THE BLURRED PROBLEM OF FOREIGN FUNDING OF CIVIL SOCIETY ORGANIZATIONS IN THE LIGHT OF POLITICAL MARKETING, PRAXIOLOGY AND HYBRID WARFARE

Keywords: foreign funding, civil society organizations, political marketing, praxiology, hybrid warfare

ABSTRACT: This paper deals with the problem of foreign and cryptoforeign funding of civil society organizations (CSOs). The question of foreign funding of CSOs is presented in the light of political marketing (inter alia: identification of global, regional and local market mechanisms (donors – clients)), hybrid warfare (real aims / interests of donors (the question of specific intelligence and counterintelligence)) and praxiology (effects, effectiveness).

FOREIGN FUNDING OF CIVIL SOCIETY ORGANIZATIONS IN THE LIGHT OF POLITICAL MARKETING

In this paper I would like to present various opinions on the problem of foreign funding of civil society organizations (CSOs). The meaning of the term: „civil society” can be outlined by means of some examples. According to L. Diamond, civil society encompasses „the entire range of organized groups and institutions that are independent of the state, vol-

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untary, and at least to some extent self generating and self-reliant. This of course includes non-governmental organizations..., but also independent mass media, think tanks, universities, and social and religious groups” (Diamond, 2004, p. 1). On the other hand, S. Bunbongkarn regards „civil society” as „an intermediary between the private sector and the state” (Bunbongkarn, 2016, p. 137). According to the World Bank (IBRD), „civil society” is understood as: „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” (The Future Role, 2013, p. 8).

Of course, the number of civil society organizations (CSOs) considerably varies in individual countries (eg: 950 non-profit organizations in Saudi Arabia (NPOs; 600 charities) (Montague, 2015); 14,000 non-governmental organizations (NGOs) in Egypt (Hawthorne 2004); over 71,000 NGOs in Ukraine (Lutsevych, 2013, p. 6); over 400,000 NGOs in Russia (Procopio, 2016, p. 1); 830,000 CSOs in China (Bentley, 2004, p. 1) (over 460,000 officially registered NPOs (The Future Role, 2013, p. 6); around 1.5 million NGOs in the US (Egypt, 2016); 3.3 million NGOs in India (The Future Role 2013, p. 6). As for the number of international NGOs (INGOs): 6,000 in 1990, and over 65,000 in 2013 (The Future Role, 2013, p. 6). Numerous CSOs receive financial means from foreign or cryptoforeign donors (governments (grants, debt swaps), international philanthropic foundations etc.) (Ashman, Zwick, Brown, 1997, p. 8; 12, Neicoovcen, Vidaicu, Cioaric, 2016, p. 10). In some countries the dependence of CSOs on foreign funds is considerable. In 2006 Wang related that: „A study of 62 NGOs in Eastern Africa found that 36 received 75 to 100 percent of their funds from foreign sources, and seven NGOs received between 50 and 75 percent” (Wang, 2006, p. 18). According to R.B. Vernon: „...the Ethiopian Women’s Lawyer Association, a women’s right group... received 99 percent of its funding from abroad” (Vernon, 2009, p. 1). According to S. Neicovcen et al., in Moldova: „the main source of funding... are foreign foundations and organizations” (Neicovcen et al., 2016, p. 4). In certain cases, the main part of foreign funding comes from one – two countries (Elagati, 2010, 2013).
PRAXIOLOGICAL ASPECTS

