

United Nations Guidance Note on Protection and Promotion of Civic Space

Executive Summary

September 2020

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“Society is stronger and more resilient when women and men can play a meaningful role in political, economic and social life, contributing to policy-making that affects their lives, including by accessing information, engaging in dialogue, expressing dissent and joining together to express their views”

– UN Secretary-General, Call to Action for Human Rights

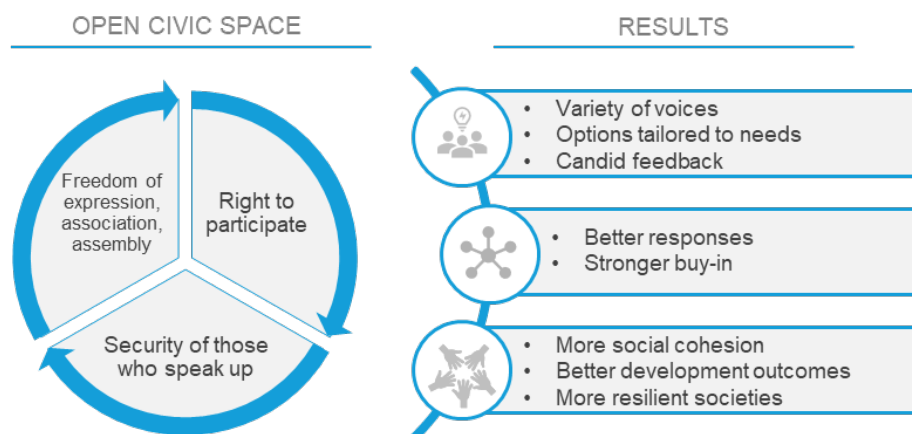
With the Charter of United Nations celebrating its 75th anniversary, this note seeks to shed light on how to do justice to its “**We the Peoples**” promise. As the founders of the UN recognized, development, peace and security, and respect for human rights are interdependent, and depend on meaningful, inclusive and safe public and civil society participation. This vision is reflected in the Secretary-General’s Call to Action for Human Rights, where promotion of civic space and participation are identified as a key thematic area. Meaningful participation requires open civic space:

- > effective mechanisms that bring diverse communities and groups into policy debates;

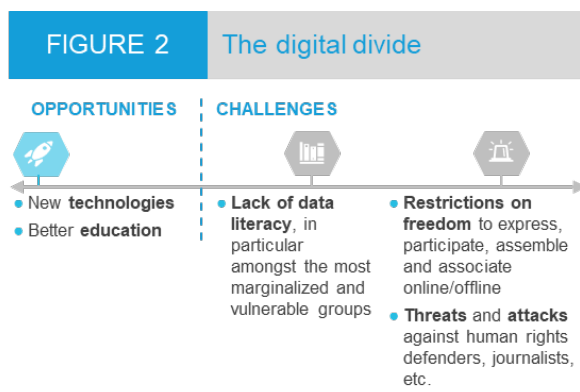
- > safe channels and a vibrant and diverse media landscape that enable the peaceful airing of grievances;
- > the conditions that allow people to freely organize for collective action.

There are **strong links with development**, reflected in the importance accorded to participation and to leaving no one behind of the 2030 Agenda, and **with prevention**, repeated attempts to restrict civic space – both at the legal and policy level and through attacks against human rights defenders – have often been a prelude to broader deterioration and thus effective early warning signs.

FIGURE 1 Open civic space will result in a variety of better outcomes



The need for the UN to enhance efforts to protect and expand civic space acquired **new urgency in light of COVID-19**. Access to and the free flow of information, open space for debate and expressing different views, and the protection of diverse and dissenting voices are essential for an effective and sustainable response to the pandemic.



As starkly evidenced during the pandemic, new technologies have a growing impact on civic space. People access information, debate, mobilize, organize and protest more and more through online platforms. Digital technologies hold vast potential for strengthening and diversifying public participation and ensuring access to information. Yet, inequalities in the access to internet persist, and digital technologies have also expanded the possibilities of public and private actors to monitor, control and restrict debates, and to intimidate and harass critical voices, including through reprisals against those cooperating with the United Nations; giving space to disinformation campaigns, hate speech and attacks and intimidation.

As states and private actors take decisions that determine how the online space functions, the UN has an important role to play in ensuring our shared values and respect for human rights guide its architecture and design.

The **UN's civic space role revolves around "3 Ps"**:

1. **Participation:** Ensure inclusive, diverse, safe, independent and meaningful civil society **participation in decision making** in line with the 2030 Agenda's. Advocate for inclusive, safe and meaningful civil society **participation in UN intergovernmental processes**.
2. **Protection:** Contribute to **protection of civil society actors** at risk (including from intimidation and reprisals for cooperating with the UN)
3. **Promotion:** Actively **promote** an open **civic space**, including legal and policy frameworks that facilitate debate online and offline and allow civil society to organize freely.

WHAT DO WE MEAN BY CIVIC SPACE?

Civic space is the environment that enables people and groups to participate meaningfully in the political, economic, social and cultural life of their societies. States shape the legal and policy space within which people express views, assemble, associate and engage in dialogue with one another as well as with authorities in relation to issues that affect their lives, from the quality of basic services, to better institutions and respect for fundamental freedoms. Civil society actors need to be able to freely express themselves in full security and affect change peacefully and effectively. Any restrictions on this space must comply with international human rights law.

PARTICIPATION

- > Put in place publicly available **policies on access to information**, share information in local languages, and use accessible and suitable communications channels.
- > Put in place and advocate for **policies on effective participation** in UN processes and partnerships. Regularly assess the effectiveness of participation channels and enable feedback loops for civil society.
- > **Use safe and user-friendly online and digital platforms** for virtual participation of diversity of civil society actors.
- > Reach out to **diverse civil society** actors, with a specific focus on **those at risk of being left behind**.
- > Establish avenues for civil society to **challenge restrictions** on participation and access to information.
- > Support inclusive civil society **participation in UN inter-governmental fora**, based on clear, accessible, equal and objective criteria for accreditation and registration.

PROTECTION

- > Put **victims at the centre** by addressing their urgent protection needs in consultation with victims and/or their families and representatives", and coordinate with other actors on protection responses.
- > **Be aware**, and **raise awareness**, of legislative, institutional and policy contexts and groups at risk, which is essential to assessing risk and taking appropriate action.
- > Put in place a **protection response** based on clear protocols and **follow-up procedures**.
- > Keep track of individual communications and recommendations of the Universal Periodic Review process and **relevant UN Treaty Bodies and Special Rapporteurs**.
- > Base the responses on informed **consent, confidentiality and "do no harm,"** and consider specific protection needs of victims.
- > Pay particular attention to, take appropriate measures to prevent, and follow up on allegations of **intimidation and reprisals** against civil society actors for cooperating with the UN.

PROMOTION

- > Promote actively **effective participation of different groups in national decision-making** and identify and address participation gaps, with a view to ensuring that those at risk of not being heard are involved in debates that affect their lives.
- > Promote the **inclusion of civic space as a development outcome in institutional frameworks** and lend political, technical, capacity-development to national counterparts.
- > **Speak out against online and offline restrictions** of freedoms of expression, peaceful assembly and association, if inconsistent with international human rights law standards.
- > Promote **positive narratives on civil society and its contributions** and leverage the UN's convening role.
- > In the context of **peaceful assemblies**, support the right to peaceful assembly, and the right of journalists to safely cover protests, while seeking to engage around root causes. **Enable dialogue and mediate.**
- > Directly support and facilitate **access to funds** for civil society.