Family Services	ACTED (Agency for Technical Cooperation and Development)	Current project (dates and funding N/A)	http://www.acted.org/en/provision-child-protection-support-krq-kurdistan-regional-government-erbil-dohuk-and-sulaymaniyah-go
UNDP/ Canadian Government	Restoration of the Mesopotamian Marshlands	The development of participatory government structures for the management of the Marshland	Communities in the marshes	Marshland areas		University of Victoria/ UNDP (\$ 3,030,783)	2007-2011	
UNOPS	Iraq Operations Centre/ Civil Society	Help develop empowered, competent NGOs; work directly with public authorities and	NGOs, public authorities (at federal, governorate and local levels)	Across Iraq	Between 2005-2011, UNOPS supported approximately 500 projects	UNOPS	2005- current	http://www.unops.org/english/whatwedo/Locations/Europe/Pages/IraqOperationsCentre.aspx

Donor	Title of Activity	Summary of Activity	Key Iraqi Counter parts and Beneficiaries	Location of Activity	Key Accomplishments and Impacts	Implementer and Funding Level	Project Duration	Links
		civil society at multiple levels to enhance relations between these stakeholders; help develop legislative framework to enable an active civil society			implemented by Iraqi NGOs			

Donor	Summary of Activity	Key Iraqi Counterparts/ Beneficiaries	Implementing Partner	Implementation timeline	Ongoing funding (EURO)	Estimated yearly allocation for ongoing projects	Planned funding in EURO	Estimated yearly allocation for future projects
Canada	Build the capacity of civil society organizations to effectively carry out conflict resolution and peace-building projects and activities, through strategic planning, community leadership, gender sensitivity, networking, governance, and tolerance. Phase 1: Create NGO network. Phase 2: Develop project and financial management skills of NGOs and code of ethics for media.	Iraqi NGOs	Canadian Catholic Organization for Development and Peace	2008-2011	1,201,016	400,338.67		
Canada	The project is an unsolicited proposal in support of the NGO Coordination Committee in Iraq (NCCI). NCCI represents a network of 200 local and 80 international NGOs operating within Iraq. The project aims to improve field coordination and information sharing as well as analysis for more effective access, negotiation, and response to current and anticipated emergency humanitarian needs in Iraq.	Iraqi NGOs and CBOs	NCCI and Oxfam (Quebec)	2008-2011	315,975	105,325		
Canada	The Regional Human Rights and Peacebuilding Fund (RHRPF) is an initiative that will provide funds and direct support to selected local, regional non-government organizations (NGOs) as well as to international organizations with direct and well established partnership with local civil society organizations to	civil society and NGOs	Locally managed	2008-2012	3,158,018	631,603.60		

Donor	Summary of Activity	Key Iraqi Counterparts/ Beneficiaries	Implementing Partner	Implementation timeline	Ongoing funding (EURO)	Estimated yearly allocation for ongoing projects	Planned funding in EURO	Estimated yearly allocation for future projects
	implement projects which contribute to reducing human rights abuses, increasing women's influence as well as to work toward sustainable peace building efforts. Countries/territories of focus for this call for proposal are: Iraq; Lebanon; and the West Bank and Gaza.							
France	Micro-financing humanitarian projects and solidarity for the most vulnerable populations in Iraq (widows, children, disabled, displaced persons) run by NGOs across the country	Vulnerable populations; local and international NGOs	Local and international NGOs	2010-2012			700,000	233,333
Finland	PENDING - The radio program 'Morning Journey' provides local news and information. The aim of the program is to support southern Iraqis' right to information and to communicate through community radio programming. It aims to engage audiences and hold local government to account.	Al Mirbad Organization for Media Development in Basra; Al Mirbad listeners (up to 700000 people)	Al Mirbad Organization for Media Development in Basra	2010-2011			50,000	50,000
Japan	Assistance for activities of NGOs under the Japan Platform (JPF) in the fields of medical care, education, etc. (this is part of 20,941,677 million of assistance to Japanese NGO)	Local NGOs		2007-2011	1,047,084	349,028		
Canada	The Middle East Good Governance Fund (MEGGF) aims to promote good governance in the region and disseminate knowledge on reform-oriented	Policy makers/Think Tank and Iraqi NGOs	IDRC (International Development Research Centre)	2005-2011	3,128,732	521,455		

Donor	Summary of Activity	Key Iraqi Counterparts/ Beneficiaries	Implementing Partner	Implementation timeline	Ongoing funding (EURO)	Estimated yearly allocation for ongoing projects	Planned funding in EURO	Estimated yearly allocation for future projects
	policies.							
Sweden	Capacity Building for Child Protection Centers in Northern Iraq: the project overall aim is to improve capacities and respect for child protection in the Iraq by providing qualitative protective services for children	Local child-related NGOs		2009-2011	980,000	326,666		
United States	The Quick Response Fund (QRF) program is a flexible mechanism to enable PRTs and ePRTS (teams embedded in military brigades) to support the activities of Iraqi local neighborhood organizations, government organizations and community-based organizations. The QRF program works to improve local government performance, enhance social stability, build civil society capacity, and foster economic growth.	Local NGOs		2009-2011	9,800,000	3,266,666.67	19,600,000	6,533,333.33
Germany	Improvement of Livelihood in Berwari Bala-Amadiya		DHK e.V. (Dortmunder helfen in Kooperation)	2009-2012	600,000	150,000		