Foreign funding of CSOs is associated with such problems as coordination, sufficiency and efficiency of support (Szałek, 2008; The Role, 2013). As for „coordination” – let us consider the case of Canada’s Coalition to End Global Poverty. In 2012 / 13 CCEGP supported (sums between 33 and 8 million USD) such countries as Haiti, Tanzania, Ethiopia, Afghanistan, Ghana, Ukraine, Bolivia, Mali, Burkina Faso, Senegal, Honduras, Congo (DRC), Mozambique, South Sudan, Colombia, Somalia, Peru, Pakistan, Kenya. On the other hand, each of these countries also received support from other donors / countries (Canada’s, 2013, p. 27). The problem of „coordination” is connected with „selection” of local CSOs. Let us illustrate this issue with the case of Egypt. According to A. Hawthorne: „some groups (NGOs – B.Z.S.) were excluded (or excluded themselves) from (U.S. – B.Z.S.) assistance because they were outspoken critics of Arab regimes close to the United States and of U.S. policies in the Middle East” (Hawthorne, 2004, p. 16). Another problem is the relationship: „actual needs – actual aid” (Szałek, 2008). In some countries, the foreign „aid” equals „financial obligations” towards foreign financial institutions. Still another problem is connected with the relationship: „foreign financial „aid” – actual consequences / effects” (eg: expenditures on foreign consultants; political, social, economic destabilization etc.). For instance, the „democracy aid for the Middle East” (eg: 1991 / 2001 – around 150 million USD) ended (?) in a political, military, economic and social disaster (Hawthorne, 2004, p. 15). The results of the USAID (The US Agency for International Development) activities in the Ukraine (eg: in 2010: 31 million USD) under the heading: „Governing Justly and Democratically” can be described as deplorable (Lutsevych, 2013, p. 15).

Some experts raise various objections to foreign funding of CSOs. For instance, according to a CSO from Montenegro: „during the Balkan conflict in the 1990’s (foreign – B.Z.S.) donors supported both sides of the conflict, actually making the matter worse. By remaining neutral and supporting different parties ... donors prolonged the violence and suffering of the people” (Poskitt, Dufranc, 2011, p. 15).
THE QUESTION OF „HYBRID WARFARE”

Numerous experts emphasize the problem of „foreign agendas” or „foreign priorities” (eg: Musser, 2014; Poskitt, Dufranc, 2011; Elagati, 2013; Lyons, Nivison, 2008; Ashman et al., 1997). According to Wang: „foreign donors often use their own preferences, priorities, and concern rather than local needs to dictate which types of local NPOs will dominate the scene” (Wang, 2006, pp. 23–24). A similar opinion presents O. Lutsevych (Ukraine, Georgia, Moldova): „Reliance on foreign funding drives local NGOs to work towards donor – driven agendas... NGOs work around grants and (foreign – B.Z.S.) experts and not around the interest of the citizens” (Lutsevych, 2013, p. 6). According to A. Poskitt et al.: „Inflexible (foreign – B.Z.S.) donor policies make it very difficult to manage funds as their priorities do not match the reality on the ground” (2011, p. 41). D. Ashman emphasizes the problem of “changing political priorities of foreign donors” (Ashman et al., 1997, p. 13). P.Ch. Weber pays his attention to the „hidden motivation of (foreign – B.Z.S.) „givers” (2007, p. 2). In particular, J. Feffer points at the United States under the rule of G.W. Bush: „The promotion of democracy... concealed an agenda of overtly or covertly seeking to change the regimes in countries opposed to the United States and installing compliant governments in their place” (2015, p. 4). And he adds: „Civic groups committed to universal values will sometimes (inadvertently or deliberately) work on behalf of the interests of foreign states” (Feffer 2015, p. 8). A similar opinion presents Alhayat: „Wherever there is... foreign funding, there will be conditions imposed by foreign funders, along with undeclared goals they seek to achieve” (Alhayat, 2013).

In practice, the above-mentioned problems can occur simultaneously – as „parallel phenomena” (eg: economic sanctions, financial / humanitarian aid, crypto hostile advices / agendas, lack of coordination (also: partly or completely contradictory agendas and activities of foreign donors as well as of local CSOs), low efficiency (due, inter alia, to corruption, lack of training, bureaucracy, informality, external financial obligations (debts)), faulty agendas / wrong priorities etc.)
In 2001, J.A. Scholte stressed that „some civic associations can employ underhanded tactics in the pursuit of special privileges or private interests. Other destructive groups such as racists, ultranationalists and religious fundamentalists can seek to suppress the democratic rights of others” (Scholte, 2001, p. 19). An interesting case is connected with G. Soros – „the Man Who Broke the Bank of England in 1992”, the chairman of the Open Society Foundations. On the one hand, G. Soros is described as ”international speculator”, on the other hand, as „international philanthropist” (Krugman, 1999). G. Soros has „a network of foundations, partners and projects in more than 100 countries” (total budget in 2013: 873 million USD) (Soros, 2016).

