

PREFACE: The first section explains the [United Nations High Commissioner for Human Rights request](#) for input on “how to create and maintain civil society space”. The second section is our brief emailed response.

THE FIRST SECTION: UN HIGH COMMISSIONER FOR HUMAN RIGHTS REQUEST

Consultation - How to create and maintain civil society space? What works? A Report by the High Commissioner for Human Rights Deadline extended - 30 September 2015

Dear All,

The High Commissioner for Human Rights is putting together a report of practical recommendations on how to create and maintain the space for civil society to work freely and independently.

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The exercise of public freedoms (expression, association, peaceful assembly) and the right to participate in public life are at the heart of all civic activity. They are the "Super Rules" that allow you to do what you do; influence positive change in your communities. Whatever the issue you are working on. And so good laws and rules to guarantee public freedoms, as well as ways to monitor and protect them are a necessary condition.

But that's not all.

You also need:

- > a political and public environment that values civil society's contributions
- > free flow of information
- > long-term support and resources
- > space for dialogue and collaboration

We want to hear from you about your experiences!

Share with us:

- i) What is “enabling”? What does it mean to “create” and “maintain” space?

ii) Concrete, actual country examples and illustrations. How were the experiences beneficial to all stakeholders?

iii) If there are limitations, how do you continue to carry out your activities? Where are the openings?

iv) Useful links, tools, resources, guides (whatever the language)

This is not a report about examples of what goes wrong.

Do reach out to the “non-usual” actors, associations and organizations (e.g. development, artistic/creative, environmental, those doing human rights in content but not necessarily identifying as human rights workers, etc.) about their experiences about space to carry out activities.

Send email: civilsociety@ohchr.org

Be sure to include in the subject heading "Civil Society Space Report - Input".

Get the resolution of the UN Human Rights Council here:

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/27/31

THE SECOND SECTION: OUR RESPONSE TO CIVIL SOCIETY SPACE REPORT – INPUT

To: civilsociety@ohchr.org

Email Date: 06/28/2015 05:40PM

Lessons learned that would contribute to **Civil Society Space** is promoting a positive safe and enabling human rights educational practice based on respect for the UN Declaration on Human Rights Education and Training (A/RES/66/137). This requires ensuring that States parties have laws and initiate actions that match the intended non-discriminatory principles and all articles of the Universal Declaration of Human Rights (UDHR). For example, as global human right defenders we engage in teaching human rights approaches, for example, we just completed a side-event, “[Eliminate Torture in The Private Sphere](#)” during the Commission on Crime Prevention and Criminal Justice which presents practicing from a human rights perspective; as Canadian human right defenders and practitioners we teach a human rights perspective to students in grade school as well as to university students including health science students. However, in Canada we are faced with teaching that there exists in our country fundamental human rights discrimination when we address article 5 of the UDHR which states that no one shall be subjected to torture. Only State torture is specifically named and criminalized in Canada; this is so in other countries as well. This discrimination becomes even more pronounced when considering article 2 of the UDHR

which says that all articles in the UDHR applies to all peoples “without distinction of any kind”; therefore, to promote best human rights practices laws must match the UDHR if civil society spaces of equality are to be achieved.

We have worked specifically for 22 years as grass root professionals, human right defenders, and members of an NGO, to bring about the true meaning of fundamental universal non-discriminatory human rights in relation to the right not to be subjected to torture regardless of who the torturer may be—non-State or State actor. Upholding this fundamental human right in law is necessary for those who have endured torture by non-State actors if they are to gain their dignity and be included as persons who are entitled to the human rights as stated in articles 2 and 5 and as equal part of civil society space.

We conclude by recommending to the High Commissioner, in respect to paragraph 15 of the [Human Rights Council resolution 27/31](#), on civil society space, that the articles of the UDHR must be operationalized into States parties laws, including that article 5—the right to be protected from torture—is a human right that applies to all global citizens, if there is to be “promotion and protection of all human rights” as this resolution states. This would be fundamental non-discriminatory best practice on how to create and maintain safe civil society space.

Contact Information

Jeanne Sarson, MEd, BScN, RN and Linda MacDonald, MEd, BN, RN

Persons Against Non-State Torture: www.nonstatetorture.org

Email: contact@nonstatetorture.org

Tel/Fax 1-902-895-6659 | 361 Prince Street, Truro, NS, B2N 1E4, Canada