

# EXPANDING CIVIL SOCIETY SPACE

*Excerpt from the*  
UNDG Guidance Note on  
Human Rights for Resident  
Coordinators and UN Country  
Teams

2017



---

UNITED  
NATIONS  
DEVELOPMENT  
GROUP

---

# Expanding Civil Society Space\*

## Key points and messages that the Resident Coordinator should know about the issue

- An autonomous and vibrant civil society plays a crucial role in strengthening democratic governance; facilitating civil society participation in public life, opening issues for public debate and ensuring that people can contribute to the policies and decisions that affect their lives, including the most excluded, marginalized and discriminated against sections of society, expands civic space and improves the quality of democratic discourse. Allowing voices to be heard, even when they express criticism or unpopular views, is key to expanding civil society space, holding decision makers to account, to ensure that promises are kept, policies are reviewed, lessons learned and improvements made – and brings significant rewards in terms of transparency, accountability, legitimacy of governance and governments and long-term stability.
- But this requires a guarantee of a secure and safe environment, free from acts of intimidation, harassment and reprisals as a crucial pre-condition for civil society actors- particularly human rights defenders – to carry out their work effectively.
- There are deeply worrying signs of an emerging trend towards the dismantling or hampering of the exercise of the rights to freedom of expression, association and peaceful assembly, the right to participation in public affairs, access to information and justice, with increasingly harsh repressive measures being used to silence critical voices and to control access to information and capacity to organise and participate. This also includes criminalising or delegitimising dissenting voices, killings or violent attacks on human rights defenders and trade unionists, as well as by reducing resources available and restricting the engagement of civil society actors with UN human rights mechanisms. Women’s rights defenders are often targeted with gender-specific threats and harassment, including threats to their children and lack of support of their families. This trend of shrinking, and at times closing, civil society space is occurring in all countries, north and south.
- International human rights standards provide a strong legal framework for the protection of civil society space – including with regards to the human right to participate in public affairs and the freedoms of expression, association and peaceful assembly, access to information and justice. These standards can underpin the UN System in speaking out with a common voice against any attacks on public freedoms.

## Relevant international standards

- The human rights to freedom of opinion and expression, association and peaceful assembly and the right to participate in public affairs are guaranteed in international human rights treaties, including the International Covenant on Civil and Political Rights (articles 19, 21, 22, 25) and International Covenant on Economic, Social and Cultural Rights (articles 8, 15).
- They are further guaranteed for all people, without discrimination, including under the Convention on the Elimination of All Forms of Discrimination against Women (article 3), the International Convention on the Elimination of Racial Discrimination (article 5); Convention on the Rights of the Child (articles 13, 15), the Convention on the Rights of Persons with Disabilities (articles 21, 29, 30), the International Convention for the Protection of all Persons against Enforced Disappearance (article 24); and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (article 26). A number of ILO Conventions also protect freedom of association and the right to organise (the Freedom of Association and the Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and the Protection of Collective Bargaining Convention, 1949 (No. 98).
- The right to participate in public affairs is guaranteed in the International Covenant on Civil and Political Rights (articles 19, 21, 22, 25); International Covenant on Economic, Social and Cultural Rights provides for the right to form or take part in a trade union and to participate in cultural life

(articles 8, 15); Convention on the Elimination of All Forms of Discrimination against Women provides for the right of women to participate in political, economic and cultural life (article 3); International Convention on the Elimination of Racial Discrimination prohibits discrimination in relation to the expression, assembly and association, and in conduct of public affairs (article 5); Convention on the Rights of Persons with Disabilities guarantees the rights to freedom of opinion and expression, and access to information, participation in political and public life, as well as in cultural life (articles 21, 29, 30); International Convention for the Protection of all Persons against Enforced Disappearance provides for the right to form and participate freely in organizations and associations concerned with attempting to establish the circumstances of enforced disappearances and the fate of disappeared persons, and to assist victims of enforced disappearance (article 24); among others.

- These international standards apply to all branches of the State – executive, legislative and judicial. Any restrictions on the freedoms of expression, association and peaceful assembly must be provided by law and justified as strictly necessary for respect of the rights or reputations of others or for the protection of national security, public order, public health or morals. But these grounds may never be invoked as a justification for the muzzling of any advocacy of multi-party democracy, democratic tenets and human rights.
- In addition to the human rights frameworks, member states have made a number of commitments to support civil society partnership and participation including in the 2030 Agenda for Sustainable Development and in the Agreed Conclusions of the Commission on the Status of Women 57, 58, the Political Declaration of the CSW 59, and the CSW 60.

### **Role that the Resident Coordinator and UN Country Team can play in promoting the issue**

- Speak out against attacks against freedoms of expression, peaceful assembly and association, and the right to participate in public affairs. Promote legislation and policies in line with international standards.
- Establish/strengthen a UNCT network of civil society focal points in the country for reaching out, being aware of the issues and to strategise on the issue of civil society space. Work with UN Women country offices and UN Women Civil Society Advisory Groups (CSAGs) where they exist, for this.
- Mainstream regular monitoring, review and public reporting on civic society issues and challenges across all UN entities, and identify action to take in case of violations.
- Ensure safe premises for civil society and provide advice in cases of threats, intimidation or reprisals. In cases of reprisals refer to [reprisals@ohchr.org](mailto:reprisals@ohchr.org) and/or [civilsociety@ohchr.org](mailto:civilsociety@ohchr.org).
- Create a joint communication strategy to convey at the highest level the importance of the role that civil society plays in sustainable development, good governance, long-term stability and progress.
- Develop joint strategies to further outreach to different civil society actors at the local and grass-root level and facilitate networking. Address the “access to information” gap with UNCT and civil society actors through a subscriber-based weekly email bulletin service where publicly available reports, studies, calls for cooperation, news, tools and resources are shared. Work with UN Women Civil Society Advisory Groups in countries.
- Support efforts to mobilise funding channels, including raising awareness of UN-supported funds, such as UNDEF, etc.
- Throughout the planned activities, processes and consultations the UNCT and all UN entities in country should provide space and facilitate the effective and inclusive participation of diverse and pluralistic civil society actors, contributing in the democratization of UN space by enhancing transparency, accessibility and accountability.
- Strengthen the convening role between governments, business/non-state actors and civil society.

### **Support and tools available for the United Nations system**

- Civil Society Space and the United Nations Human Rights System – A Practical Guide for Civil Society;
- [Report of the United Nations High Commissioner for Human Rights on Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned \(A/HRC/32/20\)](#);
- [The UN Secretary-General’s reports to the General Assembly on cooperation with United Nations, its representatives and mechanisms in the field of human rights](#);
- UN Human Rights Council Resolutions on civil society space include A/HRC/RES/27/31 and A/HRC/RES/31/32 acknowledge “the crucial importance of the active involvement of civil society”;
- Useful additional resources from OHCHR can be found on the following webpages:
  - <http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SRFreedomAssemblyAssociationIndex.aspx>
  - <http://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx>
  - <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>
- Information on [UN Women Civil Society Advisory Groups](#).

*This two-pager was developed by OHCHR and UN Women based on the “Frontier Dialogues” on emerging human rights issues launched in 2016 by the former UNDG Human Rights Working Group with members taking the lead on specific issues. These messages were approved by the UNDG and have been incorporated into the UNDG Guidance Note on Human Rights for Resident Coordinators and UN Country Teams.*