According to O. Lutsevych, CSOs in such countries as Ukraine, Moldova, Georgia received (around 2013) from Soros between 4 and 10.7 million USD (2013, p. 16). One of his foundations (The Stefan Batory Foundation) is active in Poland. According to some authors, G. Soros was the real author (G. Soros > J. Sachs > L. Balcerowicz) of the „shock treatment” prepared for Polish economy and society in 1989 (Kieżun, 2013, Błasiak, 2014). According to S. Tymiński: „Soros has been personally responsible for introducing „shock therapy” economic chaos into the emerging economies of Eastern Europe since 1989. He has foisted on fragile new governments in the East, the most draconian economic madness, policies that have allowed Soros and his financial friends to loot the resources of large parts of Eastern Europe at less than dirt – cheap prices”. In particular, his plan for Poland was as follows: first gain the confidence of the population (the opposition Solidarność takes over government), then: “the state must act deliberately to bankrupt its own industrial and agricultural enterprises using astronomical interests rates withholding needed state credits thus burdening firms with unpayable debt”. Finally, invitation of his „wealthy international business friends to come to Poland as prospective buyers of privatized state enterprises” (eg the large steel facility, Huta Warszawa, worth 3–4 billion USD was sold to Lucchini (a Milan Company) for 30 million USD) (Tymiński, 2016, p. 4). S. Tymiński adds: „Soros admits he knew in advance that his „shock therapy”
would cause huge unemployment (in fact, approx. 20% in 2002), closing of factories, and social unrest” (2016, p. 5). In a comment upon the paper by J. Feffer, an ex-NGO man remarks: „... Soros latest ventures include buying land for fracking developments (for example, in Poland – B.Z.S.) with one hand while creating astro-turf appearance of public support on the other. Similar issues have taken place in other countries as Egypt, Iraq and Afghanistan and most recently in Ukraine...” (2015, p. 11).

Jai Sen, analyzing the problem of civil society from a wider perspective, regards it „as a part of neoliberal globalisation” (2010, p. 2).

Another problem is connected with ”terrorist financing” (Kaplan, 2006; Weber, 2007; Feffer, 2015). According to the CIA, al Qaeda’s expenditures amounted (before 9 / 11) to 30 million USD per year (Weber, 2007). The expenditures connected with the 9 / 11 attacks are estimated at 500,000 USD; the 2004 Madrid train bombing could have cost between 10,000 and 15,000 USD. The 2005 attacks in London could have cost around 2,000 USD (Kaplan, 2006). According to J. Kaplan: „Experts say some of these organizations (Muslim charities – B.Z.S.) raise funds with the express intent of supporting (Muslim – B.Z.S.) terrorists; others seek to promote Islam through legitimate programs, but can be co-opted by jihadists who then use the funds to promote their own radical cause” (2006, p. 2). P.Ch. Weber adds: „In time, the distinction between supporting jihad to promote the revival of Islam and supporting terrorism became blurred” (2007). According to J. Kaplan: „Weeding out ill-intentioned charities from the benevolent is a difficult task” (2006, p. 3).

There is no unanimity with regard to the scale of foreign supporting Muslim terrorism. Some experts do not believe in charities as a cover for terrorism financing. For example, according to R.B. Vernon: „... the incidence of foreign charities supporting terrorism is extremely rare” (2009, p. 5). B. Hayes recalls the opinion of the Working Group on Tackling the Financing of Terrorism of the United Nations Counter Terrorism Implementation Task Force: „states should avoid rhetoric that ties NPOs to terrorism financing in general terms, because it overstates the threat and unduly damages the NPO sector as a whole” (2012, p. 27). On the other hand, one has to take into consideration that the situation changes. As P.Ch. Weber points out: „Muslim charities became a key tool of Saudi
support to the mujahideen during the Soviet invasion of Afghanistan. The network of charities created in support of the Afghan jihad, intentionally and unintentionally, became part of the funding system of al Qaeda” (Weber, 2007, p. 9).

