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Democracy and Human Rights

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THE IMPORTANCE OF CIVIL SOCIETY AND ITS INTERPLAY WITH PARLIAMENTS
AND OTHER DEMOCRATICALLY ELECTED ASSEMBLIES FOR THE MATURING
AND DEVELOPMENT OF DEMOCRACY

Amendments to the revised preliminary draft resolution submitted within the statutory deadline by the delegations of Algeria, Canada, Cuba, Egypt, India, Indonesia, Italy, Mexico, the Philippines, Romania, Sweden and Venezuela

PREAMBLE

Preambular paragraph 1

Amend to read as follows as follows:

(1) *Recognizing* that a sincere and active commitment to interplay and exchanges between civil society and parliaments and other democratically elected assemblies is a long-term political investment that, if properly managed, will contribute to ensuring peace, justice and prosperity and will increase civic participation, **and will enhance the effectiveness of representative institutions and the legitimacy of governments;**

(Canada)

New preambular paragraph 1bis

Add a new paragraph after the first preambular paragraph to read as follows:

(1bis) *Underscoring* the close link between democracy and civil society, as well as the role of the latter in development and the strengthening of democracy, and in the introduction of change required for development processes,

(Egypt)

Add a new paragraph after the first preambular paragraph to read as follows:

(1bis) *Aware* that among democratic institutions, parliaments are a privileged forum for a transparent and free dialogue with the different forms of civil society,

(Italy)

Preambular paragraph 5

Amend to read as follows:

(5) *Acknowledging* that parliaments around the world have a responsibility to provide a foundation for people-oriented social and economic policies which enhance bonds of trust, mutual confidence and reciprocity among citizens, **appropriate funding of a public nature and legally verifiable, and which in principle should not come from foreign governments, and whose sole objective should be the promotion of democracy and not the subversion of legitimately constituted governments,**

(Venezuela)

New preambular paragraphs 5bis and 5ter

Add two new paragraphs after the fifth preambular paragraph to read as follows:

(5bis) *Recognizing* that if democracy is to be strengthened with a plurality of options, it is fundamental that parliamentarians promote the organization of civil society parties that represent the different sectors of the society.

(5ter) *Underlining* that tolerance represents a unique value in ensuring social peace and in the strengthening of forms of democracy,

(Mexico)

Preambular paragraph 7

Delete preambular paragraph 7.

(India)

New preambular paragraph 7bis

Add a new paragraph after the seventh preambular paragraph to read as follows:

(7bis) *Underscoring* the importance of granting more freedom of action to civil society institutions, without prejudice to the State's right to revise the legal system of such institutions to ensure that the principles underpinning them are included in the laws and regulations that govern their activities, so as to prevent any acts of deceit or fraud and any abuse of the rights and freedoms thus granted,

(Egypt)

Preambular paragraph 8

Amend to read as follows:

(8) *Underlining* the grass-roots-based, ~~non-profit~~ and voluntary (~~non-compulsory~~) aspect of civil society organizations ~~and their other characteristics (including their pursuit of social or cultural aims with the desire for public benefit, and the fact that they are organized with independence from the apparatus of government),~~ and *noting* the great differences in the structure of civil society in the various regions,

(Canada)

Preambular paragraph 9

Amend to read as follows:

(9) *Stressing* the fact that civil society is currently developing into a major global, social and economic force, and that its activities cover a very wide field, including social services, education, health, human rights, ~~and culture,~~ **communication and information,**

(Algeria)

New preambular paragraph 9bis

Add a new paragraph after the ninth preambular paragraph to read as follows:

(9bis) Recognizing that the growing interest shown at the international level for the activation of the role of civil society and its institutions working in the various fields of activity must serve neither as a means of achieving political and economic ends nor as a pretext for external parties and forces to interfere in the internal affairs of States, but must ensure respect for the cultural specificities of different societies,

(Egypt)

Preambular paragraph 10

Amend to read as follows:

(10) *Recognizing* the importance of creative interplay ~~and exchanges~~ between parliaments and civil society, especially in bridging gaps between various local groups and government bodies, public sector organizations, private business enterprises and the public,

(India)

New preambular paragraph 10bis

Add a new paragraph after the tenth preambular paragraph to read as follows:

(10bis) Affirming that the financial relationships between civil society organizations and governments must be structured to provide needed support while avoiding co-optive pressures or the diminution of ties between organizations and their constituencies that could compromise the independence and diversity of civil society organizations;

(Canada)

Preambular paragraph 11

Amend to read as follows:

