



CIVIC SPACE

Key Findings

- An enabling environment & open civic space are essential conditions for the effective engagement of non-state actors, including civil society, in the implementation of the Sustainable Development Goals (SDGs).
- Consistent with previous years, the 2021 Voluntary National Review (VNR) reports were largely silent on the issue of shrinking civic space for civil society, although this is now a clearly established global trend.
- Civil society parallel reports provide important information on how civic space is being closed in different countries, but these reports have no status in official VNR processes at national, regional or international levels.

The effective engagement of non-state actors in SDGs implementation

The multi-stakeholder and inclusive nature of the 2030 Agenda are well established through its emphasis on whole-of-society approaches to implementation and leaving no one behind. A prerequisite to effective engagement is open civic space and an enabling environment for non-state actors to contribute, including an enabling digital environment.¹ Some countries that presented their Voluntary National Review (VNR) reports to the United Nations High-level Political Forum on Sustainable Development (HLPF) in 2021 reported efforts to create an enabling environment through policies that support multi-stakeholder engagement in 2030 Agenda

implementation. These countries include **Afghanistan, Bhutan, Denmark, Germany, Indonesia, Japan, Laos, Malaysia, Namibia, Norway, Sierra Leone, and Thailand.**²

On the other hand, ranging from 2017 to 2020, civil society shadow/parallel reports noted a range of challenges that prevent civil society delivery of the 2030 Agenda, including low levels of awareness of the agenda by the public, civil society and government, limited engagement and coordination with government, poor institutional preparedness to implement the 2030 Agenda by national and local governments, lack of an enabling environment, limited finance, issues related to data availability and monitoring capacities, and structural factors such as deeply rooted behaviors and changes in government. In 2021, several civil society organizations (CSO) parallel reports specifically pointed to challenges experienced at the national level, including the need for (i) improved SDGs coordination and integration, (ii) greater transparency and enhanced institutional mechanisms for SDGs monitoring and progress assessment, (iii) higher quality and more stable spaces for policy dialogue between CSOs and governments around SDGs implementation, and (iv) increased capacity-building for all stakeholders.

Figure 1 provides an overview of the challenges noted in civil society reports for 2021, which are consistent with the challenges highlighted in previous years. Such consistency is a matter of concern, as it points to a global trend towards closing civic space and a disabling environment for civil society and suggests that the issues hindering civil society's action for the implementation of the 2030 Agenda are not being properly addressed in a worrying number of countries.

1. "The political, financial, legal and policy context that affects how CSOs carry out their work. It can include: 1) Laws, policies and practices respecting freedom of association, the right to operate without state interference, the right to pursue self-defined objectives, and the right to seek and secure funding from national & international sources; 2) Institutionalized, inclusive and transparent multi-stakeholder dialogue; 3) Effective support from development providers to empower CSOs." Global Partnership for Effective Development Co-operation (GPEDC). September 2015. [GPEDC's Pilot Indicators: Refined methodologies for indicators 1, 2 and 3](#). Mexico.

2. For more details, please refer to the series of [Progressing National SDGs Implementation](#) reports

Figure 1. Challenges identified by civil society organizations to 2030 Agenda implementation

Capacity

- **Madagascar:** From a process standpoint, the weakness and centralization of the State structures, the limited civic space, as well as the broader political instability in the country, have pushed development partners – especially the UN country system – to help set up partnership structures in order to collaborate with civil society to foster monitoring and coordination of delivery projects.

Quality of engagement

- **Malaysia:** Participation is specific to the progress assessment process, namely the VNR. Also, civil society reports selectiveness and shrinking civic space, which points to a process that is inclusive in terms of its internal modalities (draft VNR report being shared by the government for CSO inputs and said inputs were mostly included), but not as inclusive in terms of access.
- **North Korea:** The country being a single-party totalitarian system, there is not an independent civil society to speak of and participation processes are non-existent.

Coordination

- **North Korea:** There is not any independent organized civil society to speak of. There are some party-affiliated organizations – notably women-led –, but they serve as vessels to further exert social control over the citizenry.

Data availability and monitoring capacities

- **North Korea:** The lack of civic space for independent monitoring and accountability within the country calls into question the veracity of the data that the State presents in a variety of areas.