THE PROBLEM OF LAW RESTRICTIONS

Let us deal with the problem of law restrictions directed at CSOs supported from foreign sources. In R. Musser’s opinion, some „host governments increasingly view CSOs as foreign-funded agents of opposition” (Musser, 2014, p. 4). This opinion is shared by some other experts (Vernon, 2009, p. 2; Poskitt, Dufranc, 2011; p. 2; American, 2013, p. 4; Sriskandarajah, 2014, p. 2). According to I. Dobichina: „Laws restricting the space for civic activism are proliferating at an alarming rate. In the past three years, more than 60 countries have proposed or passed over 100 laws restricting freedom of assembly or the foreign funding and activities of civil society organizations” (2015, p. 2). In 2015, H. Sherwood described the situation as the „biggest crackdown in a generation” (Sherwood, 2015). In fact, the problem of restrictions is not a new one. Moreover, it has many aspects. For example, some restrictions are directed at the financing of terrorism (cf The Financial Action Task Force (FATF, established at the G7 Summit in 1989), a global convention accepted by over 180 states to combat terrorism financing (in other words: „to combat those organizations which falsely claim to have charitable, social or cultural goals” (Hayes, 2012, p. 27)) (Weber, 2007; Hayes, 2012; Feffer, 2015; Dobichina, 2015). According to B. Hayes, the FATF „has endorsed some of the most restrictive NPO regulatory regimes in the world, and strongly encouraged some already repressive governments to introduce new rules likely to restrict the political space in which NGOs and civil society actors operate” (2012, p. 10). The forms of restrictions vary (eg: complex registration procedures, taxes, compulsory channeling of foreign aid through government organs, partial or complete prohibition on foreign funding (limits on funding sources), expelling international organizations and other sorts of harassment). According to the American Bar Association: „Some (countries –
B.Z.S.) have special registration requirements when organizations receive funding from foreign sources. These laws may designate such organizations as „foreign agents”...” (American, 2013, p. 4). It is interesting that the term „foreign agent” appears in The U.S. Foreign Agent Registration Act (FARA). In particular, „this act requires any person or organization (U.S. or foreign) that is an „agent of a foreign principal” to register with the Justice Department and to disclose the foreign principal for which the agent works. Foreign principals can include governments, political parties, a person or organization outside the United States...” (U.S. Department of State, 2016). FARA was enacted in 1938, in order to restrict the importation of Nazi propaganda (American, 2013, p. 32). In July 2010, Secretary H. Clinton said that: „in the United States, as in many other democracies, it is legal and acceptable for private organizations to raise money abroad and receive grants from foreign governments, so long as the activities do not involve specifically banned sources, such as terrorist groups” (U.S. Department of State, 2016). The term „foreign agent” also appears in Russia, in connection with NGOs. The law on „foreign agents”, signed in 2012 by V. Putin, followed a series of decrees and „amendments” to „certain legislative acts of the Russian Federation” (Machalek, 2012). For example, in 2004, a presidential decree established the Federal Registration Service (FRS – B.Z.S.) within the Ministry of Justice (registration, inter alia, of NGOs operating in Russia) (United, 2007, p. 8). As the United States Commission on International Religious Freedom related: „The typical NGO registration form is approximately 50 pages, with additional supporting documentation and other forms required on a case-by-case basis that may total hundreds of pages” (United, 2007, p. 13). According to USCIRF, „the criteria for denial of registration of a foreign NGO „were vague, overly broad and could be invoked by the FRS with substantial discretion” (United, 2007, p. 15). The amendments introduced in 2006 meant various onerous restrictions formulated in an ambiguous way (inter alia: problems with registration, implementation of foreign programs, transfer of funds, annual audits and financial reports) (Machalek, 2012; Beissinger, 2012). The amendments signed in 2009 were regarded as less restrictive as those introduced in 2006 (inter alia: government audits every 3 years, less paperwork and slightly more civilized procedures at the reg-
In 2008 V. Putin (as Prime Minister) issued a decree withdrawing the tax-exempt status of nearly 90% NGOs with this status (Vernon, 2009, p. 1). In the case of The Ford Foundation the tax on all grants inside the Russian Federation amounted to 24%). As K. Machalek wrote, the 2012 NGO Law „was not a stand-alone measure, but rather a series of amendments to existing laws... The central, controversial aspect of the amendments was a requirement that organizations engaging in political activity and receiving foreign funding must register as foreign agents, even if the foreign funding they receive does not actually pay for political activities” (2012, p. 2). Being registered as „foreign agent” meant (inter alia): planned and unscheduled audits, quarterly reports on political activities, in certain cases limited access to bank accounts, fines (up to 10,000 USD), eventual imprisonment (up to 2 years) (Machalek, 2012). H. Clinton (Secretary of State) criticised the 2012 Law on foreign agents. According to a Norwegian Helsinki Committee Policy paper: „in 2014 the Ministry of Justice registered (without their consent – B.Z.S.) as „foreign agents” such organizations as Golos, Memorial, Public Verdict (Russia’s 2014, p. 5). In 2015, M. Luxmoore related that: „...Russia’s Justice Ministry denies any discrimination against foreign-funded organizations, maintaining that inclusion in the state register does not prevent them from receiving outside financing nor from continuing their political activities” (Luxmoore, 2015, p. 17). In 2015 a law on „undesirable organizations” was enacted in Russia and such U.S. foundations as the Open Society Foundations (G. Soros), the Open Society Institute Assistance Foundation (G. Soros) were banned from Russia. As relates D. Schearf: „prosecutors said the Soros foundations were undermining Russia’s constitutional foundations, defense and national security” (Schearf 2015). On the other hand, the Open Society Foundations defended itself by maintaining „that since 1987 it has helped numerous Russian groups and individuals in the fields of education, science and public health, as well as financing networks of Internet Centres in 33 universities...” (Schearf, 2015).