ANNEX 2: SURVEY RESULTS

(Removed – For Internal Use Only)

ANNEX 3: METHODOLOGY

(Removed – For Internal Use Only)

ANNEX 4: LIST OF INTERVIEWS AND MEETINGS

(Removed – For Internal Use Only)

ANNEX 5: SCOPE OF WORK

Scope of Work Iraq Civil Society Assessment

Introduction

USAID/IRAQ anticipates development of a new civil society project to support broader Democracy and Governance program investments in good governance, political process and the rule of law. To improve the efficiency and responsiveness of government to citizen needs, USAID is exploring prospects for building the organizational and advocacy capacity of Iraqi NGOs in key thematic areas: essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight. Any prospective civil society activity must build upon previous USAID investments in Iraq's civil society³⁷ and complement broader Democracy and Governance program objectives. .

Purpose of the Civil Society Assessment

This assessment will assist USAID to understand better:

- whether targeted investments in civil society will improve the responsiveness of Iraq's public sector to priority citizen needs,
- the operating environment, context and current issues facing the development of Iraq's civil society,
- the key dimensions of NGO sustainability and identify priority intervention points to seize opportunities and address challenges,
- which prospective interventions are both technically feasible and socially acceptable, and
- which interventions are best pursued through (1) a new, USAID stand-alone activity, (2) amendments to existing USAID projects, and (3) other ongoing or proposed donor activities?

Background and Context

USAID/IRAQ plans on continuing to support the development of Iraq's civil society after the end of the Community Action Program (CAP) in September 2012. Current USAID's efforts to strengthen democratic governance have been primarily focused on strengthening local government and decentralization, improving political process through support for elections, and assistance to Iraq's parliament, the Council of Representatives (COR). In late 2010 USAID expanded its democracy program to the rule of law area, addressing access to justice for disadvantaged and vulnerable Iraqis.

A. Overview of USAID/IRAQ Civil Society Assistance

During the past several years USAID has supported Iraqi civil society organizations and other partners through several projects focused on activities promoting conflict mitigation and stability in Iraq—primarily at the community level. Key USAID projects (summarized in Appendix A) that should inform the development of a future civil society projects include the following:

- Iraq Civil Society and Independent Media Program (ICSP), implemented by America's Development Foundation (ADF).
- Community Stabilization program (CSP), implemented by International Relief and Development (IRD).

³⁷ E.g., the Community Action Program (CAP), Civil Society and Independent Media Program (ICSP), Community Stabilization Program (CSP), Iraq Rapid Assistance Program (IRAP), and Iraq Community-Based Conflict Mitigation Program, (ICCM).

- Iraq Community-Based Conflict Mitigation Program (ICCM), implemented by Relief International (RI);
- Iraq Rapid Assistance Program (IRAP), implemented by Development Alternatives International (DAI).
- Community Action Program (CAP), currently implemented by four partners covering lower 15 provinces including ACDI/VOCA, CHF International, International Relief and Development (IRD) and Mercy Corps (MC) under CAPIII. Previous phases of the program, CAPI and CAPII, covered all 18 provinces with many of the same implementers.
- Iraq Access to Justice Program, implemented by DPK Consulting.
- Consortium for Elections and Political Process Strengthening, implemented by the National Democratic Institute and the International Republican Institute (2004-2006).
- Office of Transition Initiatives Small Grant Awards (2003-2006).

B. U.S. Department of State Civil Society Programs

The Department of State's Near East Bureau, Office of Global Women's Issues, the Middle East Partners Initiative, and the Bureau of Democracy, Human Rights and Labor (DRL) supports numerous projects in Iraq focused on promoting democracy, women's rights, human rights, religious freedom, and labor rights. DRL is the largest donor in Iraq, providing grant support to civil society through projects implemented by several US NGOs including the National Democratic Institute, IREX-International Research and Exchanges Board (IREX), International Center for Not-for-Profit Law (ICNL), National Endowment for Democracy (NED), International Relief and Development (IRD). Some of the on-going projects focused on assisting civil society include:

- ICNL, Civil Society Law Reform Strengthening in Iraq;
- IREX, Media and Civil Society for Transparent Governance;
- NDI, Iraq: Encouraging Constructive Political Dialogue and Participation;
- NED, Assisting Democratic Transformation in Iraq.

C. Context

Iraq's civil society has been, and continues to be, profoundly affected by the legacy of Saddam Hussein's rule, which has provided an especially strong and unhelpful imprint on the willingness and capacity of citizens to participate in decision making. Since 2003, Iraq's communities have seen a proliferation of humanitarian, democracy, human rights, service delivery, and conflict management efforts backed by international donors through major development programs. These programs have had an ambitious scope, standing up—by some estimates—over 6,000 NGOs over a relatively short period of time while expending hundreds of millions of dollars. Iraq's intensive, though nonorganic, democratic transition has likely distorted the operating environment and incentive structures for the long term development of Iraq's civil society. Considering this legacy, there is need for continued civil society support to empower citizens' groups to improve the efficiency and responsiveness of government to citizen needs, but on a more sustainable basis. Events over the past year demonstrate promising windows of opportunity for strategic, long-term investments in Iraq's civil society:

- **Improved Legal Environment For Civil Society.** In July 2010 representatives of the Iraqi Council of Ministers Secretariat (CoMSec) including the NGO Directorate, several Iraqi Government ministries, outgoing Chair of Iraqi Council of Representatives' Civil Society Committee, and Iraqi and international NGOs, agreed on recommendation to guide the implementing regulations for the new Iraqi Law on Non-Governmental Organizations (Law no. 12 of 2010) which entered into force in April 2010. This type of consultation process with NGOs is a new and valuable practice for Iraqi civil society organizations.
- **Consequential Advocacy by Civil Society.** (1) In October of 2010 as a result of NGO advocacy efforts Iraq's Federal Supreme Court ordered Parliament, elected in March 2010 and convened only once for 18 minutes, to resume its session, calling the delay unconstitutional.

Consequently the acting speaker reconvened the new Parliament again within days. (2) During the recent March 2011 demonstrations Iraqi citizens have strongly advocated for improvements in government services, and for greater government responsiveness to the citizens' needs.

- **Improved Public Image of Civil Society and Relevance to Decision Makers.** (1) The Iraqi National Development Plan – Years 2010-2014 recommends NGOs as mechanism for provision of services to women (p. 136, Section 9.1.5), and vulnerable groups (p. 141, Section 9.3.6.). (2) The new government established a Minister of State for Civil Society, still rather small office but with a potential to play important role in promoting cooperation between civil society and government.

These latest developments demonstrate new opportunities for Iraqi NGOs, and possibly increased awareness of GOI about potential role of CSOs.

Statement of Work

The main objectives of this assessment are to provide USAID with:

- 1) Analysis of the state of Iraq's civil society, and the primary challenges and opportunities for its advancement; and
- 2) A proposed strategy for a new civil society activity, including prioritized areas of intervention, strategic objectives, and project recommendations.

The contractor shall conduct a background review of key documents, as well as on-site research, focus groups, surveys, and interviews with relevant Iraqi stakeholders, including a diverse group of GOI officials, academics, and Iraqi NGOs operating in key thematic areas. The contractor shall develop a report that addresses these areas—primarily focusing on NGOs engaged in essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight, but excluding media, labor unions, professional associations and political parties.

The report shall include the following two components:

1. Analysis of the state of Iraqis' civil society and primary challenges and opportunities for its advancement

In this section, the contractor shall provide (1) a brief sector profile, (2) analysis of NGO sustainability and prospects for reform in key thematic areas, and (3) a matrix of existing USG and other civil society/donor programs. The section shall conclude with key findings on the state of Iraq's civil society, challenges facing its development and opportunities for USAID investment.

(a) Sector Profile.

This section should take into account Iraq's political and historic context. It will briefly outline the political and governance structure of the country as it relates to the current state of Iraq's civil society, identify regional differences (e.g., those between KRG and the other 15 lower provinces) and identify recent developments and opportunities (e.g., public protests for improved service delivery, government initiatives, and improved legal environment.)

This section shall clearly articulate the development challenge that USAID will face if it engages Iraq's civil society with the goal to improve the responsiveness of Iraq's public sector to priority, citizen needs.

(b) NGO Sustainability

This section shall address seven interrelated dimensions of NGO sustainability: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image.

Analysis will focus on NGOs engaged in the assessment’s key thematic areas.³⁸ See Appendix C for more detail on requisite methodology (e.g., assumptions about what constitutes “sustainability” in each dimension, scope of required analysis and illustrative questions to be addressed). Each of these dimensions shall be examined with a focus on the following questions:

5. What has been accomplished?
6. What remains a problem?
7. Do local actors recognize the nature of outstanding challenges?
8. Do local actors have a strategy and the capacity to address these challenges?

(c) Donor Matrix

The assessment will review existing USAID, USG and other donor civil society activities, to determine what progress has been made so far, and where opportunities and entry points might exist for USAID. The contractor shall furnish a “donor matrix” summarizing current and planned donor investments in Iraq’s civil society. The matrix shall detail:

1. Donor Name (e.g., World Bank; U.S. Department of State/DRL; UNDP)
2. Title of the Supported Civil Society Activity
3. Summary of Activity, Top-Line Objectives
4. Key Iraqi Counterparts and Beneficiaries
5. Geographic Location of Activities
6. Key Accomplishments, Impacts
7. Implementer and Funding Level
8. Project Duration
9. Links to or Embedded Documents (providing detailed information—e.g., scopes of work, assessments, fact sheets, program descriptions).

This section shall also provide key lessons learned and recommendations based off donor experience that should inform future USAID programming.

(d) Key Findings

This section shall conclude with a summary of strategic findings, including but not limited to the following:

1. Conclusion of whether targeted investments in Iraqi civil society is likely to lead to material and measureable improvements in (1) broad-based, citizen activism organized by Iraq’s NGO sector and (2) the efficiency and responsiveness of government to citizen needs;
2. Identification of key characteristics of the operating environment, context and current issues facing the development of Iraq’s civil society in identified thematic areas;
3. Identification of priority intervention points to seize opportunities and address challenges (based on analysis in section I(b)),
4. Conclusion of whether proposed interventions are both technically feasible and socially acceptable, and
5. A determination of which challenges and opportunities are best pursued through (1) a new, stand-alone activity (2) amendments to existing USAID projects, or (3) other ongoing or proposed donor-activities.