Internal and external factors hindering 2030 Agenda implementation

- **Mexico:** Shrinking civic space (legal framework, funding, violence), corruption and efficiency in spending amidst limited resources, socio-economics effects of the pandemic, effects of climate change, unsustainability of the development model, siloed policy-making.

Lagging areas of progress

- **Indonesia:** From a policy standpoint, issues that must be prioritized include poverty, poverty due to COVID-19, health, inequality, the impact of the pandemic on women and children, quality of education, equality for minority groups, climate change and disasters, gender equality, and the narrowing space for civil liberties.
 - **Spain:** Among others, challenges exist regarding migrant rights, gender equality (women's participation in the workforce and equal pay), conceiving and measuring development beyond economic growth, and threats to civic space.
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Consistent with previous years, the 2021 VNR reports were largely silent on the issue of shrinking civic space for civil society, although this is now a clearly established global trend

Since 2016, when UN Member States began presenting their VNR reports to the UN HLPF, countries have tended not to engage directly with the issue of closing civic space.³ Only one out of the 42 VNR reports presented in 2021 recognized the challenge of shrinking civic space and its consequences for civil society. Such recognition from **Norway** is highlighted below as a good practice in VNR reporting.

According to the [CIVICUS Monitor](#), which examines the status of civic space around the world, civic space for 62% of the countries that reported to the UN HLPF in 2021 is characterized as “obstructed,” “repressed” or “closed”, and only 26% had an “open” status when it came to safeguarding civic space. This gap in VNR reporting regarding civic space and ongoing attacks on human rights defenders and environmentalists – including barriers to free speech and democratic participation, particularly

where women and girls are concerned – is a matter of real concern for civil society. Furthermore, official responses to the COVID-19 pandemic have been used as an excuse by some governments to further close civic space, compounding existing concerns about an enabling environment for all stakeholders to contribute to the 2030 Agenda, and more recently, to recover from the pandemic.⁴

A case study in good practice:
Norway’s recognition of shrinking civic space

Norway stands out among 2021 reporting countries due to the recognition of the process of shrinking civic space and its consequences. The Norwegian VNR report explicitly mentions “shrinking civic space” as one of the factors (alongside hate speech, discrimination, and online harassment) posing barriers to free speech and democratic participation, particularly to women and girls.

Source: Excerpt adapted from Norway’s VNR report.



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3. “Civic space is the bedrock of any open and democratic society. When civic space is open, citizens and civil society organizations are able to organize, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions. These are the three key rights that civil society depends upon.” CIVICUS website

4. Cf. De Oliveira, Ana; Kindornay, Shannon; Tomlinson, Brian. January 2021. [Forus International Scoping Study of National NGO Platforms’ Experiences in Promoting an Enabling Environment](#). Paris: Forus.

BOX 1. UNDERSTANDING THE STATUS OF CIVIC SPACE IN VNR REPORTING COUNTRIES FOR 2021

CIVICUS's Monitor of civic space has information for all 42 countries that reported to the HLPF in 2021. Only eleven (11) of the countries that reported to the HLPF in 2021 were considered "open," meaning the state enables and safeguards civic space.⁵ For five (5) countries, civic space is considered "narrowed."⁶ This means the rights to freedom of association, expression, and peaceful assembly have been violated. For a country to be considered obstructed, civil space must have a series of legal and practical constraints on the practice of fundamental rights. In these conditions, illegal surveillance and bureaucratic harassment occur. There is some space for non-state media, but journalists are subject to attack. Eight (8) reporting countries were classified as "obstructed."⁷ The monitor ranks a country as "repressed" if civic space is severely restrained. Individuals who criticize a power holder may be subject to surveillance, harassment, intimidation, injury or death. The work of civil society organizations is often impeded and under threat of deregistration by authorities. Mass detentions may occur, and the media usually only portrays the position of the state. Websites and social media activities are heavily monitored. In 2021, eleven (11) reporting countries were in the "repressed" category.⁸ The last category in the CIVICUS scale is "closed." In this category, there is a complete closure of the civic space. An atmosphere of fear and violence is prevalent. Powerful state and non-state actors routinely imprison people and cause injury and death to individuals who seek to peacefully assemble and express themselves. In such circumstances, criticizing authorities is severely punished. The internet is heavily censored and online criticisms of authorities are severely punished. In 2021, seven (7) reporting countries were classified as "closed."⁹

Civil society parallel reports provide important information on how civic space is being closed in different countries but have no status in official VNR processes at national, regional or international levels.

