

Open Letter to Member States of the UN Human Rights Council

Re: Call for your support and solidarity in rejecting amendments to HRC32 draft resolution protecting civil society space (A/HRC/32/L.29)

28 June 2016

Your Excellency,

We, the undersigned civil society organizations, spanning across all regions of the world, call on your delegation to **stand in solidarity with civil society by supporting the draft resolution on the protection of civil society space**, to be considered for adoption at the 32nd session of the Human Rights Council (on 31 June or 1 July).¹ We urge you to **cosponsor the draft resolution, reject all amendments, and vote in favour of the resolution if a vote is called.**

The draft resolution is presented by a cross-regional group of States comprising of Chile, Ireland, Japan, Sierra Leone, and Tunisia, was developed through broad consultation with States and civil society and in the past was adopted by consensus.

The **essential ingredients** for States to create a safe and enabling environment for civil society are spelled out in the UN High Commissioner for Human Rights' report,² on which the draft resolution is based. It affirms that:

"If space exists for civil society to engage, there is a greater likelihood that all rights will be better protected. Conversely, the closing of civil society space, and threats and reprisals against civil society activists, are early warning signs of instability. Over time, policies that delegitimize, isolate and repress people calling for different approaches or legitimately claiming their rights can exacerbate frustrations and lead to instability or even conflict."

The draft resolution welcomes the adoption of the 2030 Agenda for Sustainable Development, and recognizes the key role of civil society in achieving the goals. Once adopted, the resolution will be a substantive contribution to the Council's work to protect civil society space. In particular, it:

- Emphasizes the **positive contribution of independent, diverse and pluralistic civil society** to peace, security, sustainable development and human rights, and highlights good practice in protecting and supporting this role;
- **Provides useful guidance for States** to ensure that legal and policy frameworks are enabling for civil society and prevent intimidation and reprisals against civil society actors;
- Helps States and civil society to **identify areas of legal, policy and administrative reform to safeguard the ability of civil society actors to the unhindered exercise of the rights to freedoms of expression, opinion, assembly and association, and to participate in democracy and public life.** This includes on registration and reporting requirements, access to information, and securing resources for the vital work of civil society;
- Creates opportunities and **incentives for States to voluntarily share and develop their good practices**, and to lay the groundwork to benefit from the transformative potential of a vibrant civil society in any healthy, pluralistic and participatory democracy;
- And **invites United Nations bodies, agencies, funds and programs** to themselves contribute to the protection and expansion of space for civil society.

However, **[Number]** amendments **[insert references]** tabled by **[insert states]** seek to remove these essential elements from the draft resolution, and insert language to justify illegitimate restrictions on

¹ The tabled version of the draft resolution is available at <http://bit.ly/28Ssx8x>.

² See http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/32/20.

Comment [A1]: To update with the number of hostile amendments tabled by Tuesday lunchtime.

Comment [A2]: To update with the references of the amendments.

Comment [A3]: Based on positions taken during negotiations, we expect these states to include varying constellations of India, Russia, Egypt, China, Cuba, South Africa, Pakistan, Bangladesh and others.

civil society **contrary to international human rights law.** The states proposing the amendments have each attracted international criticism for their ongoing and severe clampdowns on civil society **[insert references].**

If adopted, the amendments would undermine international efforts to safeguard space or civil society, including by **[to amend or add to as appropriate]:**

- Removing commitments to ensure civil society actors' right to access resources for their vital work;
- Failing to prevent, and enabling impunity for, acts of intimidation or reprisals against civil society actors;
- Justifying burdensome reporting and registration requirements for civil society organizations; and,
- Rejecting the expert guidance and practical recommendations made by the High Commissioner to protect civil society space.

Excellency, we therefore ask that your delegation stand in solidarity with civil society by cosponsoring draft resolution L.29 on civil society space, opposing all adverse amendments to it, and voting in favour of it if a vote is called.

Yours sincerely,

*[Supporting civil society organizations]

Comment [A4]: This phrase may be qualified, depending on the nature of the amendments.

Comment [A5]: To link to press releases of the High Commissioner or special procedures on the countries bringing the amendments.

Comment [A6]: These concerns may be streamlined or re-characterized depending upon the nature of the amendments.

This listing is based on an assessment of adverse comments made by the above listed states during negotiations of the resolution.