

## ***Open Letter to Member States of the UN Human Rights Council***

**Re: Call for your support and solidarity on HRC38 resolution protecting civil society space (A/HRC/38/L.17\_Rev.1)**

4 July 2018

Your Excellency,

We, the undersigned civil society organisations, spanning across all regions of the world call on **your delegation to support of the draft resolution ‘Civil society space: engagement with international and regional organisations’** to be considered for adoption during the 38<sup>th</sup> session of the Human Rights Council (expected to be considered on 5-6 July 2018). We call on your delegation to send a clear message of support to civil society, by co-sponsoring the draft resolution as [tabled](#), rejecting any attempts to undermine this draft resolution, and voting in favour of the resolution if a vote is called.

The resolution is presented by a cross-regional group of States (Chile, Ireland, Japan, Sierra Leone, and Tunisia) and was developed through broad consultation with States and civil society.

This draft resolution is an opportunity for your delegation to show leadership in supporting the crucial role a healthy and vibrant civil society plays in contributing to human rights, sustainable development, peace and security. It builds on the UN High Commissioner for Human Rights’ [report](#) on civil society engagement with international and regional organisations which affirms that:

*“Civil society engagement ensures that international discussions and decisions are informed by what is happening on the ground, that a full range of perspectives are heard, and that decision-making is fully informed by relevant expertise and experience. Where civil society engagement is restricted, responses to security threats, development challenges, environmental disasters and disease, among others, risk being ill-informed and weaker. Civil society participation provides a critical contribution to the prevention of violence, insecurity and, in turn, conflict.”*

It is also imperative to safeguard civil society actors’ unhindered exercise of the rights to freedoms of expression, opinion, assembly and association, as well as the right to unhindered access and communication with international and regional organisations.

During negotiations of this draft resolution, a number of States sought to undermine many of its essential elements, including those listed below. The core group has already made several concessions to accommodate the concerns of States during the negotiations. Efforts to reach consensus should not lead to further weakening of the draft resolution.

The text of the resolution, as tabled, is a substantive contribution to the Council's previous work on protecting civil society space. In particular, the text:

- Recognizes the essential contribution that civil society makes to international and regional organisations and that the effective functioning of the regional and international human rights mechanisms and bodies is inexorably linked to civil society participation;
- Emphasizes the crucial importance of the active involvement of civil society in promoting good governance and their indispensable role in building peaceful and democratic societies.
- Recognizes the importance of strengthening diverse and pluralistic civil society and provides useful guidance for States and organisations to ensure that their policies ensure support to diversity of civil society participation
- Encourages UN bodies to review and update their frameworks for engagement with civil society to reflect and respond to the challenges and to support improved civil society engagement with international and regional mechanisms
- Provides useful guidance for States and organisations to review and update their national frameworks for engagement with civil society to ensure their full and effective participation including access to information and access to resources.
- Calls on States to prevent all threats, attacks, reprisals and acts of intimidation against civil society actors and to ensure access to justice and accountability
- Creates opportunities and incentives for States to voluntarily share and develop their good practices on guaranteeing a safe and enabling environment for civil society

We urge your delegation to support these positive calls in the resolution, none of which go beyond existing State obligations under international human rights law, by voting in favor of the resolution as tabled.

Conversely, we **urge you to vote against adverse amendments** that would significantly weaken the resolution. The proposed amendments would, among other negative impacts, restrict rather than safeguard space for civil society, including by:

- Restricting the right to freedom of association by imposing limitations on funding to civil society, contrary to the ICCPR (Article 22) and the Declaration on Human Rights Defenders (Article 13) (L.37)
- Challenging civil society engagement with international and regional organisations by imposing vague restrictions such as "respecting the sovereignty and territorial integrity of States". Such restrictions may undermine the universality of human rights including the exercise of the right to freedom of expression and may impair the work of civil society actors working in relation to conflict zones and disputed territories. (L.38)
- Rejecting the expert guidance and practical recommendations made by the High Commissioner to protect civil society space and guarantee the full and effective engagement of civil society with regional and international organisations. (L.39)

Excellency, we ask that your delegation stands with civil society in support and solidarity by cosponsoring this progressive and valuable resolution on enhancing civil society engagement with international and regional organisations, opposing any amendment that would weaken the text, and voting in favour of the resolution if a vote is called.

Yours sincerely,

1. ARTICLE 19
  2. Asian Forum for Human Rights and Development (FORUM-ASIA)
  3. Asian Legal Resource Centre (ALRC)
  4. Cairo Institute for Human Rights Studies (CIHRS)
  5. Centro de Estudios Legales y Sociales (CELS)
  6. Child Rights Connect
  7. CIVICUS:World Alliance for Citizen Participation
  8. Commonwealth Human Rights Initiative (CHRI)
  9. Conectas Direitos Humanos
  10. DefendDefenders (the East and Horn of Africa Human Rights Defenders Project)
  11. European Center for Not-for-Profit Law
  12. Front Line Defenders
  13. Human Rights House Foundation (HRHF)
  14. Human Rights Watch (HRW)
  15. International Commission of Jurists (ICJ)
  16. International Federation for Human Rights (FIDH)
  17. International Humanist and Ethical Union (IHEU)
  18. International Service for Human Rights (ISHR)
  19. The Irish Council for Civil Liberties
  20. Women's International League for Peace and Freedom (WILPF)
-