

SURVEY CIVIL SOCIETY_OHCHR_ EU Contribution_25 January

1. What innovative practices did authorities in your state adopt to facilitate civil society's input to decision-making during the COVID-19 crisis, including through online channels?

Despite the pandemic and its threats to the survival of many organisations, the EU for the past 2 years maintained or even expanded its substantial engagement with civil society, using new technologies. It continued holding virtual consultations with civil society, in particular human rights NGOs and human rights defenders in Brussels and in non-EU countries. Virtual consultations were held before most human rights dialogues and other high-level political dialogues, or before the launching of calls for proposals. Consultations on the new multiannual EU budget and programming for 2021-2027 also brought human rights and development civil society organisations around the table.

In order to ensure a regular exchange with CSOs and human rights defenders, on a daily basis, the EEAS (Headquarters and EU Delegations) engaged with civil society partners through online tools, in particular end-to-end encrypted applications. In order to ensure regular policy input from civil society organisations, the EU co-organised in December 2020 and December 2021 its 22nd and 23rd EU-NGO forum under virtual format (see question 3).

It has been essential as well for the EU to promote a meaningful participation of civil society in UN processes. The EU further intensified its efforts to promote NGO involvement in the work of the UN General Assembly, the HRC and other multilateral human rights fora, including by defending NGOs' right to speak and by promoting the open participation of civil society in high-level events held by the General Assembly. The EU, together with other like-minded partners, opposed conditionality through successful votes against clauses limiting the participation of CSOs in resolutions setting modalities for General Assembly events. These votes were largely won and ended a bad practice according to which any Member State could request the removal of certain organisations from the list of participants. Another important gain was the inclusion of the participation of multi-stakeholders in the Ad Hoc Committee to elaborate a comprehensive international convention on countering the use of Information and Communication Technologies for Criminal Purposes. The EU ensured that its events at the UN included and promoted the voice of civil society. A key example was the side event on the situation of women and girls in Belarus held in the margins of the Third Committee, which provided a platform for grassroots activists to share their analysis and recommendations with UN actors. The EU also cooperated actively with the Geneva-based Task Force on Civil Society.

2. Are there innovative practices that authorities in your country used to enable safe and inclusive online participation, which encourages a diversity of participation, with a particular emphasis on underrepresented parts of civil society?

This answer is to inform OHCHR report- but not for publication

In 2020 the EU adapted its global online forum for civil society consultations, the Policy Forum on Development (PFD), and changed its working methods to be operated fully online. EU Delegations in partner countries were equally encouraged to operate consultations online, with support through headquarters.

In 2020, 10 regional and global fully online consultations were organized in the format of the PFD. This helped to collect recommendations from CSOs and LAs in the pre-programming phase, highlighting major issues, questions and problems for civil society partners in each region. The PFD recommendations were published on INTPA programming site to be available for all relevant units and all EU Delegations.

In 2021, 8 further online consultations were organised in relation to the programming of the EUs geographic and thematic programmes giving input and recommendations to INTPA colleagues working on the MIPs. In some cases follow up consultations and structural dialogues were also held reporting back on the use and implementation of the recommendations.

While not providing the same networking opportunities as regular consultations, it should be noted that the on-line format meant that more civil society (and local authorities) representatives could actively participate in the global and regional consultations as per above.

At the EU Delegation (EUD) level, digital tools were also utilized. Over a third of the Delegations used surveys to collect CSOs views on programming, and several EUDs utilized the format of virtual workshops and meetings considering COVID-19 related restrictions to organise face-to-face consultations. In this regard, and despite the challenging context, EUDs have made efforts to ensure that the voices of CSOs were incorporated in the programming process. A number of EUDs also report having been able to ensure a broader outreach, with a specific focus on women's and youth organisations, through the use of virtual tools.

3. Do you have examples of good practice in including civil society in designing and implementing strategies to respond to the pandemic?

In order to receive the views from civil society in the design and implementation of strategies to respond to the pandemic, the EU organised the **23rd edition of the EU-NGO Human Rights Forum** on 7-8 December 2021. The event brought together hundreds of human rights defenders (HRDs), UN experts, EU staff and MEPs to discuss the most pressing human rights issues of our time. Held virtually, the forum comprised 13 sessions with 105 speakers who discussed a human rights-based recovery from the pandemic under the banner "Rebuilding Better" and made specific recommendations to policy makers. As in previous years, the Forum was co-organised by the EEAS, DG INTPA, and the Human Rights and Democracy Network.

At a moment when the COVID-19 pandemic still has a very significant epidemiologic and socio-economic impact around the world, the Forum gathered participants from all continents to **identify the impact of the pandemic on the full enjoyment of human rights**. Discussions aimed at identifying key actions to be taken by the EU and the international community to ensure **a human rights-based recovery from the pandemic**. The forum addressed three main themes:

1. Ending states of emergency and restrictions on fundamental freedoms;
2. Equal access to health care: addressing marginalisation and vulnerability;
3. Reinforcing economic, social and labour rights, corporate accountability, the decent work agenda and social protection in the post-COVID world.

