



# General Assembly

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## Human Rights Council

### Forty-seventh session

21 June–13 July 2021

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,\* Bosnia and Herzegovina,\* Bulgaria,  
Canada,\* Chile,\* Croatia,\* Cyprus,\* Czechia, Denmark, Ecuador,\* Estonia,\*  
Finland,\* France, Georgia,\* Germany, Greece,\* Guatemala,\* Hungary,\* Ireland,\*  
Italy, Japan, Latvia,\* Liechtenstein,\* Lithuania,\* Luxembourg,\* Malta,\*  
Montenegro,\* Netherlands, New Zealand,\* North Macedonia,\* Norway,\* Paraguay,\*  
Peru,\* Poland, Portugal,\* Romania,\* Sierra Leone,\* Slovakia,\* Slovenia,\* Spain,\*  
Sweden,\* Tunisia,\* Ukraine, United Kingdom of Great Britain and Northern Ireland,  
United States of America\* and Uruguay: draft resolution

### 47/... Civil society space: COVID-19: the road to recovery and the essential role of civil society

*The Human Rights Council,*

*Guided by the purposes and principles of the Charter of the United Nations,*

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

*Recalling Human Rights Council resolutions 24/21 of 27 September 2013, on civil society space: creating and maintaining, in law and in practice, a safe and enabling environment, 27/31 of 26 September 2014 and 32/31 of 1 July 2016 on civil society space, and 38/12 of 6 July 2018 on civil society space: engagement with international and regional organizations,*

*Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,*

*Deeply concerned about the loss of life and livelihoods and the disruption to economies and societies by the coronavirus disease (COVID-19) pandemic, and its negative impact on the enjoyment of human rights around the world,*

*Deeply concerned also that the COVID-19 pandemic perpetuates and exacerbates existing inequalities, and that those most at risk are persons in vulnerable and marginalized situations,*

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\* States not a member of the Human Rights Council.



*Reaffirming* that emergency measures taken by Governments in response to the COVID-19 pandemic must be necessary, proportionate to the evaluated risk and applied in a non-discriminatory way, have a specific focus and duration and be in accordance with the State's obligations under applicable international human rights law,

*Recognizing* that civil society, working both online and offline at the local, national, regional and international levels, is critical to providing accurate information about the situation and needs on the ground, designing responsive measures that are inclusive, safe and enabling, contributing to the implementation of measures adopted by the authorities, providing essential services and feedback on recovery and response measures, and pursuing transparency and accountability,

*Recognizing also* that the pandemic has exacerbated and accelerated existing challenges, both online and offline, for civil society space, including human rights defenders, including lack of diversity of participation; attacks, reprisals and acts of intimidation, including smear campaigns and use of hate speech; shortcomings in access and accreditation processes; the use of legal and administrative measures to restrict civil society activity; restrictions on access to resources; restrictions on the rights to freedom of peaceful assembly and association, and freedom of expression; and increased the impact of the digital divide,

*Reaffirming* the important role that national human rights institutions play in promoting and protecting human rights and fundamental freedoms, strengthening participation, in particular of civil society organizations, promoting the rule of law, developing and enhancing public awareness of those rights and fundamental freedoms, and contributing to the prevention of human rights violations and abuses,

*Recognizing* the need for all stakeholders to be part of the responses to COVID-19, to have access to timely and accurate information online and offline, to be involved in decisions that affect them, and also the need to facilitate contributions by civil society as well as the private sector to those responses,

1. *Reaffirms* that creating and maintaining a safe and enabling environment, both online and offline, in which civil society can operate free from hindrance and insecurity assists States in fulfilling their existing international human rights obligations and commitments, without which equality, accountability and the rule of law are severely weakened, with implications at the national, regional and international levels;

2. *Commends* the work of the Office of the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council to promote and protect civil society space, both online and offline, including their work on widening the democratic space, and invites them to continue their efforts in this regard;

3. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on engagement with international and regional organizations,<sup>1</sup> the Secretary-General's Call to Action for Human Rights, and the United Nations guidance note on the protection and promotion of civic space;

4. *Notes with appreciation* the guidance of the High Commissioner on human rights-compliant responses to the COVID-19 pandemic and the Secretary-General's policy brief on COVID-19 and human rights entitled "We are all in this together";

5. *Encourages* States to take every opportunity to support diversity of civil society participation, with particular emphasis on underrepresented parts of civil society, including women, children, youth, older persons, persons with disabilities, persons belonging to ethnic, religious, national, linguistic and racial minorities, migrants, refugees, and others, and also including indigenous peoples and others not associated with or organized in non-governmental organizations;

6. *Urges* States to take all steps necessary to prevent threats, attacks, discrimination, arbitrary arrests and detention or other forms of harassment, reprisals and acts of intimidation against civil society actors, including human rights defenders, to investigate any such alleged acts, to ensure access to justice and accountability, and to end impunity

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<sup>1</sup> A/HRC/44/25.

where such violations and abuses have occurred, including by putting in place, and where necessary reviewing and amending, relevant laws, policies, institutions and mechanisms to create and maintain a safe and enabling environment, online and offline, in which civil society can operate free from hindrance, insecurity and reprisals;

7. *Also urges* States to acknowledge the important contribution of civil society, including human rights defenders, journalists and media workers, to the promotion of human rights, and to ensure a safe and enabling environment for their work, both online and offline;

8. *Notes with appreciation* the focus on civil society in the report of the High Commissioner on the impact of the COVID-19 pandemic on the enjoyment of human rights around the world, including good practices and areas of concern,<sup>2</sup> as a way to “build back better”;

9. *Requests* the High Commissioner to prepare a report, examining in detail the key challenges that civil society faces, both online and offline, and also examining best practices, and also requests the High Commissioner, in the preparation of the report, to draw on the views of States, non-governmental organizations, national human rights institutions and other relevant stakeholders, including special procedure mandate holders, and to present the report to the Human Rights Council at its fifty-first session;

10. *Decides* to remain seized of the matter.

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<sup>2</sup> A/HRC/46/19.