The National Endowment for Democracy, another U.S. foundation, was also banned from Russia because of „using Russian groups to discredit elections and army service, as well as try to influence government policy” (Schearf, 2015).
According to J. Feffer: „Russia and China are the leading countries in this new wave of legal restrictions” (Feffer, 2015). In 2014, J. Feffer reported that: „China introduced a draft law... that forbids foreign NGOs that they engage in activities contrary to „Chinese society’s moral customs” (Feffer, 2015, p. 2).

According to R. Nair (The South Asia Human Rights Documentation Centre, India): „the government’s approach (the Foreign Contribution Regulation Act – B.Z.S.) to foreign funding for human rights work is probably as draconian or more, as that of Russia...” (Calouste 2016, p. 3). B. Hayes reports that: „In India, for example, CSOs can only receive foreign funding with prior permission from the Home Ministry, in accordance with the Foreign Contributions Regulation Act...” (Hayes, 2013, p. 3). As H. Sherwood reports: „The government (of India – B.Z.S.) labelled the environmental NGO Greenpeace as „anti-national”, blocking its bank accounts, deporting foreign workers and preventing local staff from travelling abroad. Licences for more than 13,000 organizations have been revoked for alleged violations of a law on foreign funding” (Sherwood 2015, p. 2).

The term „foreign agents” also appears in Israel. As P. Beaumont reports: „The new „foreign agents” bill, introduced into the Kneset in June, would require any organization that receives more than $ 50,000 from a „foreign political entity” to be defined as a „foreign organization” and pay tax on that funding... NGOs would be required to be labelled as „foreign agent” on every document, web page or publication” (Sherwood, 2015).

Another case of problems with „foreign-funded CSOs” is connected with Hungary. Since 2014 a Parliamentarian Committee continuously monitors, registers and denounces „the foreign attempts to pursue political interests in the country” (Russia’s 2014, p. 7). On the other hand, the U.S. intelligence is obliged by the Senate to monitor and evaluate Russian activities connected with funding of NGOs in Europe (Rybczyński, 2016, p. 28).

Let us have a look at restrictions on foreign funding in some other countries. M. Elagati reports that in Egypt: „In practice... the Ministry of Social Solidarity requires associations to request permission to accept grants from all foreign organizations, regardless of whether they are based in Egypt or not” (Elagati, 2013, p. 5). According to Law 84 (Law of Asso-
Th e Blurred Problem of Foreign Funding of Civil Society