³⁸ I.e., NGOs engaged in either the delivery of or advocacy for essential social services; human rights and civil liberties; transparency, anticorruption, and citizen participation in decision-making; improvements in public policies; and electoral oversight.

2. A proposed strategy for programming, including prioritized areas of intervention and program recommendations

In this section, the Contractor shall inform the development of a strategy and provide programmatic options for USAID supported civil society interventions. In addition, considering previous and current USAID's efforts to support civil society, the Contractor shall recommend whether (and how) USAID should transition from its historic focus on a long-term community development approach to one of NGO capacity building. The strategy and options shall be based on the findings from section I as well as additional considerations such as USG/USAID mission priorities, availability of resources, and activities of other donors. It will be designed to focus civil society activities around the primary challenges in promoting NGO capacity building in light of current political will, opportunities and constraints for reform and past successes.

Recommendations for new project activities shall include:

- Priority project objectives
- A concise summary of the development problem that would need to be addressed to achieve each objective.
- An overview of key beneficiaries and potential partners—including their roles and responsibilities in achieving key project objectives. (Special attention should be given to the following populations: women, youth, internally displaced persons, and religious minorities.)
- A diversity of implementation approaches to achieve priority objectives.
- Identification of key Government of Iraq counterparts, including (to the extent practicable) their incentives to support proposed implementation approaches and project objectives.
- A description of strategic linkages of project objectives to USAID Democracy and Governance objectives, as well as broader USG strategic commitments, such as those in the in the US-GOI Strategic Framework Agreement.
- An analysis of how gender constraints and opportunities will affect achievement of the proposed project objectives and how the proposed project will affect men and women differently.
- Insight into how security issues might constrain potential work with Iraq's NGO sector as USF-I draws down, especially in light of Iraq's unique freedom of movement challenges for its own citizens as well as potential program implementers.

The following are some illustrative considerations and questions to that the proposed strategy should be able to answer:

- USAID/Iraq should have a clear sense of their options to support (1) Iraqi civil society, particularly related to NGO priority needs and improved cooperation with GOI and (2) capacity building efforts that would enable Iraqi NGOs to play more active role in increasing citizens' participation in government decision making,
- USAID/Iraq should have a clear sense of (1) the areas where it has comparative advantage over other donors, and (2) the potential risks related to a proposed approach;
- Whether it is premature to move from the grassroots CAP model and focus on assisting formal, registered NGOs that operate on a broader level? Do proposed activities leverage USAID's already substantial community level investments in civil society, especially through the CAP program?
- What should USAID's geographic focus of assistance be: local, regional, national?
- Lessons learned from current and previous USAID/Iraq, USG/DRL & PRT, or other donors' civil society assistance programs in Iraq.

Methodology

Desk Review: The contractor shall conduct a desk review of key documents/reports/assessments, as well as on-site research, focus groups, NGO survey, and interviews to develop the civil society assessment report with recommendations for future USAID civil society programming. The “information gathering” portion of the assignment will involve the collection of data from various sources, including previous assessments, program evaluations, reports, and other analysis and reports developed by USAID, and other Iraqi or donor organizations

Consultation with Stakeholders: The assessment will request input and consult all relevant stakeholders including diverse group of Iraqi NGOs, smaller, medium size or larger NGOs, and networks operating throughout of Iraq. Additionally community-based and informal groups will be also consulted as well as GOI representatives, parliamentarians, journalists, university and academic experts, and research fellows specialized in civil society development. GOI representatives should include all relevant ministries including the Prime Minister’s NGO office, Ministry of Civil Society, the COM NGO Directorate, Ministry of Women’s Affairs, Ministry of Human Rights, Ministry of Planning, Ministry of Labor and Social Welfare, Ministry of Migrants and Displaced, Council of Representatives, provincial, district and sub-district representatives. Finally the assessment should also consult donor representatives, including UNHCR, UNICEF, UNDP, SIDA, USG/DRL and other professionals familiar with Iraq’s civil society legal framework and capacity of civil society institutions.

Timeline:

Week One and Two: Desk Review: The first phase of the activity will involve a desk review of materials and key documents. ; A pre-trip meeting with relevant USAID/USG/DRL Washington D.C. staff and key civil society experts should be conducted by two expatriate team members during the preparation phase. On the basis of this information, the team will develop an assessment/design methodology that includes research questions and interview protocols; and preparing a schedule of interviews for the subsequent field work stage.

Week Three - Eight: Field Work Phase: The team will spend 36 work days in Iraq (five weeks) conducting field research, including gathering of additional documents. It will also involve the conduct of structured interviews with key informants (and focus groups, if appropriate) and potential beneficiaries, including civil society organizations, government, donors, and other relevant stakeholders as stated above. USAID will provide one staff member to assist the team and to participate in the field-work phase of the assignment, when possible and appropriate. The field work will include interviews with NGOs from different provinces, including KRG, donors, GOI representatives, USAID implementing partners and donors.

Upon arrival to Iraq, the expatriate members of the team will meet with three Iraqi members of the team and will integrate them into the process, briefing on what they learned in Washington D.C. and sharing documents. The team will submit a draft work plan before departing for Iraq. During week seven, the Contractor shall convene a participatory workshop of key stakeholders – GOI and CSO – that will socialize the assessment’s preliminary findings and notional recommendations for a program design. The purpose of the workshop is to prime the pump for buy-in on the team’s program recommendations and revalidate key findings and assumptions.