Although the presentation of CSO Shadow and Spotlight reports are not included in the formal presentation of VNR reports at the HLPF, civil society organizations and coalitions from around the world continue to produce their own independent reviews and analysis on their governments' implementation of the 2030 Agenda, complementing official processes. The 2021/2022 *Progressing National SDGs Implementation* report contains analyses of 17 VNR-related civil society reports finalised in 2021. When read in parallel with the corresponding VNR reports, it was found that these "shadow" and "spotlight" reports provide additional – and sometimes contradictory – information in relation to

country-level SDGs implementation. Some topics raised in civil society reports do not tend to be covered by VNR reports, such as civil society's growing challenge of operating in contexts of shrinking civic space, information on government actions that hinder freedom of expression, assembly, association, and access to information, and positive recommendations for moving towards more open civic space. Therefore, the perspectives and information brought forth by non-state stakeholders (e.g. civil society organizations) provide a broader view on the extent to which, and how effectively, SDGs implementation is being carried out at national level. However, the fact that so much information around the topic of civic space is being shared through civil society reports but constantly being ignored by VNR reports is a matter of grave concern and must be addressed.

Box 2 shows some of the main topics identified by civil society organizations based in 2021 reporting countries with regards to civic space.

5. Antigua and Barbuda, Cabo Verde, Cyprus, Czech Republic, Denmark, Germany, Marshall Islands, Norway, San Marino, Sweden, and Uruguay.
6. Bahamas, Dominican Republic, Japan, Namibia, and Spain.
7. Bhutan, Bolivia, Guatemala, Indonesia, Malaysia, Paraguay, Sierra Leone, and Tunisia.
8. Afghanistan, Angola, Chad, Colombia, Madagascar, Mexico, Nicaragua, Niger, Qatar, Thailand, and Zimbabwe.
9. Azerbaijan, China, Cuba, Egypt, Iraq, Laos, and North Korea.

BOX 2. ISSUES SURROUNDING CIVIC SPACE AS IDENTIFIED BY CIVIL SOCIETY ORGANIZATIONS IN 2021

Censorship

- **Bhutan:** Based on information available in the CIVICUS Monitor, CSO self-censorship is prevalent in Bhutan, so it appears CSOs might refrain from speaking out in order to keep operating freely.

Violence

- **Colombia's** CSO report notes widespread and systematic threats and actual violence against human rights, environmental and Indigenous people's rights activists. In 2020, 969 aggressions against activists were registered, of which 199 were assassinations - a 60% increase compared to the previous year. On freedom to protest, the report also mentions the violent repression shown by police and armed forces during the 2021 social upheaval.
- Regarding the right to assemble, **Guatemala's** CSO report notes that according to figures aggregated by the Unit for the Protection of Human Right Defenders, an excess of 1,000 cases of aggression of human right defenders have been registered only in 2020 - 15 of which were assassinations. This is underpinned by a general tendency towards the criminalization of protest and activism by the government and the judicial system.
- In **Malaysia**, CSOs have played a crucial role when it comes to human rights and a decreasing democratic space. Major concerns for CSO advocates involve deaths within official custody and increasing police accountability. These concerns have sparked a call out for an independent police complaint commission (IPCMC).
- In **Mexico**, the freedom to associate is limited. As the sub-national level, related threats to the freedom to express oneself have been identified, as seen through intimidation and assassination tactics evidenced by the deaths of journalists, human-rights and environmental activists.
- In **Zimbabwe**, groups of human rights defenders and activists are facing greater accounts of being arrested for taking a stand of action. The increased use of force, as well as the act of media violations, abductions, corrupt elections, exclusion of certain people groups, etc. are also taking place. CSO's role around accountability and demands for redress has been neglected, and there is an increasing threat of a shrinking civic space within the country.