One of crucial criteria with regard to the problem of foreign funding of civil society organizations is „predictability of its effects“. According to general systems theory, a system (in this case the system of foreign fund-
ing of CSOs) must be analyzed in association with its environment. In order to illustrate this problem with an example let us consider the relationship between „strengthening of democracy” (one of the main missions of NGOs) and the so-called „Multi-level Governance” (MLG). According to this concept (launched over 20 years ago by G. Marks), it is necessary, in order to improve the efficiency of governance in the European Union, to weaken the power of democratically established governments by shifting a considerable part of it to the supranational and subnational levels (Marks, 1993; Szałek, 2013). One of the main actors on the supranational level is the European Commission – its members are selected (by some unknown group of obviously very influential people) and not elected in a democratic way. According to G. Marks, some democratic procedures (eg referendums) could be a problem for the European Commission in case of big and unpopular reforms. Therefore, he suggests repacking big reforms into smaller packages of reforms in order to avoid a referendum (Szałek, 2013). In other words, there is a problem (from the viewpoint of „predictability”) with „declared” and „real / actual” aims / ideology of foreign donors (eg „foreign funding” as a part of „hybrid warfare”, „strengthening of democracy” as a cover for „neocolonialism”).

Another problem is the level of knowledge about the entire mechanism (eg cryptoforeign funding) connected with foreign funding of CSOs. For instance, one thing is „knowledge about the Soros Foundation Moldova”, quite another thing is „knowledge about the entire, global network based on his Open Society Foundations” (Neicovcen et al., 2016). One thing is „knowledge about Putin’s restrictions with regard to foreign funding of Russia’s CSOs”, and quite another thing is „knowledge about Putin’s domestic and international / global activities” (eg Russian overt and covert funding of CSOs in postsoviet and western countries).

In practice one has to deal with such situations as, for instance, simultaneous aid for both sides of a conflict, sanctions combined with aid, aid causing great losses because of destabilizing influence, foreign (governmental and / or private) „aid” in order to get in return much more, discrepancy between „foreign agendas” and local needs. Deceitful / hostile activities use to be covered by glossy names, mottos, slogans (for example: charities supporting terrorists and rebels, simultaneous foreign support
for militant and bridging groups) (Youngs 2015), pseudodemocratic focusing on CSOs that could play a significant role in political change, donors supporting groups slandering / fighting democratically elected governments (Hawthorn 2004; Youngs 2015).

In the light of the above-mentioned examples, the opinion of M. Elagati („CSOs have the right to receive funds from abroad – without the need to obtain permission” (from the government – B.Z.S.) seems to be peculiar (Elagati, 2013).

As for the attitude of governments and their legal regulations concerning foreign funding of CSOs: members of CSOs active in such countries as Russia, China, India, Egypt, Jordan, Ethiopia, Kenya are not happy with compulsory and onerous registration procedures, unplanned inspections / audits, retailed reports, financial limits and taxes on foreign funds, all kinds of harassment, black lists of undesirable CSOs, banning of foreign CSOs and shutting down of their local branches (Baron, 2004; Jillo, 2009; Elagati, 2010; Mendelson, 2015; Lutsevych, 2016).

On the other hand, it is unthinkable to let tens or hundreds of thousands or even millions of CSOs to be active in a country without registration, activity reports (aims, finances, effects) – in other words – without any control. According to such authors as G. Rydlewski, R.A. Dahl, B. Stinebrickner, around 60 (ie c. 30%) countries can be regarded as „democracy” (Rydlewski, 2009; Dahl, Stinebrickner, 2002). In other words, it would be justified to strengthen „democracy” (see (Estulin, 2010; Roth, 2014)) in the rest of them focusing, for example, on local CSOs that could play a significant role in political change (read: a coup d’etat). However, the case of Poland illustrates that even in a democratic country foreign funded CSOs can support frustrated political losers in their fight against democratically elected government – under the banner of „democracy” (KOD: Committee for the Defense of Democracy) (Tyrmand, 2016, p. 6).

Opinions on the impact of foreign funding on the development of political situation (Lutsevych, 2013, p. 3) vary. This is understandable from the viewpoint of political marketing. The situation with regard to „foreign funding of CSOs” is definitely blurred. Nevertheless, the above review of respective problems suggests two recommendations for democratic countries: total transparency (eg: registration, permanent monitoring, identi-
fication of cryptoforeign funding, identification of global mechanisms (networks etc.), and severe laws on foreign funding of CSOs (eg banning „Trojan Horses” (hostile aid / foreign funding), shutting down / dissolving hostile CSOs). And bureaucratic harassment? From the viewpoint of praxiology, bureaucratic harassment is ineffective.

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