Week Nine: Submission of the Draft Report

The Final Draft Assessment Report: The Contractor will draft the Final Assessment Report, which will include background section, broad analysis of Iraqi civil society organizations, and recommendations for a future programming, risks and potential opportunities for proposed approach.

Week Ten: Submission of the Final Report

Deliverables

The contractor shall provide the following deliverables to USAID/Iraq.

1. Work plan

Based on an initial desk review and the SOW, the team should develop a work plan for conducting an assessment of Iraqi civil society. The work plan should include information about the methodological approach, including data collection method, desk research, approach for in-country interviews, questionnaire, as well as a timeline.

2. Oral Briefings (three)

The contractor will provide three briefings for USAID, including:

- a) In-brief – A day after the Team arrives in country when a work plan will be presented;
- b) Mid-briefing – within fifteen working days when an annotated outline of the CSO Assessment with Recommendations for future programming will be presented;
- c) Exit briefing – three days prior to departure, when a draft CSO Assessment Report with Recommendations for new USAID programming will be presented.

3. Outline of a CSO Assessment & Recommendations for new USAID Programming

Within fifteen working days, the assessment team will present an annotated outline of a draft CSO Assessment with Recommendations for a new programming.

4. Draft Report - CSO Assessment Report with Recommendations for new Programming

The draft report will be submitted and presented to USAID, but not later than three days before team's departure. This document should fully respond to this SOW and should not contain more than forty pages.

5. Final Report - CSO Assessment with Recommendations for new Programming

The final report will be provided to USAID in electronic format in MS Word and Adobe PDF, within 10 calendar days following receipt of comments on final draft report from USAID. The document should not exceed 45 pages (excluding appendix). Appendices should at a minimum include the scope of work for the assessment, a list of individuals interviewed with contact information, a complete description of methodology used for the evaluation; and any questionnaires used.

The team's final report belongs to USAID and may not be shared with any organizations or individuals outside of USAID. The final report shall follow USAID branding and marking requirements. The Contractor shall also submit a copy of the final report to the CDIE.

Team Composition and Qualifications

The assessment team will be carried out by a five -person technical team, not including support staff (interpreter). Selected contractor is encouraged to engage relevant Iraqi partner organization for conducting assessment, to ensure appropriate field research. The team shall include:

- A Team Leader (Expatriate) with an advanced degree (M.A. or Ph.D.) and a minimum of 10 years' experience in implementation and design of civil society sector programs, ideally in post-conflict and transition settings. The Team Leader shall be responsible for coordinating and directing the overall assessment, including preparation and submission of the draft and final report. Regional experience and/or knowledge of Iraq are highly desirable. The team leader should have excellent written and oral communication skills in English. Knowledge of the Arabic language is desirable

- A team member (Expatriate) will have a relevant degree and at least 10 years of relevant experience in civil society program implementation. S/he will possess strong knowledge of the region and experience in the design, implementation and/or evaluation of civil society programs. Strong writing skills are a requirement. Knowledge of the Arabic language is desirable. Regional experience and/or knowledge of Iraq are highly desirable.
- Two Team Members (local Iraqi civil society experts): Experienced professionals, with excellent understanding of the Iraqi civil society system. At least five years' experience in the Iraqi civil society sector is required. Fluency in English is desirable
- One qualified English-Arabic interpreter, familiar with relevant terminology, and capable of interpreting simultaneously and consecutively.

USAID will appoint one USAID/mission staff member to coordinate with the assessment team, including participation in meetings during the field research stage.

The Contractor will certify that there is no conflict of interest or potential conflict of interest with respect to the performance of the assignment on the part of contractor and the contractor's team members. The Contractor will guarantee that substitutions will not be made for individuals proposed as team members without prior USAID's approval.

Period of Performance

The work called for this scope will start in early June and will be completed approximately 10 weeks later. The commencement of the field work is targeted for mid-June. All work must be satisfactorily completed no later than September 1, 2011.

Technical Direction

Technical direction during the performance of this assessment will be provided by USAID's Office of Democracy & Governance. The Program Office will coordinate with the DG Office and other members of the DGO Team to provide the assessment team with relevant USAID documentation to review and a list of suggested contacts to interview. The Assessment team is also required to propose review of additional documents for desk research and recommend relevant Iraqi CSO experts for interviews.

Appendix A: Summary of USAID/Iraq Project Support to Civil Society (2003-2011)

Iraq Civil Society and Independent Media Program (ICSP)

The objective of the ICSP was to promote an informed, sustainable and active indigenous Iraqi civil society that effectively and responsibly participates within a democratic system of governance. The program established civil society resource centers to provide capacity building services to Iraqi civil society organizations (CSOs) throughout Iraq. Special attention and resources were provided to three types of CSOs that were judged particularly important at the early stage of Iraq's development as a nascent democracy: those undertaking civic education, women's advocacy and anti-corruption work, with human rights as a cross-cutting element. In addition to the technical assistance and training offered through the centers, ADF designed and administer a small grants program to reinforce the training and technical assistance activities provided through the civil society resource centers.

