

May 6, 2020

**Guidance for Governing Council members of the Community of Democracies
on the protection of civic space in the battle against COVID-19**

The Working Group on Enabling and Protecting Civil Society is monitoring the impact on civic space of measures to fight the COVID-19 pandemic.

In response to the unprecedented threat to public health posed by the pandemic, governments around the world are implementing extraordinary measures. These measures include:

- granting expansive powers to the executive branch
- use of mass monitoring technologies
- restrictions on information relating to COVID-19;
- restrictions on movement, freedom of expression and the right to peaceful assembly;
- new limitations on other civil and political rights.

The use of such emergency measures brings inherent risks to democracy, the rule of law, civil society, human rights and fundamental freedoms. These measures could result in the closure of civic space and restrictions on civil and political rights, both offline and online, undermine the engagement of civil society, and a general backsliding of democratic progress globally.

We recognize that this public health emergency requires swift and effective government action to protect individuals and communities, in a context involving all sectors of society, including the private sector, social media platforms, and others. All governments – including the governments of member states of the Community of Democracies – must work to ensure that democratic principles are respected even as extraordinary measures are taken. Such measures should:

- be temporary, science-based and subject to regular review to ensure they remain necessary as a response to the COVID-19 pandemic;
- not be used as a means to justify government control and monitoring of civil society and civic space;
- not target or have a discriminatory adverse impact on vulnerable or marginalized groups or those who are in vulnerable situations, -- including, *inter alia*, women and girls, older persons, ethnic and religious minorities, LGBTI persons, and persons with disabilities -- or on civil society organizations or human rights defenders;
- be subject to legislative and judicial oversight;
- respect freedom of expression, offline and online, the free flow of information and access to information;

- promote free and independent media;
- provide clear, accurate, and accessible public health information;
- respect privacy;
- include engagement with civil society in decision making around measures to control the spread of COVID-19;
- be open and transparent, to ensure governments can be held to account;
- protect the administration of, and participation in, free and fair elections, while ensuring the protection of public health.

Collaboration between governments and civil society will be essential to recovery from this health, economic, social, and humanitarian crisis. Civil society organizations play a vital role in raising awareness, sharing information, informing responses, advocating for democracy and human rights, and holding governments accountable. In addition to augmenting a healthy democratic environment, civil society organizations also promote resilient and innovative community responses to health crises, strengthen the voices of marginalized groups and standing up for human rights. As states put in place economic support measures for various sectors of their societies, they should consider the requirements of civil society organizations

The health, economic and social crises resulting from this pandemic have had a disproportionate impact on women and girls including through precarious employment, economic insecurity, and a heightened risk of sexual and gender-based violence. Women must therefore be included in all decision-making processes in which responses to the pandemic are planned and executed. This moment could be an opportunity to build women's political empowerment to ensure an effective response to the virus and improve inclusion in the long-term.

The Working Group on Enabling and Protecting Civil Society will continue to advise the Community of Democracies on these issues as the global response to the COVID-19 pandemic evolves.