

PUBLIC STATEMENT: Addressing Shrinking Space for Civil Society in Countries Worldwide¹

Preamble

Compelled by our conviction that it is a right and a duty to express our Christian faith through charitable, social and political actions consistent with scripture²; and,

Acknowledging that churches and faith-based entities are key to the organization and provision of charitable, social and political works as expressions of faith and hope,

We, as members of ACT Alliance, believe that the diversity of civil society is of a great value. This diversity refers to all types of organizations and actions seeking the good of people and the planet and it includes NGOs, nonprofits, charities, churches and faith-based organizations. The sustainable development which is the purpose of the global 2030 Agenda cannot be realized without a broad range of actors and this must include space for civil society. An active civil society can facilitate positive political change: it has done so in the past and continues to do so. Iconic examples include the Apartheid struggle, the achievement of women's rights in many parts of the world, and currently, those actions raising meaningful awareness for climate justice which are enabling the political change necessary to save our planet. In many cases, civil society also ensures that minorities are not neglected by the state. Civil society also keeps watch on government policies, providing a voice to how these align with the human rights standards to which states have committed. In many countries, civil society serves to promote transparency and incentivize improved governance, for the good of whole societies.

We therefore issue this call to support the active life and independence of civil society throughout the world, especially where it is most under threat.

Purpose of this Call to Action

This call to support civil society sustainability is in fact a call for putting the needs of people, in particular those of the poor, the deprived, the underprivileged and under-served above the preferences of those legal regulations and repressive state institutions and actions which seek to constrict humanitarian, charitable and development works. It also serves as our claim to the rights enshrined in the Universal Declaration of Human Rights³ for ourselves, our stakeholders and those whom we seek to serve.

We acknowledge that in many countries where we work today, moral and material support for civil societies under threat are greatly needed. That includes prayer, advocacy, solicitation of expertise, provision of resources, information sharing and advisory support.

¹ This Public Statement has been prepared by Community World Service Asia and the ACT Community of Practice on Human Rights in Development (including Bread for the World, Church of Sweden, HEKS, LWF and UEM), on the basis of two prior proposals. Each were endorsed by the ACT Asia-Pacific Forum and the ACT Europe Forum.

² In particular, James 2: 14-26, "I will show you my faith by my deeds..."; and Galatians 5:6 "What matters is faith, expressing itself as love"; Galatians 5:13-14, "You were called to be free...use your freedom humbly in love...love your neighbour as yourself."

³ In particular, the following Articles of the Universal Declaration of Human Rights: Article 19 – freedoms of opinion and information; Article 20- Right to assembly and association; Article 28- Right to a social order that enables all of the rights in the UDHR; Article 29- Right to engage in community duties, enabling free and full development of the person.

The Key Issues

As ACT Alliance, we note that shrinking civil society space is a reality and a threat to justice, development and peace in many parts of the world. We are concerned that concurrently, the rule of law is being undermined globally. Global human rights bodies, including the Human Rights Council and the Human Rights Treaty bodies, as well as the various regional human rights monitoring institutions, which ensure that human rights standards are implemented, no longer receive adequate attention and sufficient resources to exercise their monitoring commitments. We also observe the growing tendency to no longer adequately safeguard the rights of minorities and dissenting voices or guarantee their right to participate as equals and on equal terms in society.

Throughout the world, civic engagement is getting riskier and more difficult to deliver for activists, employees and volunteers working for associations, NGOs and social movements. In addition to personal threats, organizations face systematic restrictions on their ability to conduct their work. An increasing number of countries are establishing laws or adapting existing legal frameworks to make civic engagement almost impossible. CSOs may have their registrations withdrawn or bank accounts frozen. Restrictions on foreign financing, and restriction of access are becoming increasingly common. Some countries have introduced complicated as well as time and resource consuming administrative processes. This thwarts the work of civil society organizations all over the world and limits their independence.⁴

Our observation is that shrinking space in many countries is a reaction to the strength and positive influence of civil society in the past. Thus, some governments see civil society as a danger for the existing political and economic power. Moreover, in some contexts, one of the root causes of the existential threats to civil society appear to be counter-terror and anti-money laundering regulations imposed at the supra-national level. In others, these kinds of regulations have contributed to a variable extent to shrinking space for civil society. In many cases, demands for strict regulation of nonprofits are being mismanaged and/or exploited to restrict the rights and development of vulnerable people, through those organizations assisting them.

Within this environment, it is acknowledged that all types of civil society organizations may be operating under duress, but not all are faced with equal challenges. Those organizations undertaking rights advocacy work and those visibly demonstrating a faith-based identity, have often fallen under particularly hard scrutiny. Despite their rejection of sectarianism and assiduous compliance with international humanitarian principles and codes of conduct, as well as rights-based development standards; and, despite providing aid regardless of race, religion, gender or origin, faith-based organizations may be viewed as harbouring anti-state agendas. Further, we acknowledge that there are different risks associated with operations of international and national organisations and that these can vary considerably across country contexts. In all cases, the work of local CSOs and NGOs deserves the support of all stakeholders.

⁴ Hayes, Ben. April 2017. **The Impact of Counter-terrorism on Civil Society Organizations**. Berlin: Bread for the World. Available at: https://www.brotfuerdiewelt.de/fileadmin/mediapool/2_Downloads/Fachinformationen/Analyse/Analysis_68_The_impact_of_international_counterterrorism_on_CSOs.pdf

Commitments

As ACT Alliance, we believe the time has come to make a more organized and bold approach. This includes the following calls for action:

- Create structures and tools that address the issues of shrinking civil society space as well as the persecution and rights violations of civil society personnel
- Enable better policy development, advocacy and sharing of best-practice models for encouraging civil society organizations to fulfill their roles in serving the vulnerable, marginalized and suffering populations of our world.

More specifically this includes that we:

- Emphasize that we stand by civil society actors in their struggle for justice and inclusive societies.
- Speak out wherever necessary against measures and policies which constrict civic space further.
- Stand by and support our members and partners who are suffering from the impacts of shrinking space.
- Assess our own policies and practices, as well as their outcomes, towards ensuring that they do not unintentionally contribute to shrinking space on any level.
- Develop standards and innovative procedures to improve our own and others' works, as and where needed.

We call on governments to respect human rights and to reverse policies, laws, and practices that hinder civil society organizations and peoples' movements, including human rights organizations, from their work. We further call on governments to adhere to the commitments they made in the Nairobi Outcome Document of the Global Partnership for Effective Development Cooperation, which recognized shrinking civil society space as a risk for development and further supported the important role of civil society in development.