

# The Hard Reality of Civil Society in the Arab World

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## Brief Analysis

Civil society organizations in the Arab world saw great development in the 1990s, when non-governmental organizations (NGOs) were actively engaged in amending the laws and regulations concerning them, reflecting positively on civic development. Consequently, these NGOs saw growth and prosperity in light of relative freedoms granted in several Arab countries, such as Egypt, Jordan, Morocco and Bahrain.

The failure of Arab governments to meet the increasing economic, social, health, and cultural needs of their citizens was a primary driver behind the emergence of the NGOs which came to fill this gap. Other factors included higher rates of education and the advancement of communication technology. However, as a result of political developments over the past few years in the wake of civil wars and increasing violence and terrorism, civil society organizations have experienced a major decline. There have since been a number of laws passed by Arab governments restricting the operations of NGOs. As a result, their international and local funding has sharply declined, they have been subjected to systematic media campaigns distorting their image, and they have even been targeted by security forces.

Arab governments have employed a massive arsenal of specially-designed local laws against NGOs, particularly against those that advocate for human rights and democracy. These particular organizations were closely monitored by security apparatuses, which in turn provided the governments with detailed information on their sources of funding. Moreover, there are laws allowing the authorities to dissolve and investigate these NGOs, as well as sentence their employees to prison.

In November 2016, the Egyptian parliament approved law No. 70 /2017 to regulate the work of NGOs, which has practically ended their activities. This law punishes violators with a monetary fine and up to five years in prison. It also prohibits NGOs from carrying out field work or surveys without a permit, banning them from cooperating in any way with international bodies without the necessary approval.

In Jordan, and based on law 22/2009, each NGO board member is subjected to security checks, and the Ministry of Social Development may dissolve any NGO's board of directors—or even the organization itself.

In Morocco, NGOs are subjected to legal harassment, including travel bans, as well as severe obstacles to the registration of organizations advocating for justice and the rights of marginalized communities. And in Bahrain, the Ministry of Social Development may reject the registration of any organization whose works it deems similar to that

of other previous organizations. Also, Decree 21 of 1989 (as amended in 2002), allows the government to imprison or fine persons who work on behalf of a group that does not register.

This government erasure of NGOs has contributed to the emergence of a unique type of organization known as “GONGOs,” or government-organized non-governmental organization. These organizations are supported by the regime, and the authorities supervise their hiring and operations.

Obviously, GONGOs remain an ineffective matter of form, often dodging major rights cases where the authorities are the primary offenders and self-censoring to please the authorities.

Unsurprisingly, these legal restrictions led to the deterioration of NGO work and development, which in turn led to an accumulation of court cases as violations mounted.

International funding remains an issue of major concern for Arab governments, who closely monitor the relationship between local and international NGOs. The government seeks the right to approve or reject official partnerships between local NGOs and their international counterparts. Thus, the laws regulating the work of NGOs prohibit their receipt of any foreign funding without government approval; otherwise the employees working in these organizations may be sentenced to prison or fines, along with the possibility of dissolving the said organizations.

These restrictions dried up the sources of funding for many NGOs that were not in the authorities’ good graces. In Egypt, NGOs that receive funding without prior government approval are subject to punishment of one to five years in prison and a fine of 50,000 to 1,000,000 Egyptian pounds, or roughly \$2,800 to \$56,000). In Jordan, based on the decision made by the Council of Ministers in 2017, the requirements stipulated in the Anti-Money Laundering Law and Counter-Terrorism Financing Law of 2007 also apply to NGOs. Consequently, NGOs that fail to comply will be subject to various penalties that include suspension, monetary fines, or even detention. In Bahrain, the Ministry of Justice and Ministry of Interior must vet any funding from international sources.

As for local funding, the reality of the matter is that the majority of these advocacy organizations in the Arab world work in a restricted political environment created by authoritarian regimes that do not welcome the concept of human rights. Moreover, these regimes work systematically and carefully to tame and restrict NGOs, often accusing them of treason and working for foreign bodies, all in search for a pretext to shut them down.

A crisis of local or national funding arises, as we cannot expect business tycoons who have personal interests with the state to fund advocacy programs and projects, demand support for democracy and liberties, or oppose corruption and torture.

However, we cannot deny that there are exceptions. There are many successful NGOs that have managed to raise local funds in the fields of development, health, and social and environmental services. Since these organizations do not work on issues related to civil rights, wealthy citizens are encouraged to fund these projects. Furthermore, supporting organizations in the communities where their companies operate is a sign of commitment to social responsibility, which in turn serves their economic benefits.

The authorities employ loyal news outlets to wage media campaigns against NGOs, accusing them of working for foreign entities and seeking to undermine political stability. In the past few years, media outlets in some Arab countries have contributed to public opinions that are hostile and skeptical of NGO work, costing them their popular support.

In Egypt, state and private media accused NGOs of conspiring against the country’s interests and funding saboteurs. This was evident in case number 173/2011, in which an Egyptian judge described NGOs accused of receiving foreign funding as “soft colonization.” In addition, security authorities systematically target NGOs through the deliberate

sabotage of their workshops and conferences, as well as harassing or attempting to recruit their employees if necessary.

In conclusion, a healthy and stable political environment is key to a powerful and influential civil society. In the midst of conflicts rampaging through the region and civil wars tearing it apart, we cannot expect civil society to play a prominent role, with the exception of some NGOs that work on documenting violations in countries going through civil war or witnessing political violence, such as Syria, Yemen, and Libya.

As for countries in the Arab world enjoying relative political stability, they are ruled by authoritarian regimes that do not accept the idea of advocacy work. Every time they are criticized over poor human rights records, they rush to use terrorism as a scarecrow, such as when Egyptian President Abdel Fattah al-Sisi's claimed that "combating terrorism is a human right."

Thus, security and legal restrictions, as well as media incitement and state-imposed scarcity of funding, are the primary reasons behind the decline of these NGOs' efficiency. How can we expect a powerful civil society to thrive under a controlling government that has the ability to dry up its sources of funding?

Local NGOs in the Arab world must therefore work together to pressure governments into compliance with international conventions and agreements recognizing the right to free civil action. There is also a need for international support by the United States and European countries to pressure Arab countries into abolishing restrictive laws that prevent the progress, freedom, and effectiveness of civil society. ❖

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