



Strasbourg, 6 March 2017

CDDH-INST(2017)001

STEERING COMMITTEE FOR HUMAN RIGHTS

(CDDH)

DRAFTING GROUP ON CIVIL SOCIETY AND NATIONAL HUMAN RIGHTS INSTITUTIONS

(CDDH-INST)

Relevant extracts of the 86th CDDH meeting report, including update of work of CDDH-INST and next steps

[...]

4.5 Civil Society and National Human Rights Institutions (CDDH-INST)

33. The Rapporteur and Chair of the Drafting Group of the CDDH on civil society and national human rights institutions (CDDH-INST), Mrs Krista OINONEN (Finland), reported on the work completed during the 1st meeting of the Group (12-14 October 2016):
- (i) the Group carried out a first reading of the draft report and proposed that it be limited to the European region and develop sections devoted to the migrant crisis and freedom of expression, in particular issues raised by hate speech. Furthermore,

- the Group took note of the ongoing work within the CDCJ (questions linked to the activities of *lobbying*) and to the CDDG (civil participation in political decisions);
- (ii) it is expected that the consolidated text which will be examined at the 2nd meeting (March 2017) will be accompanied by a document compiling good practices and that it will present an analysis of the relevant case-law of the European Court of Human Rights. The purpose of the report will be to identify the challenges and shortcomings concerning the protection and promotion of the civil society space;
 - (iii) the draft report will be submitted to the CDDH for its examination at its meeting in June 2017;
 - (iv) concerning the forthcoming work, it is envisaged to develop a non-binding instrument (Guidelines; Recommendation; Declaration) accompanied by a Guide of good practices. The practical dimension should be given priority in this exercise, in order for the standards presented in the instrument to help the member States effectively in their action concerning the civil society space.
34. The CDDH endorsed the comments put forward by its Bureau and noted the following:
- (i) the interest that the CDDH-INST work highlights the reasons why limits imposed on civil society by member States can be considered as acceptable or unacceptable;
 - (ii) the interest that the CDDH-INST (a) focuses on issues concerning the existing legal and regulatory framework in member States; (b) presents the best national practices in the field; (c) includes in its work representatives from the civil society, in particular human rights defenders and national institutions for the protection and promotion of human rights, and also deals with the restrictions imposed on their activities in certain countries;
 - (iii) the clear link existing between the work of the CDDH-INST and those of the CDDH-EXP, and the importance to consider in-depth the issues concerning the freedom of expression within the civil society space. On this issue, the CDDH decided to explore in June 2017 the interest/option of achieving a single text gathering the results of the work of the CDDH-INST and CDDH-EXP. The CDDH did not exclude the possibility to organise an event on the initiative of both drafting Groups, with a view to achieve a non-binding instrument, such as a Recommendation with a Guide to good practices, which could positively influence the current democratic debate concerning freedom of expression and the civil society space;
 - (iv) the need nevertheless not to limit the work of both Groups only to issues of common interest. Indeed, each of the two drafting Groups, and in particular the CDDH-EXP, is called to continue its examination of other issues covered by its mandate.
35. The CDDH noted that the Secretariat will send a document before 20 January 2017 to the members, participants and observers of the CDDH and the CDDH-INST requesting them to send national examples on the protection and promotion of civil society space to be included in the future Guide to good practices. The CDDH invited them to send their contributions by **20 February 2017 18:00** jennifer.schuetze-reymann@coe.int See summary of deadlines, Appendix VII below.