

PRESENTED TO MINISTER FOR FOREIGN TRADE AND DEVELOPMENT
COOPERATION, LIESJE SCHREINEMACHER

Consultation Input: Policy for Foreign Trade & Development Cooperation

The Netherlands is well-placed to play a leading role in safeguarding civic space. Doing so is critical to the achievement of strategic goals already enumerated by the government. As Minister Schreinemacher stated in her remarks at the 31 March World Café consultation: “Stand[ing] still in that area [of civic space] means backsliding, so we do have to keep pushing that forward. The status quo is not an option.”

Promoting civic space is crucial to the success of the 2021-2025 Coalition Agreement, in which the government names as one of its five foreign policy priorities “continuing to promote respect for human rights.” The Coalition Agreement notes that “the international legal order, human rights and vulnerable groups are [] under great pressure” and focuses on safeguarding the rights of the press and marginalized groups such as the LGBTIQ+ community. The Coalition Agreement also highlights a commitment to “ensuring that development cooperation policy is focused on making a greater contribution to achieving the Sustainable Development Goals (SDGs)” and emphasizes the government’s overall dedication to protecting freedom of expression, women’s rights, civic rights online and combatting climate change.

The protection of civic space is a critical precondition to the achievement of these goals. Ensuring that people can freely express themselves, organize in groups and assemble to amplify their voices safeguards all human rights by giving citizens the power to advocate for their needs and hold those in authority accountable. Promoting an inclusive civic space also necessitates the participation of marginalized groups in the decision-making that shape their lives, which is crucial to ensuring that their rights, needs and interests are taken into account. Likewise, facilitating participation by all stakeholders—and particularly by marginalized groups—is required to reach many of the SDG goals, for example, SDG Goals 5 (achieving gender equality) or 10 (reducing inequality); and 16 (promoting peaceful and inclusive societies). In particular, as confirmed by the UN Special Rapporteur on the rights to peaceful assembly and of association, an enabling environment for civil society is a prerequisite for the implementation of the 2030 Agenda goals because “Civil society is both a means to ensuring social participation in its implementation and the beneficiary of the promise of the Goals.” (A/73/279 (2018), para. 13). A strong civil society sector promotes transparency and accountability and is a capable partner for pursuing the 2030 Agenda. Critically, safeguarding civic space protects human rights defenders, media actors, labor groups and environmental groups, whose work is essential to combatting discrimination,

human and labor rights abuses, climate change and crackdowns on online and offline speech.

The Dutch government can play a leading role on issues of digital rights and emerging technology's impact on civic freedoms. The protection of online civic rights has been enumerated as a priority area by the Coalition Agreement. From hosting multiple sessions related to civic space at the past several RightsCon summits to ensuring that digital rights trainings are offered to Dutch strategic partners, digital rights is a development cooperation area where the Netherlands has already shown both commitment and expertise. The Netherlands can use its position as a member of the Freedom Online Coalition to advocate for better international norms around online privacy and FoAA&E rights and for more secure access to the internet for marginalized communities. The Netherlands can also play an important role in ensuring that the new cybercrime treaty being negotiated at the United Nations contains necessary safeguards to ensure the protection of privacy and FoAA&E rights. The Dutch government can also lead efforts to combat disinformation online by disseminating norms solidified in the EU's Digital Services Act to other regions, and offering protection to CSOs that have been victims of disinformation campaigns.

The multilateral arena is another space in which the Netherlands is well-placed to champion civic space given its active engagement in key fora and experience in effectively advocating for supportive norms. For example, in 2021 the Dutch government was instrumental in the adoption of the OECD DAC's Recommendation on Enabling Civil Society in Development Cooperation and Humanitarian Assistance, the first international standard focused on the actions of development assistance providers to enhance their collaboration with civil society actors. The Netherlands has also crucially advanced civic space through leadership on Human Rights Council civic space resolutions, including the resolution on freedom of opinion and expression (A/HRC/44/L.18/Rev.1 (2020)), and by championing inclusion of civil society at the UN in New York, including in the UN's counterterrorism architecture. Currently, the Netherlands is leading efforts to advance effective implementation of the OECD DAC Recommendation through its co-chairship of the DAC Community of Practice and its work implementing the Recommendation in its own policies and practices. The Netherlands is an active participant in the WHO and helping to lead the negotiation of a new pandemic preparedness treaty, which will be key in ensuring that emergency pandemic responses are protective of human rights and civic space.

Finally, the Netherlands government is well placed to lead on safeguarding the participation of marginalized groups in civic space. Already the Netherlands has committed itself to the "Youth at Heart" strategy, investing in capacitating young voices and has committed to a stronger focus on equal opportunities for women and girls. The Netherlands has also already made equal rights for the LGBTIQ community and human rights defenders priorities of its human rights platform. Because of its experience advocating for the participation of these marginalized groups in civic space, the Netherlands could easily expand its championship to other marginalized constituencies, such as migrants and refugees or rural communities that fall on the wrong side of the digital divide.