References to freedoms of expression, assembly, association, and access to information

- In **Cabo Verde**, although the freedom to associate, express oneself and assemble are legally protected, civil society is not in the necessary position to meaningfully participate in policy-making or the monitoring process linked to the SDGs.
- **Chad** is currently ruled by a Transitional Military Council following the killing of the former President in combat with opposition militias. In this context, freedom of assembly has been somewhat maintained and protests are authorized, although this is only prevalent for certain organizations.
- In **Colombia**, the current legal framework accounts for greater control in areas such as policy formation and control, curtailing civil society's autonomy. Regulations also assimilate CSOs towards the private sector, as that they are required to register their activities to the Chamber of Commerce. This demonstrates unequal access to public resources, imposing taxes, financial and administrative norms. These regulations push CSOs to limit their activities and ultimately undermine their capacity to fulfill their role as political actors.
- In **Denmark**, freedom of assembly may face future restrictions as the Danish police might have the power to remove people from certain areas on the grounds that 'intimidating' demonstrations are taking place. This

restrictive measure was included in the 'Draft bill L189', introduced to the Danish Parliament in early 2021.

- In **Laos**, there are no real examples of freedom of expression or assembly. The CSO report, produced by activists in exile, demonstrates a missing sense of a separation of powers, as well as the lack of an independent judiciary. In Laos, it is forbidden to criticize the political party, the state, and government. Those who wish to voice political views and develop advocacy work are subject to face criminal offences.
- In **Madagascar**, there is a strong centralized presence of political power, and the country is characterized by restrictions to public freedoms, particularly freedom of association and expression, with reports of both human-rights and environmental activists being arrested and prosecuted for their actions. These trends coincide with rampant corruption within the country's police force and judicial system. CSOs suggest the use of a civil society chart as part of a greater effort to implement better legal protections to further promote necessary freedoms.
- The CSO report from **Spain** demonstrates a decrease in civic space, especially through a law related to public security, which limits freedoms such as those pertaining to assembly, expression, information, and mobilization. The report calls for a cross-cutting strategy and concrete mechanisms for civil society to support and protect human rights and environmental activists, as well as points to the inclusion of civic space-related targets and indicators into SDG-related documents in order to effectively monitor progress.

Other aspects of shrinking/closing civic space

- **Chad's** CSO report does not specifically mention the quality and scope of the country's civic space, but the picture that emerges from the way the SDG implementation process is suggests that a lack of institutional channels for participation results in civic space being open for sectorial on-the-ground activities, but not necessarily for advocacy-related actions.
- In **Egypt**, it is rather well-known that the country's political system is authoritarian, and the enabling environment for CSOs is limited. The CSO report confirms this fact as it demonstrates a lack of necessary participation and policy engagement without sufficient details.
- In **Guatemala**, the CSO report mentions a variety of initiatives that seeks to curtail civic space, specifically the freedom to associate. This was seen through the recent approval of the 'NGO law', that will ultimately increase restrictions to the activities of CSOs if they are deemed a threat to 'public order'.
- **Indonesia** is facing a decline in civil liberties reflected within the laws and regulations that are applied towards criminalizing civil society and restricting their participation in the public sphere and decision-making processes. Reports show that those in power impose both legal and practical constraints on fundamental rights, and several CSOs have made note of backslides in SDGs achievement – particularly around SDG 16 (i.e. curtail of freedoms, criminalization of journalists and civil society) –, and of an increasingly coercive environment for civil society.
- In **Malaysia**, the selectiveness and decreasing civic space reported would demonstrate that the country's VNR process was inclusive as far as internal modalities (e.g. draft VNR report circulated for CSO inputs), but still fell short of a fully inclusive process in terms of access.
- In **North Korea**, given the nature of its totalitarian political system, there isn't much civic space to speak of. With that in mind, the CSO report demonstrates that due process guarantees are not respected, and bribes are accepted in order to avoid unlawful arrests. A secret form of police under the State and Security Ministry are tasked with surveilling citizens and informing the Songbun social hierarchy system.
- In **Spain**, the CSO report shows that certain challenges persist, such as migrant rights, gender equality, conceiving and measuring development beyond economic growth, and diminishing threats to civic space.

