



# General Assembly

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## Human Rights Council

### Twenty-fourth session

Agenda item 3

#### **Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Albania\*, Australia\*, Austria, Belgium\*, Benin, Chile, Costa Rica, Croatia\*, Cyprus\*, Czech Republic, Denmark\*, Estonia, Finland\*, Germany, Greece\*, Honduras\*, Hungary\*, Iceland\*, Ireland, Italy, Japan, Latvia\*, Liechtenstein\*, Lithuania\*, Luxembourg\*, Malta\*, Netherlands\*, Norway\*, Peru, Romania, Sierra Leone, Slovenia\*, Spain, Sweden\*, Switzerland, Tunisia\*: draft resolution**

#### **24/... Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment**

*The Human Rights Council,*

*Guided* by the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, the International Covenants on Human Rights, and all and other relevant instruments,

*Recalling* the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,

*Recalling also* all Human Rights Council resolutions relevant to civil society space, inter alia, resolutions 12/2 of 1 October 2009, on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, 12/16 of 2 October 2009 on freedom of opinion and expression, 21/16 of 27 September 2012, on the rights to freedom of peaceful assembly and of association, 22/6 of 21 March 2013, on protecting human rights defenders, and 22/10 of 21 March 2013 on the promotion and protection of human rights in the context of peaceful protests,

*Recognizing* the important role of civil society at the local, national, regional and international levels, and that civil society facilitates the achievement of the purposes and principles of the United Nations,

*Reaffirming* that special emphasis should be given to measures to assist in the strengthening of a pluralistic civil society, including through the strengthening of the rule of

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\* Non-member State of the Human Rights Council.

law, social and economic development, the promotion of freedom of expression, the right of peaceful assembly and freedom of association, and the administration of justice, and to the real and effective participation of the people in the decision-making processes,

*Recognizing* the crucial importance of active involvement of civil society, at all levels, in processes of governance and in promoting good governance, including through transparency and accountability, at all levels, which is indispensable for building peaceful, prosperous and democratic societies,

*Mindful* that domestic legal and administrative provisions and their application should facilitate, promote and protect an independent, diverse and pluralistic civil society and, in this regard, strongly rejecting any acts of intimidation or reprisals against civil society,

*Underscoring* that the legal framework within which civil society operates is that of national legislation consistent with the Charter of the United Nations and international human rights law,

*Deeply concerned* that, in some instances, domestic legal and administrative provisions, such as national security and counter-terrorism legislation, and other measures, such as provisions on funding to civil society, have sought to or have been misused to hinder the work and endanger the safety of civil society in a manner contrary to international law, and recognizing the urgent need to prevent and stop the use of such provisions, and to review and, where necessary, amend any relevant provisions in order to ensure compliance with international human rights law and, as appropriate, international humanitarian law,

1. *Reminds* States of their obligation to respect and fully protect the rights of all individuals to, inter alia, freedom of expression and opinion, and to assemble peacefully and associate freely, online as well as offline, including for persons espousing minority or dissenting views or beliefs, and that respect for all such rights, in relation to civil society, contributes to addressing and resolving challenges and issues that are important to society, such as in the promotion of the rule of law and accountability, the environment, development, empowering persons belonging to minorities and vulnerable groups, racism and racial discrimination, crime prevention, corporate social responsibility and accountability, human trafficking, empowering women and youth, social justice, consumer protection and the realization of all human rights;

2. *Recognizes* the important role of civil society, at all levels, in providing assistance during financial and economic crises and in humanitarian crises, including armed conflict, natural disasters and man-made disasters, as well as during the stages of recovery, relief and rehabilitation, and also in the realization of transitional justice goals and in the reconstruction of society, and that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism;

3. *Urges* States to create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity;

4. *Also urges* States to acknowledge publicly the important and legitimate role of civil society in the promotion of human rights, democracy and the rule of law, and to engage with civil society to enable it to participate in the public debate on decisions that would contribute to the promotion and protection of human rights and the rule of law and of any other relevant decisions;

5. *Urges* all non-State actors to respect all human rights and not to undermine the capacity of civil society to operate free from hindrance and insecurity;

6. *Emphasizes* the essential role of civil society in subregional, regional and international organizations, including in support of the organizations' work, and in sharing experience and expertise through participation in meetings, in accordance with relevant rules and modalities, and, in this regard, reaffirms the right of everyone, individually and in association with others, to unhindered access to and communication with subregional, regional and international bodies, in particular the United Nations, its representatives and mechanisms;

7. *Encourages* human rights mechanisms, including the special procedures, as appropriate, in the framework of their existing mandates, to continue to address relevant aspects of civil society space;

8. *Welcomes* the work of the Office of the United Nations High Commissioner for Human Rights to promote and protect civil society space, and invites it to continue efforts in this regard;

9. *Decides* to organize, at its twenty-fifth session, a panel discussion on the importance of the promotion and protection of civil society space, which will, inter alia, contribute to the identification of challenges facing States in their efforts to ensure space for civil society and lessons learned and good practices in this regard, and invites the Office of the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil society and other stakeholders with a view to ensuring their participation in the panel discussion;

10. *Requests* the Office of the High Commissioner to prepare a summary report on the panel discussion, to be presented to the Human Rights Council at its twenty-seventh session.

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