Across the different sessions, human rights defenders from all continents took the floor to highlight how the pandemic has accelerated the **shrinking space for civil society** around the world. Pre-existing

threats such as legislative initiatives on “foreign agents” or counter-terrorism laws that unduly targeted the independence of Civil Society Organisations (CSOs) have been exacerbated by COVID-19.

The pandemic has also shown the need to guarantee an **affordable access to healthcare to everybody**. Some takeaways from the thematic session on health highlighted the need to guarantee equal access to vaccines and to ensure that persons in marginalised situations have access to healthcare services, as well as the need to fight disinformation against the pandemic and to work collectively to present evidence-based data. Besides the mere pandemic response and preparedness, experts agreed that COVID-19 has been a strong wake-up call to address other long-term issues such as HIV/AIDS, sexual and reproductive health and rights for women and girls, and mental health. States were called upon to **ensure consistent funding** for the development of medicines and vaccines as well as for the deployment of modern medical equipment and facilities. Speakers insisted that the pandemic should be taken as an opportunity to equip public health systems worldwide to face new pandemics and at the same time maintain their routine function. EU representatives indicated that, under the programming for 2021-2027, a significant amount will be allocated to healthcare. The EEAS also committed to discuss access to health in its human rights dialogues.

In the discussions on **economic, social and labour rights**, participants highlighted the negative impact of the pandemic on labour rights, social protection and the fight against child labour (*according to the International Labour Organisation, 9 million additional children will be subjected to child labour by the end of 2022*). The role of civil society organisations and human rights defenders in identifying human rights abuses related to business activities and in facilitating access to remedy for the victims was underlined. At the same time, those defenders are particularly targeted by attacks and reprisals. Strong calls were made to the EU to keep protecting those most at risk; to reinforce human rights due diligence rules; and to ensure that across the world social protection nets for workers and their families are reinforced. Many participants praised the EU for leading the way on responsible business conduct with the upcoming legislation on due diligence. The EU renewed its commitment to continue providing emergency support to HRDs at risk, including to those working on environmental and land rights.

Outlook

The discussions at the EU NGO Forum are not a “one-off”, it will set the ground and created the necessary contacts for rebuilding back better. The co-organisers are carefully examine the main recommendations made during the different sessions with a view to ensure a human rights based recovery from the pandemic. Moreover, in the margins of the Forum, several workshops took place to provide the necessary information to civil society actors on EU instruments to protect human rights defenders.

Recordings of all the sessions are available [here](#)(link is external) while you can see some interviews of prominent HRDs [here](#)(link is external)

In December 2020, the EU had organised online its [22nd EU-NGO Forum](#) on Digital and Human Rights.

4. Do you have examples of innovative steps taken to minimise the impact of measures imposed during the pandemic, including emergency measures, on the free and safe functioning of civil society and on public freedoms (of expression, access to information, assembly, and association) as well as on the protection of personal data and privacy?

Since the emergence of the Pandemic, the EU has systematically reminded all States (through dialogues and statements) that emergency measures and limitations on human rights can only be taken if they are proportional, limited in time and non-discriminatory (see [EU Council Conclusions on human rights-based recovery to Covid 19](#)). In all its human rights dialogues with partner countries

(around 40 every year) the EU has called States to ensure that lockdowns and emergency measures should not lead to crackdowns on civil society and that freedom of association, peaceful assembly and expression should be ensured.

6. Has your state identified any good practices to identify, and protect civil society from, online intimidation and attacks (e.g. online threats, harassment, organized smear campaigns etc.)?

In 2020 and 2021, the EU firmly supported human rights defenders and denounced the shrinking online and offline civic space for civil society. The EU used its political and financial tools, in line with the EU Guidelines on human rights defenders (HRDs), to support those fighting for human rights. Activities to protect and support human rights defenders were intensified with particular focus on HRDs at risk.

To counter this, the EU raised specific cases of human rights defenders at risk in all its human rights dialogues, subcommittee meetings and consultations. In its more than 40 yearly human rights dialogues, the EU called States to ensure protection for all human rights defenders. Human rights defenders issues were also discussed in EU-supported civil society seminars in the context of these human rights dialogues. The EU also continued to make its voice heard with public statements and declarations to support human rights defenders at risk (for instance on cases in [Vietnam](#), the [Russian Federation](#) or [China](#)).

As a very specific operational action, the EU financed emergency measures in the field of digital security through **the EU Human Rights Defenders Mechanism [ProtectDefenders.eu](#)**. The measures aimed to address the most pressing threats and risks resulting from attacks on HRDs' communications, hacking of personal and professional information, lack of adequate security equipment, and online surveillance. In addition, the ProtectDefenders.eu digital security reinforcement grants for organisations and local communities contributed to the **security set up and training** of more than 850 local NGOs staff members. This organisational support strengthened the digital security structure of actors operating in very hostile environments. Furthermore more than 200 human rights defenders benefited from an extensive capacity-building programme, which provides tailor-made training for HRDs and organisations on a wide array of topics, including digital security and digital risk assessment.