KEY RECOMMENDATIONS

For the International Community

- **Agree on the annual review of SDG 16 by the UN HLPF**
The international community should take advantage of the next official UN HLPF review in 2023 to agree that SDG 16 (Peace, justice and strong institutions), which includes a focus on fundamental rights and civic space, should be reviewed every year like SDG 17 (Partnerships for the goals). An annual review of SDG 16 by the UN HLPF would mean that the issue of civic space could receive political attention every year and remain high on the HLPF's agenda.
- **Develop a new SDG 17 indicator to measure multi-stakeholder engagement in SDGs implementation**
A new SDG 17-related global indicator linked to multi-stakeholder engagement in SDGs implementation should be developed by the Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs) and adopted by UN Member States when the SDGs global indicators are next officially reviewed. This new indicator should measure, amongst other issues, the extent to which civil society engagement in SDGs implementation is enabled at a national level.
- **Adopt new structural and process-oriented civic space indicators linked to SDG 16 implementation**
New structural and process-oriented civic space indicators should be developed and adopted by UN Member States to support the international peer review process of SDG 16, Target 16.10 (Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements).
- **Establish a new global Civic Space Observatory**
International donors (public or private) should fund a new independent global Civic Space Observatory with regional hubs to monitor and collect data on the status of civic space in countries around the world. This data should be made publicly available and should inform discussions on civic space within key forums such as the UN HLPF, UN Human Rights Council, among others. The work of this observatory could build on and expand the work of the existing [CIVICUS Monitor](#).

- **Provide flexible funding to support the operation of CSOs in contexts of closed or closing civic space**
Major international donors, including progressive international and regional organisations, governments, and private or philanthropic organisations should consider establishing specific global and regional level funding mechanisms to support CSOs to continue operating in contexts of closed or closing civic space. Flexibility should be built into the design of such funding mechanisms, which should promote innovation, resilience, networking and capacity building amongst CSOs trying to operate in these difficult contexts.
- **Include assessment of civic space in investor risk-assessment approaches**
An assessment of civic space should be included as a key element of mainstream investor risk- assessment instruments and associated rating scales aimed at countries in which private companies or financial institutions are considering investing in. International donors should seriously consider integrating such civic space ratings into their decision-making processes about whether to provide financial assistance to certain countries or not.
- **Develop a strategic framework linking closing civic space to other key foreign policy challenges**
The international community urgently needs to develop a strategic framework that will link closing civic space, including in the digital realm, to other key foreign policy challenges. This framework should articulate a positive vision of civic space globally, and offer tailored tactical guidance to governments, civil society actors and other interested stakeholders. In addition, experts should be brought on board who understand the rapidly evolving digital landscape to make the connection to civic space issues, including to future threats.

For National Governments

- **Create national legal, regulatory and policy frameworks for multi-stakeholder engagement**
Establish an enabling environment for non-state actors at the national level to support their effective

engagement in SDGs implementation through the creation of appropriate legal, regulatory and policy frameworks. These frameworks should set out how multi-stakeholder engagement and partnership will occur and should facilitate the contribution of non-state stakeholders to sustainable development.

- **Report on civic space issues in VNR reports submitted to the UN HLPF**

Governments must break with the practice of remaining silent on issues of civic space in the VNR reports they submit to the UN HLPF. Committed governments should show leadership and example in reporting on their progress in creating more open civic space in their countries and link their VNR reports to the review of SDG 16.

- **Include non-state actors in institutional mechanisms responsible for the VNR and drafting the VNR report, and advocate for civil society reports to be given recognition and status in the UN HLPF process**

However important the views of civil society are in

relation to their national experiences, civil society reports (e.g. spotlight, shadow, parallel reports) continue to lack status in official UN HLPF and its related processes. It is recommendable that national governments partner with civil society to advocate for CSO reports to be acknowledged and given status in the HLPF review process.

- **Engage in peer exchange with other governments to share good practice on civic space issues**

Governments should try to learn from other governments who have demonstrated good practice or made some progress on creating a more open civic space in their countries. This kind of learning could be facilitated through UN-hosted SDG Learning Labs focusing on SDG 16 and on civic space issues. Ideally, national governments should be able to avail of international funds to support them in implementing key actions linked to civic space in their countries, including academic research, dialogue with civil society organizations, and capacity building for government officials and members of parliament.

This policy brief was prepared by Deirdre de Burca (Forus International) and revised by Ana de Oliveira (Cooperation Canada) in the context of the 2021 *Progressing National SDGs Implementation* report (6th edition), an independent assessment of the Voluntary National Review (VNR) reports submitted to the United Nations High-level Political Forum on Sustainable Development (HLPF). February 2022.

