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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Partners For Transparency, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Challenges Faced by Civil Society Organizations in Accessing Resources

Preamble

Over the past years, governments' attacks on civil society organizations and on freedom of association have increased, as an evidence of the determination of these governments to place civil society organizations under restrictions to exercise self-censorship over their activities, which makes the organizations lose the ability to carry out their work, whether to improve the human rights situation or develop societies that threaten civil society.

Many countries take measures to restrict, ban and silence the voices of free civil society organizations that defend human rights. Those governments view these organizations as a threat to their survival by impeding the organizations' access to the human, material, and financial resources needed to complete their work.

Laws and arbitrary measures in many countries impose restrictions on the work of civil society organizations to make them unable to continue and prevent them from obtaining legally legitimate financial funding to continue their work. That is in addition to confiscating the organizations' funds and preventing their disposal, which forces some organizations to stop working permanently, such as the Israeli occupation government's classification of about six prominent Palestinian civil society organizations in October 2021 to prevent them from receiving funding.

In India, humanitarian organizations indicated in January 2022 that the restrictions imposed on their access to international funds affect their humanitarian work, especially medical organizations, which confirm that the restrictions have affected the services they provide to combat the Covid-19 epidemic. In Algeria, the security services prevent civil society organizations from performing their work and access to its resources. The Government of Belarus continues to close down civil society organizations en masse and confiscate their equipment, documents, and bank accounts. That is why partners for transparency

discusses in this entry the challenges related to the ability of civil society organizations to access resources, including foreign funding, in four countries as models: India, the State of Palestine, Algeria, and Belarus.

India: CSOs find it difficult to obtain foreign funding

Since 2014, the new Indian government has prevented Indian civil society from receiving the foreign funds needed to keep it operating. Human rights estimates confirm that the Indian government banned more than 20,000 NGOs from receiving foreign funds from 2014 until the end of October 2021. It also banned prominent international organizations on false and baseless charges related to protecting India's national security (1).

In November 2020, the Indian government began amending the Indian Foreign Contributions Act, which oversees foreign funding of NGOs. That makes it difficult for NGOs to access foreign contributions under the new rules (2).

In January 2022, Humanitarian organizations in India indicated that restrictions on their access to international funds affect their humanitarian work; especially medical organizations, such as Oxfam India, assert that restrictions affect the services to combat the Covid-19 epidemic. On January 1, 2022, the Indian Ministry of Home Affairs imposed strict legal control over the resources of organizations engaged in relief work. While refusing to renew the registration of about 179 government organizations in order to comply with the new Indian law. Amnesty International announced that it had suspended its operations in India after the government froze its bank accounts in 2020 (3). All previous evidence confirms that it is difficult for Indian civil society organizations to access foreign funding.

Israel: Using Terror Laws to Deny Funding to Civil Society Organizations

International human rights call increased recently to resume funding for six Palestinian civil society organizations that Israel designated as terrorist organizations without providing any public and documented evidence to substantiate their allegations(4). That is after donors stopped funding many of the Palestinian organizations included in that resolution. In January 2022, the Dutch government stopped funding UAWC, even though it had not established any terrorism suspicions (5). The European Commission cut off funding for the Palestinian Al-Haq organization due to the Israeli government's decision to classify Al-Haq as a terrorist organization without verifying that (6).

In June 2021, an Israeli military force stormed the headquarters of the Palestinian Health Work Committees and scatter its various contents, with its work suspended for six months due to the organization receiving funding from one of the entities classified by the Israeli government as terrorism. partners for transparency stresses that this decision lacks any legal procedures and represents an extension of the restriction on funding civil society organizations, targeting them based on the funding sources they obtain, even if they are legitimate(7).

Algeria: More Restrictions on Civil Society Organizations

The Algerian security services began restricting the work of civil society organizations recently. It arrested many of its employees on charges of receiving foreign funds, suspended other organizations' work, and closed its headquarters. In April 2021, the security services announced the arrest of members of Association SOS Culture Bab El Oued, a well-known youth and cultural association in Algiers, on charges of receiving foreign funding from external parties and sabotage(8). That puts Algerian civil society organizations under self-censorship for fear of being accused of related to foreign funding based on their dissenting human rights behavior.

In January 2022, the Algerian State Council issued a decision to temporarily suspend the activities of the Socialist Workers Party and close its headquarters due to illegal activity. The Rally for Culture and Democracy also received a notification from the Ministry of Interior to stop hosting meetings in its offices without a license and threatened the party with legal action. partners for transparency considers this tactic of the Algerian security services a kind of restriction on the civil society organizations' access to various resources (9).

Belarus: The government imposes restrictions on funding civil society organizations

In December 2021, the Belarusian government introduced new laws that impose measures on funding civil society organizations, making it difficult for them to obtain it. The government targeted and closed down NGOs that provide support to the elderly and people living with HIV, restricting and confiscating their resources because they carried out activities outside the scope of their charters. Estimates indicate that the organizations that the government has closed down are more than 50, led by the European Youth Parliament Organization, the Belarusian PEN Center, and the Human Constanta and Youth Labor Rights(11).

Recommendations

- Finding a mechanism that allows civil society organizations to obtain and access various financial resources even under repressive or highly complex laws.
- Putting pressure on the Indian government to amend the law on the work of civil society organizations to allow them to receive aid unconditionally.

- Putting pressure on the Israeli occupation government to retract its decision to consider six human rights organizations as terrorist entities. And stop targeting human rights and humanitarian organizations to obtain funding from illegal sources without providing any legal evidence. In addition to the need to urge donors to continue providing support to Palestinian civil society organizations.
- The necessity of putting pressure on the Algerian government to stop targeting the funding of civil society organizations.
- The necessity of putting pressure on the Belarus government to retract the decisions to close civil society organizations.

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- 1- Civil society organisations under pressure in the world's biggest democracy. TheLoop . <https://bit.ly/3L8ekKE>
 - 2- Indian law on foreign funding a 'tool to silence' civil society. .aljazeera. November 2020. <https://bit.ly/3oheuO9>
 - 3- Foreign fund ban hinders relief work. Globaltimes. January 2022 <https://bit.ly/3gmtOnX>
 - 4- Israel Palestine UN experts call on governments to resume funding for six Palestinian CSOs designated by Israel as 'terrorist organisations' . Office of the United Nations High Commissioner for Human Rights. <https://bit.ly/3LcnLiX>
 - 5- Union of Agricultural Work Committees. <https://bit.ly/3lbWBhG>
 - 6- Statement Al-Haq about funding suspension imposed by the European Commission. Alhaq. <https://bit.ly/3NdvSNB>
 - 7- Right-wing civil society in Israel as a model, NGO monitor, Madar, June 2021, <https://bit.ly/3rkYsEw>
 - 8- Algeria police arrest eight people on charges of receiving funding from abroad, Europe News, April 2021, <https://bit.ly/3HmUocy>
 - 9- Algeria Escalating repression threatens survival of independent civil society. article19. FEBRUARY 2022 <https://bit.ly/3N9dq8O>
 - 10- CONCERN AS AUTHORITIES CONTINUE SYSTEMATIC RETALIATION AGAINST CIVIL SOCIETY. Civicus. <https://bit.ly/3Mbwu6i>
 - 11- Belarus closes down civil society organizations en masse. Devex. <https://bit.ly/3wuR3Uy>