See, Final ICSP/ADF Report, http://pdf.usaid.gov/pdf_docs/PDACJ881.pdf

Community Stabilization Program (CSP)

USAID's Community Stabilization Program (CSP) was focused on achieving economic and social stability in urban Iraqi communities. CSP worked directly with community groups, local government officials and other USG partners to develop and implement activities that foster more productive and peaceful communities. The Program provided jobs, training, small grants, and small infrastructure projects to help bring stability to communities affected by insurgent violence. In doing so, the program was focused on building a foundation for longer-term development. CSP focused on at-risk, unemployed males between the ages of 17 and 35.

See, Evaluation of USAID's community stabilization program in Iraq: effectiveness of the CSP model as a non-lethal tool for counterinsurgency, http://pdf.usaid.gov/pdf_docs/PDACN461.pdf

See, USAID community stabilization program (CSP) : an examination of the youth engagement program, http://pdf.usaid.gov/pdf_docs/PDACN478.pdf

Iraq Community-Based Conflict Mitigation Program (ICCM)

The Program supported Iraqis in developing constructive approaches to mitigating conflict in their communities and strengthening their capacity to contribute to peace building. This was done through quick-impact projects which encouraged dialogue between identity groups that have become increasingly divided over the past years, and by creating new spaces for Iraqis to work together in the pursuit of peace. The program was national in scope specifically engaging youth, women, and other traditionally marginalized religious and ethnic groups. Main program activities were grouped into three primary components: (1) community conflict assessments and subsequent peace-building projects, (2) the development of an Iraqi Peace Foundation (IPF) consisting of academic and civic leaders, and (3) youth peace-building initiatives carried out by the creation and facilitation of youth groups. Ultimately, the project aimed to measurably reduce levels of tension among local citizens and groups, and by creating a sustainable network of conflict mitigation leaders throughout the country.

Iraq Rapid Assistance Program (IRAP)

IRAP was launched in 2007 and was designed to give the PRTs flexibility in responding to short-term local needs that were not addressed by larger USAID assistance programs. IRAP supported economic and social development programs and civil society conflict-mitigation efforts country-wide. IRAP support included the establishment of water networks, road repairs, school buildings, microfinance programs, income generation initiatives, health awareness, civic and voter education, human rights, and agricultural support for minority farmers.

Community Action Program (CAP)

CAP program is addressing citizens' needs on a grassroots level through support to informal community groups. The program has been successful in entering communities with virtually no civil society infrastructure, mobilizing citizens on a grassroots level through community action groups (CAGs), and working with communities to identify their needs by selecting priority projects (usually only one per community) and by advocating their priorities with GOI partners on a national, local or provincial level. This has been a valuable grassroots approach during the past period, improving quality of life in many communities and empowering citizens to become more active in addressing community needs.

Iraq Access to Justice Program

USAID's Access to Justice Program focuses on three, interconnected programmatic areas. First, the program supports public awareness campaigns to ensure that Iraqis are aware of their legal rights and the remedies available under law. Secondly, USAID's Access to Justice Program strives to link Iraq's vulnerable people with government institutions responsible for upholding their rights through legal professionals, and civil society partners. Thirdly, the program promotes a legal framework and procedural processes to recognize, promote and ensure the rights of the disadvantaged through advocacy efforts increase the Government of Iraq's understanding of the needs of its vulnerable people, with the goal of enacting and implementing legislation to protect them. Grant activities will support all programmatic areas.

Consortium for Elections and Political Process Strengthening (NDI and IRI). Between 2004 and 2006, the National Democratic Institute provided technical assistance for the drafting and adoption of an Iraqi constitution and organized constitutional conferences and conventions; facilitated public awareness, education and participation; and engage civil society in constitutional discussions. The International Republican Institute supported the creation of the Election Information Network (EIN) which trained and deployed accredited domestic monitors throughout all governorates during the 2005 elections; trained half of the 30,000 political party agent observers mobilized on election day; implemented a comprehensive, country-wide voter education and get-out-the-vote campaign, including special programming for Sunni areas; produced voter education materials, television and radio public information messaging.

Final report for political process assistance review, http://pdf.usaid.gov/pdf_docs/PDACH531.pdf

Office of Transition Initiatives Small Grants Programs (2003-2006). OTI built the capacity of institutions and non-governmental organizations (NGOs) to help Iraqi citizens participate in their new democracy. Grants on human rights and transitional justice supported institutions and civil society organizations that guarantee fundamental human rights, and promote the ability of Iraqis to account for and move past atrocities of the past regime.

