United Nations Guidance Note on
Protection and Promotion of Civic Space

Executive Summary

September 2020

United
Nations

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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 policymaking that affects their lives, including by accessing information, engaging in dialogue, expressing dissent and joining together to express their views."
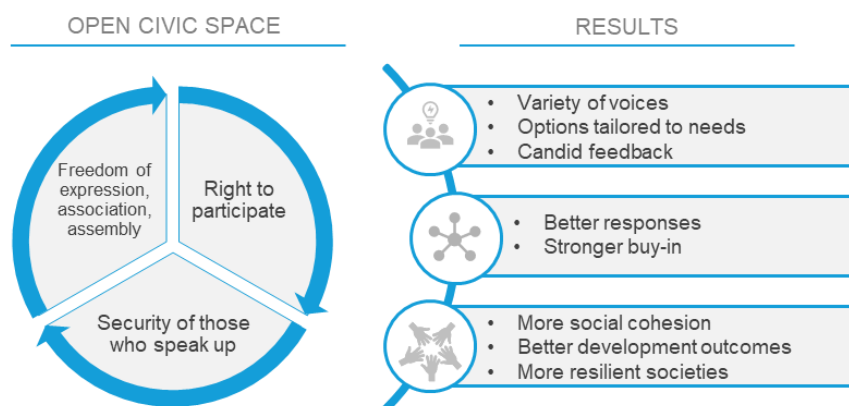>
> – Secretary-General António Guterres, *A Call to Action for Human Rights*

As the Charter of United Nations celebrates its seventy-fifth anniversary, the present Guidance Note seeks to shed light on how to do justice to its promise enshrined in **"We the peoples"**. As the founders of the United Nations 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, in which the promotion of civic space and participation are identified as a key thematic area. Meaningful participation requires open civic space, namely:

> 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

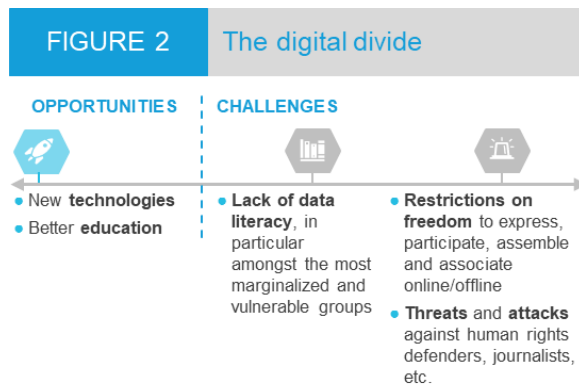> The conditions that allow people to freely organize for collective action

There are **strong links with development**, reflected in the importance accorded to participation and the pledge to "leave no one behind" in the 2030 Agenda for Sustainable Development, and **with prevention**; repeated attempts to restrict civic space – at both the legal and policy levels and through attacks against human rights defenders – have in

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

OPEN CIVIC SPACE

- Freedom of expression, association, assembly
- Right to participate
- Security of those who speak up

RESULTS

- Variety of voices
- Options tailored to needs
- Candid feedback

- Better responses
- Stronger buy-in

- More social cohesion
- Better development outcomes
- More resilient societies

fact often been a prelude to broader deterioration, and are thus effective early warning signs.

The need for the United Nations to strengthen efforts to protect and expand civic space has acquired **new urgency in the light of the novel coronavirus (COVID-19) pandemic**. 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.

FIGURE 2 | The digital divide

OPPORTUNITIES
- New **technologies**
- Better **education**

CHALLENGES
- **Lack of data literacy**, in particular amongst the most marginalized and vulnerable groups
- **Restrictions on freedom** to express, participate, assemble and associate online/offline
- **Threats** and **attacks** against human rights defenders, journalists, etc.

As starkly evidenced during the pandemic, new technologies have a growing impact on civic space. People increasingly access information, debate, mobilize, organize and protest on online platforms. Digital technologies hold vast potential for strengthening and diversifying public participation and ensuring access to information. Inequalities in access to the Internet nonetheless persist, and digital technologies have also expanded the possibilities of public and private actors to monitor, control and restrict debate and to intimidate and harass critical voices, including through reprisals against those cooperating with the United Nations and by 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 United Nations has an important role to play in ensuring that shared values and respect for human rights guide its architecture and design.

The **role played by the United Nations in supporting civic space revolves around** the **"three Ps"**:

1. **Participation:** Ensuring inclusive, diverse, safe, independent and meaningful civil society **participation in decision-making**, in line with the 2030 Agenda for Sustainable Development, and advocating for inclusive, safe and meaningful civil society **participation in United Nations intergovernmental processes**.

2. **Protection:** Contributing to the **protection of civil society actors** at risk (including from acts of intimidation and reprisal for cooperating with the United Nations).

3. **Promotion:** Actively **promoting 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 and with authorities with regard to issues that affect their lives: from the quality of basic services through to better institutions and respect for fundamental freedoms. Civil society actors must be able to express themselves freely and in full security, and to effect change peacefully and effectively. Any restrictions on this space must comply with international human rights law.

PARTICIPATION	PROTECTION	PROMOTION
> Putting in place publicly available **policies on access to information**, sharing information in local languages, and using accessible and suitable communications channels.	> Putting **victims at the centre** by addressing their urgent protection needs in consultation with victims and/or their families and representatives, and coordinating with other actors on protection responses.	> Actively promoting the **effective participation of different groups in national decision-making**, and identifying and addressing participation gaps, with a view to ensuring that those at risk of not being heard are involved in debates that affect their lives.
> Putting in place and advocating for **policies on effective participation** in United Nations processes and partnerships; regularly assessing the effectiveness of participation channels; and enabling feedback loops for civil society.	> **Being aware** and **raising awareness** of legislative, institutional and policy contexts and groups at risk, which is essential to assessing risk and taking appropriate action.	> Promoting the **inclusion of civic space as a development outcome in institutional frameworks**, and providing political, technical and capacity-building assistance to national counterparts.
> **Using safe and user-friendly online and digital platforms** for virtual participation of diverse civil society actors.	> Putting in place a **protection response** based on clear protocols and **follow-up procedures**.	> **Speaking out against online and offline restrictions** on the freedoms of expression, peaceful assembly and association, if inconsistent with international human rights law standards.
> Reaching out to **diverse civil society** actors, with a specific focus on **those at risk of being left behind**.	> Keeping track of individual communications and recommendations made in the context of the universal periodic review and by **relevant treaty bodies and special procedure mandate holders**.	> Promoting **positive narratives on civil society and its contributions**, and leveraging the role of the United Nations as convenor.
> Establishing avenues for civil society to **challenge restrictions** on participation and access to information.	> Basing responses on **informed consent, confidentiality and the principle of "do no harm"** while taking into account the specific protection needs of victims.	> In the context of **peaceful assemblies**, supporting the right to peaceful assembly and the right of journalists to safely cover protests, while seeking to engage around root causes. **Enabling dialogue, and mediating**.
> Supporting inclusive civil society **participation in United Nations inter-governmental forums** on the basis of clear, accessible, equal and objective criteria for accreditation and registration.	> Paying special attention to, and taking appropriate measures to prevent and follow up on, allegations of **intimidation and reprisals** against civil society actors for cooperating with the United Nations.	> Directly supporting and facilitating **access to funds** for civil society.