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**STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)**

DRAFTING GROUP ON CIVIL SOCIETY
AND NATIONAL HUMAN RIGHTS INSTITUTIONS
(CDDH-INST)

**Preliminary draft Declaration of the Committee of Ministers
on the need to strengthen the protection and promotion
of the civil society space in Europe**

The Committee of Ministers of the Council of Europe,

1. Reaffirming its commitment to the protection of all human rights stated in the European Convention on Human Rights;
2. Recalling the interdependence between the Convention and the other activities of the Council of Europe in the field of human rights, the rule of law and democracy, the objective being to develop the common democratic and legal space founded on respect for human rights and fundamental freedoms;
3. Mindful that civil society actors involved in promoting those fundamental rights need to be able to exercise their rights fully and without unnecessary and arbitrary restrictions;
4. Recognising and valuing the work of civil society organisations, national institutions for the promotion and protection of human rights ('NHRIs') and other human rights defenders, which makes an important contribution to an environment of active respect for human rights, democracy and the rule of law in Europe;
5. Bearing in mind that the existence of many civil society organisations is a manifestation of the right of their members to freedom of association under Article 11 of the European Convention on Human Rights and of their host country's adherence to principles of democratic pluralism;
6. Deploring that civil society organisations, NHRIs and other human rights defenders in Europe, including women human rights defenders, are often victims of physical and verbal attacks, harassment and intimidation, whether carried out by state agents or non-state actors;
7. Expressing its deep concern at the shrinking democratic space following *inter alia* from restrictive laws, policies and austerity measures taken recently by member States;
8. Convinced that to strengthen civil society actors, NHRIs and other human rights defenders, States must not only refrain from interference with their rights and freedoms but are also under a positive obligation to maintain an enabling environment in which they can operate;
9. Recalling the United Nations Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms of 9 December 1998;
10. Recalling Recommendation No. R (97) 14 of the Committee of Ministers to Member States on the establishment of NHRIs of 30 September 1997 and Resolution (97)11 on Cooperation between NHRIs of Member States and Between them and the Council of Europe, of 30 September 1997;

11. Resolved to follow up on its engagements taken in the Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities, adopted on 6 February 2008, and on its Guidelines for meaningful civil participation in political decision making, adopted on 27 September 2017;
12. Expresses the need to strengthen the protection and promotion of the civil society space in Europe and, to this end, calls on member States to:
 - a. address the gaps existing in the implementation on the national level of the internationally recognised standards relevant to the protection of civil society and the promotion of its work, as identified in the analysis of the Steering Committee for Human Rights (CDDH) on the impact of current national legislation, policies and practices on the activities of civil society organisations, human rights defenders and national institutions for the promotion and protection of human rights;
 - b. devote more resources and effort to promote activities of civil society organisations, NHRIs and other human rights defenders by ensuring a supportive legal framework and a conducive political and public environment;
 - c. ensure civil society effective participation in decision-making;
 - d. take effective measures to prevent unjustified restrictions to freedom of association, peaceful assembly and expression, smear campaigns and attacks against civil society organisations, NHRIs and other human rights defenders, as well as other attempts to hinder the work of civil society, NHRIs and other human rights defenders;
 - e. take active steps to address any restrictions of civil society space through specific measures;
13. Calls on all Council of Europe bodies and institutions to pay special attention to issues concerning the environment in which civil society organisations, NHRIs and other human rights defenders operate in Europe.