See, Strategy and impact of the Iraq transition initiative: OTI in Iraq (2003-2006) -- final evaluation, http://pdf.usaid.gov/pdf_docs/PDACI335.pdf

The following and other reference materials will be available when the team begins the desk review

- ICCM Final Report, Relief International, 2009
- IRAP (DAI), Final Report 2010
- CAP III Evaluation, 2010
- CAP II Final Report, 2008
- CAP III Documents

Appendix B: List of Recommended CSO or DG Resources

1. NDI -The Voice of Civil Society in Iraq – An Assessment, January 2011
http://www.ndi.org/files/Civil_Society_Assessment_Iraq.pdf
2. Iraq, ICNL <http://www.icnl.org/knowledge/ngolawmonitor/iraq.htm>
<http://www.icnl.org/knowledge/ngolawmonitor/iraq.htm>
3. Strategic Review of USAID/Iraq Democracy and Governance Programs, March 8, 2009
4. *Iraqi NGO Law*, July 2010
<http://www.reliefweb.int/rw/rwb.nsf/db900SID/FERB-873HAH?OpenDocument>
5. *Mapping and Institutional Analysis of Civil Society Groups in Iraq*, Desk-Study Conducted for SIDA, Greg Hensen, 2008
http://www.ncciraq.org/index.php?option=com_content&view=article&id=54&Itemid=61&lang=en
6. Regional Conference Report *Research on Civil Society Organizations Status and Prospects* – Foundation for the Future and European Commission, January 2010
http://www.ncciraq.org/images/stories/NCCI%20DB/NGOs/Civil%20Society/Relevant%20Documents/Research_Conference_Report_English.pdf
7. *Human Rights NGO Capacity-Building Iraq: Next Steps Report*, International Human Rights Network, 2005.
<http://www.ihrnetwork.org/files/IHRN%20Next%20Steps%20FINAL%20%28English%29.PDF>
8. *National Development Plan*, Years 2010 – 2014, Republic of Iraq, Ministry of Planning
9. *Human Rights in Iraq Eight Years after the US-Led Invasion* <http://www.hrw.org/en/news/2011/02/21/iraq-vulnerable-citizens-risk>

Appendix C: NGO Sustainability Assessment Framework.

Section I(b) of the Statement of Work requires the contractor to analyze seven different dimensions of Iraq's NGO sector: legal environment, organizational capacity, financial viability, advocacy, service provision, NGO infrastructure, and public image. A brief explanation of the criteria used to evaluate each dimension of sustainability follows:

LEGAL ENVIRONMENT. For an NGO sector to be sustainable, the legal and regulatory environment should support the needs of NGOs. It should facilitate new entrants, help prevent governmental interference, and give NGOs the necessary legal basis to engage in appropriate fundraising activities and legitimate income-producing ventures.

- **Scope of Analysis.** The contractor shall analyze the legal status of NGOs in Iraq. Factors shaping the legal environment include the ease of registration; legal rights and conditions regulating NGOs; and the degree to which laws and regulations regarding taxation, procurement, access to information and other issues benefit or deter NGOs' effectiveness and viability. The extent to which government officials, NGO representatives, and private lawyers have the legal knowledge and experience to work within and improve the legal and regulatory environment for NGOs shall also be examined.
- **Illustrative Questions.** Is there a favorable law on NGO registration? Is the internal management, scope of permissible activities, financial reporting, and/or dissolution of NGOs well detailed in current legislation? Does clear legal terminology preclude unwanted state control over NGOs? Are NGOs and their representatives allowed to operate freely within the law? Are they free from harassment by the central government, local governments, and tax police? Can they freely address matters of public debate and express criticism? Are there local lawyers who are trained in and familiar with NGO law? Is legal advice available to NGOs in the capital city and secondary cities? Do NGOs receive any sort of tax exemption? Do individual or corporate donors receive tax deductions? Do NGOs have to pay taxes on grants? Does legislation exist that allows NGOs to earn income from the provision of goods and services? Are NGOs allowed legally to compete for government contracts/procurements at the local and central levels?

ORGANIZATIONAL CAPACITY. A sustainable NGO sector will contain a critical mass of NGOs that are transparently governed and publicly accountable, capably managed, and that exhibit essential organizational skills.

- **Scope of Analysis.** An exhaustive survey of Iraq's NGOs is beyond the scope of this assessment. Focus shall be on the main characteristics of different categories of NGOs within the assessment's key thematic areas, providing analysis of the organizational strengths and weaknesses of a representative sample of NGOs in different geographical regions of Iraq.
- **Illustrative Questions.** Do NGOs actively seek to build constituencies for their initiatives? Do most NGOs have a clearly defined mission to which they adhere? Do most NGOs incorporate strategic planning techniques in their decision-making process? Is there a clearly defined management structure within NGOs, including a recognized division of responsibilities between the board of directors and staff members? Is there a permanent, paid staff in leading NGOs? Are potential volunteers sufficiently recruited and engaged? Do NGOs' resources generally allow for modernized basic office equipment?

FINANCIAL VIABILITY. A critical mass of NGOs must be financially viable and the economy must be robust enough to support NGO self-financing efforts and generate philanthropic donations from local sources. For many NGOs—especially those engaged in advocacy and government watch dog functions—financial viability may be equally dependent upon the availability of and their ability to compete for international donor support funds.

- **Scope of Analysis.** The contractor shall analyze factors influencing the financial viability of NGOs include the state of the economy, the extent to which philanthropy and volunteerism are being nurtured in the local culture, as well as the extent to which government procurement and commercial sources (especially from international oil companies or micro-finance sources) present fundraising opportunities. The sophistication and prevalence of fundraising and strong financial management skills among NGOs are also considered.
- **Illustrative Questions.** Do NGOs raise a significant percentage of their funding from local sources? Are NGOs able to draw upon a core of volunteer and nonmonetary support from their communities? Do NGOs typically have multiple/diverse sources of funding? Are there sound financial management systems in place? Have NGOs cultivated a loyal core of financial supporters? Do revenues from services, products, or rent from assets supplement the income of NGOs? Do governments and/or local businesses contract with NGOs for services? Do international oil companies contract with NGOs for services?

