

## Human Rights Council 25<sup>th</sup> Session (3-28 March 2014)

### Joint Statement : Panel discussion on the importance of the promotion and protection of civil society space

Mr. President,

I have the honour to deliver this statement on behalf of the Like Minded Group consisting Algeria, Bahrain, Bangladesh, Belarus, China, Cuba, Egypt, India, Indonesia, Malaysia, Pakistan, Russia, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, Uganda, UAE, Vietnam, Zimbabwe.

2. A pluralistic civil society complements government activities as it is often involved in local level development, advocacy, action research and social mobilisation. Apart from their development work, civil society organizations often provide a voice for the poor and marginalized groups. We have witnessed the tremendous dynamism of civil society members, including women who have worked even in the face of grave personal risks.

3. The protection of civil society in all situations is the foremost responsibility of every state. Civil society plays a crucial role in ensuring that citizens exercise their rights in reality. Civil society must operate within the relevant domestic laws so that it can have full recourse to the protection afforded by such laws. To treat national laws with condescension is not the best way to protect human rights, even by civil society with the best of intentions. As it is often said 'Neither individual rights nor collective rights are meaningful without the enforcement of law'. Similarly, civil society cannot function effectively and efficiently without defined limits.

4. We advise that caution be exercised in advocacy of the causes of civil society. All too often there is a tendency to commend civil society as a panacea. However, even the best intentions may have bad consequences when acted upon. For this reason, civil society has to hold itself up to the same standards of accountability, transparency, credibility, fairness and due process that they demand from governments. Significantly, it is unclear how this can be done outside of national laws.

Mr. President

5. In our advocacy for a wider space for civil society we cannot ignore the fact that there are differences and conflicts within civil society, and that there are interest groups and narrow viewpoints operating even in the most well-meaning sections of civil society. Civil society must also learn to protect its own space by guarding against machinations of donor groups guided by extreme ideologies laden with hidden politicized motives, which if allowed could potentially bring disrepute to the civil society space.

6. The funding of civil society organisations is also susceptible to misuse of their charitable or tax-exempt status. There have been also those civil society

organizations, who have digressed from their original purpose and indulged in the pursuit of donor-driven agendas. It is important to ensure accountability and responsibility for their actions and the consequences thereof and also guard against compromising national and international security.

7. Given these factors, the advocacy for civil society should be tempered by the need for responsibility, openness and transparency and accountability of civil society organizations. Such an approach will increase public and government confidence in the functioning of civil society and would help States to better protect civil society, facilitate their professional work, and ensure that they become an active partner.

8. We value the participation of civil society in our work in the United Nations. Civil society participation has been explicitly dealt with in ECOSOC Resolution 1996/31. We recall in this context the responsibility cast on NGOs under Paragraph 57(a) of the ECOSOC resolution. The Human Rights Council, being a UN body, cannot ignore this resolution that governs its relationship with civil society. The efforts of the Human Rights Council and of the international community should be directed at assisting national authorities in augmenting their mechanisms of partnership with civil society, and at finding new and better ways to support civil society engagement by sharing best practices.

9. We wish to invite civil society to occupy the wide space available to them in our efforts towards the realization of the right to development, combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against persons based on religion or belief, as well as in the enhancement of international cooperation in the field of human rights. The Council must harness the energy, weight and knowledge of civil society to realize our common interest in such areas. We encourage civil society to deliver to the diverse constituencies they represent.

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