ADVOCACY. The political and advocacy environment must support the formation of coalitions and networks, and offer NGOs the means to communicate their messages through the media to the broader public, articulate their demands to government officials, and monitor government actions to ensure accountability.

- **Scope of Analysis.** The contractor shall analyze the capacity and record of NGOs in influencing public policy. Analysis should consider the prevalence of advocacy in different sectors, at different levels of government. The extent to which coalitions of NGOs have been formed around issues shall be considered. Whether NGOs monitor party platforms and government performance may also inform analysis.
- **Illustrative Questions.** Are there direct lines of communication between NGOs and policymakers? Have NGOs formed issue-based coalitions and conducted broad-based advocacy campaigns? Have these campaigns been effective at the local and/or national level in increasing awareness or support for various causes? Are there mechanisms and relationships for NGOs to participate in the political process? Is there awareness in the wider NGO community on how a favorable legal and regulatory framework can enhance NGO effectiveness and sustainability? Is there a local NGO advocacy effort to promote legal reforms that will benefit NGOs, local philanthropy, etc.?

SERVICE PROVISION. Sustainability of NGO service provision will require a critical mass of service NGOs that consistently meet the needs, priorities, and expectations of their constituents, in a manner that is more efficient than public-sector or commercial counterparts.

- **Scope of Analysis.** The contractor shall analyze whether NGOs provide a wide range of goods and services, which reflect community priorities. Analysis should consider whether NGOs operating in key thematic areas possess knowledge of the market demand for their services, whether the government or private sources rely or contract for the delivery of such services. Analysis could consider whether NGOs find it possible to cross-subsidize those goods and services for which full cost recovery is not viable with income earned from more lucrative goods and services, or with funds raised from other sources. The legacy USAID's CAP program shall be examined, especially with respect to the willingness of government bodies, primarily at the local level, to (1) recognize the abilities of local NGOs and (2) provide grants or contracts to enable them to provide various services.
- **Illustrative Questions.** Do NGOs provide services in a variety of fields? Do the goods and services that NGOs produce reflect the needs and priorities of their constituents and communities? Are there goods and services that go beyond basic social needs provided to a constituency broader than NGOs' own memberships? When NGOs provide goods and services, do they recover any of their costs by charging fees? Do NGOs have knowledge of the market demand—and the ability of distinct constituencies to pay—for those products? Does the government, at the national and/or local level, recognize the value that NGOs can add in the

provision of basic social services? Do they provide grants or contracts to NGOs to enable them to provide such services?

INFRASTRUCTURE. A sustainable infrastructure for NGO support does not exist in Iraq. If it did, NGO intermediary support organizations (ISOs) and/or NGO resource centers would be active in all areas of the country and provide advanced training, informational services, legal support and advice, and philanthropic development activities. A sustainable infrastructure would also have an established and endowed community foundations, indigenous grant making institutions, and/or organizations to coordinate local fundraising. A professional cadre of local experts, consultants and trainers in nonprofit management would exist.

- **Scope of Analysis.** Analysis will focus on sectorial infrastructure that provides NGOs with broad access to local NGO support services. The legacy of USAID's support to intermediary support organizations (ISOs) to provide these services will be examined. (See materials on USAID's ICSP project). To the extent ISOs exist, the contractor will analyze their capacity to inform, train, and advise other NGOs; and to provide access to NGO networks and coalitions that share information and pursue issues of common interest.
- **Illustrative Questions.** Are there ISOs, NGO resource centers, or other means for NGOs to access information, technology, training, and technical assistance throughout the country? Do ISOs and resource centers earn some of their operating revenue from earned income and other locally generated sources? Do local community foundations and/or ISOs provide grants from either locally raised funds or by re-granting international donor funds? Do NGOs share information with each other? Is there a network in place that facilitates such information sharing? Is there an organization or committee through which the sector promotes its interests? Are there capable local NGO management trainers? Is basic NGO management training available in Baghdad or provincial capitals? Is training available on: legal and tax issues for NGOs, accounting and bookkeeping, communication skills, volunteer management, media and public relations skills, sponsorship and fundraising? Are there examples of NGOs working in partnership, either formally or informally, with local business, government, and the media to achieve common objectives?

PUBLIC IMAGE. For the sector to be sustainable, government, the business sector, and communities should have a positive public image of NGOs, including a broad understanding and appreciation of the role that NGOs play in society. Public awareness and credibility directly affect NGOs' ability to recruit members and volunteers, and encourage indigenous donors.

- **Scope of Analysis.** The Contractor shall examine, to the extent practicable, the extent and nature of the media's coverage of NGOs, the awareness and willingness of government officials to engage NGOs, as well as the public's knowledge and perception of the sector as a whole.
- **Illustrative Questions.** Do NGOs enjoy positive media coverage at the local and national level? Do the media provide positive analysis of the role that NGOs play in civil society? Does the public have a positive perception of NGOs? Do the business sector and local and central government officials have a positive perception of NGOs? Do NGOs publicize their activities or promote their public image? Have NGOs adopted a code of ethics or tried to demonstrate transparency in their operations? Do leading NGOs publish annual reports?

ANNEX 6: QUESTIONNAIRES

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