(11) *Conscious* of forces that can undermine democracy by suppressing or manipulating civil society, that may emanate from intolerant governments and also from ideologies ~~from below~~, including religious intolerance and fundamentalism, terrorism and other anti-democratic ideologies, old and new forms of racism, xenophobia, anti-Semitism, Islamophobia, fascism and extreme revolutionary engagement built on hate and violence,

(Algeria)

Amend to read as follows:

(11) *Conscious* of forces that can undermine democracy by suppressing or manipulating civil society, that may emanate from ~~intolerant~~ governments **and ideologies which are intolerant**, and also from ideologies from below, including religious intolerance and fundamentalism, terrorism and other anti-democratic ideologies, old and new forms of racism, xenophobia, anti-Semitism, Islamophobia, fascism and extreme revolutionary engagement built on hate and violence,

(Canada)

Amend to read as follows:

(11) *Conscious* of forces that can undermine democracy by suppressing or manipulating civil society, that may emanate from ~~intolerant governments and also from ideologies from below, including~~ religious intolerance and fundamentalism, terrorism and other anti-democratic ideologies, old and new forms of racism, xenophobia, anti-Semitism, Islamophobia, **and** fascism and extreme revolutionary engagement built on hate and violence,

(Cuba)

Amend to read as follows:

(11) *Conscious* of forces that can undermine democracy by suppressing or manipulating civil society, that may emanate from intolerant governments and also from ideologies from below, including religious intolerance and fundamentalism, terrorism and other anti-democratic ideologies, ~~old and new forms of~~ racism, xenophobia, anti-Semitism, Islamophobia, fascism and extreme revolutionary engagement built on hate and violence,

(India)

Amend to read as follows:

(11) *Conscious* of forces that can undermine democracy by suppressing or manipulating civil society, that may emanate from intolerant governments and also from ideologies from below, including religious intolerance and fundamentalism, terrorism and other anti-democratic ideologies, old and new forms of racism, xenophobia, ~~anti-Semitism~~, Islamophobia, fascism and extreme revolutionary engagement built on hate and violence,

(Indonesia)

New preambular paragraph 11bis

Add a new paragraph after the eleventh preambular paragraph to read as follows:

(11bis) **Reaffirms that each State has the sovereign right, freely to choose and develop, in accordance with the will of its people, its own political, social, economic and cultural systems without interference by other States in strict conformity with the United Nations Charter,**

(Cuba)

New preambular paragraphs 11bis and 11ter

Add two new paragraphs after the eleventh preambular paragraph to read as follows:

(11bis) **Conscious that poverty, unemployment, corruption and the lack of opportunities limit the freedom of citizens, thus undermining the democratic system as a whole by inhibiting the integration of social organizations that favour democratic rights,**

(11ter) **Considering in this sense that the IPU is currently developing a Guide on parliament's contribution to democracy, so as to disseminate successful experiences carried out by world parliaments to achieve a greater exercise of representative democracy.**

(Mexico)

New preambular paragraph 12bis

Add a new paragraph after the twelfth preambular paragraph to read as follows:

(12bis) **Recalling the Beijing Declaration and Platform for Action, which encouraged governments to take measures to ensure women's full participation in power structures and decision-making and to increase women's capacity to participate in decision-making and leadership;**

(Canada)

OPERATIVE PART

Operative paragraph 1

Amend to read as follows:

1. **Asserts that the articulation of the interplay and exchanges between civil society and parliaments and other democratically elected assemblies will not only contribute to the eradication of poverty, but also empower even the poorest of the poor to engage in general democratic life in their respective countries and, in so doing, will enhance the richness and credibility of political representation and strengthen the legitimacy of democratic institutions and processes;**

(Canada)

Amend to read as follows:

1. **Asserts that the articulation of the interplay and exchanges between civil society and parliaments and other democratically elected assemblies will not only contribute to the eradication of poverty, but also empower disadvantaged groups/sections of the society even the poorest of the poor to engage in general democratic life in their respective countries;**

(India)

New operative paragraph 1bis

Add a new paragraph after the first operative paragraph to read as follows:

1bis. Emphasizes that only the full affirmation of political and social pluralism can ensure for all citizens the enjoyment of fundamental rights and freedoms;

(Italy)

Operative paragraph 2

Amend to read as follows:

2. *Calls upon* all parliaments and governments to strive to promote constructive interplay and exchanges with their respective civil societies, with a view to optimizing the participatory character of their democracies inter alia through the effective use of information technology ~~and the facilitation of discussions on bridging the digital divide among regions;~~

(Algeria)

Amend to read as follows:

2. *Calls upon* all parliaments and governments to strive to promote constructive interplay and exchanges with their respective civil societies, with a view to optimizing the participatory character of their democracies inter alia through the effective use of information technology, **through the involvement of civil society organizations in gender-budgeting processes**, and the facilitation of discussions on bridging the digital divide among regions;

(Canada)

New operative paragraphs 2bis and 2ter

Add two new paragraphs after the second operative paragraph to read as follows:

2bis. Calls upon the world's parliamentarians to promote a new type of citizenry with greater capacity for participation through the vote/suffrage and which can influence the design and implementation of public policies;

2ter. Invites parliamentarians to promote referendums, plebiscites and popular consultations in the decision-making process, as forms of citizen's participation;

(Mexico)

Operative paragraph 3

Amend to read as follows:

3. *Calls upon* the world's parliamentarians to initiate and implement projects to facilitate public participation **and education for youth, women and men**, ~~including the involvement of young people and the ensuing education of women and men in democracy that such participation will engender~~, thereby training civil society in the operations and functions of legislatures and in the importance of civic participation in sustaining democracies;

(India)

New operative paragraph 3

Add a new paragraph after the third operative paragraph, to read as follows:

3bis. Calls also upon parliaments and the IPU to set up mechanisms for exchanges of information, experience and best practices on the implementation and results of such projects;

(Romania)

Operative paragraph 4

Amend to read as follows:

4. *Further calls* upon parliaments all over the world to put forward flexible social policies and legislation to promote civil society and make it easier for voluntary organizations to register or to be incorporated, while at the same time guaranteeing the independence and diversity of non-governmental organizations and ensuring that civil society organizations whose support stems from ideologies based on fundamentalism **terrorism, old and new forms of racism, xenophobia, fascism** and intolerance are not encouraged;

(Cuba)

Amend to read as follows:

4. *Further calls upon* parliaments all over the world to put forward flexible social policies and legislation to promote civil society **interactions and exchanges** ~~and make it easier for voluntary organizations to register or to be incorporated, while at the same time guaranteeing the independence and diversity of non-governmental organizations and ensuring that civil society organizations whose support stems from ideologies based on fundamentalism and intolerance are not encouraged;~~

(India)

Amend to read as follows:

4. *Further calls upon* parliaments all over the world to put forward flexible social policies **pursuant to prevailing national laws** and legislation to promote civil society and make it easier for voluntary organizations to register or to be incorporated, while at the same time guaranteeing the independence and diversity of non-governmental organizations and ensuring that civil society organizations whose support stems from ideologies based on fundamentalism and intolerance are not encouraged;

(Indonesia)

New operative paragraph 4bis

Add a new paragraph after the fourth operative paragraph, to read as follows:

4bis. Also calls upon parliaments to ensure continuous and regular follow-up of the revision process for legal texts relating to the work of civil society and which affect the relevance of the application of general rules, so as to ensure that they contain all the details necessary to ensure the independence and protection of civil society institutions, such as the a priori recognition of their existence as legally independent entities and their provision with all the powers and immunities required for them to carry out their aims;

(Egypt)

Operative paragraph 5

Delete operative paragraph 5.

(Philippines)

Amend to read as follows:

5. *Emphasizes* that fair funding of civil society is necessary in maturing democracies, and that this need gives both the public and private sectors a great opportunity to contribute to a positive development by collaborating with civil society **in ways that do not create co-optive pressures or erode the ties between organizations and those they represent, and thus sustain the independence and diversity of civil society organizations;**

(Canada)

Operative paragraph 7

Amend to read as follows:

7. *Strongly urges* parliaments to support and where necessary enhance all **legislative and constructive** channels of political expression, the promotion of human rights and investment in human capital, through legislation, policies and regulations that promote civil society;

(India)

Operative paragraph 9

Delete operative paragraph 9.

(India)

Amend to read as follows:

9. *Calls upon* parliaments **to enact legislation and adopt all measures incumbent upon them in order to counter** ~~to pay particular attention to~~ corruption, that poses an internal threat to democracy, ~~and~~ to promote discussions on anti-corruption measures, including through negotiations related to the United Nations Convention against Corruption, **and to support steps towards an internationally agreed upon definition of terrorism.**

(Romania)

Amend to read as follows:

9. *Calls upon* parliaments **and civil society** to pay particular attention to corruption, that poses an internal threat to democracy, and to promote discussions on anti-corruption measures, including through negotiations related to the United Nations Convention against Corruption.

(Sweden)

New operative paragraph 9bis

Add a new paragraph after the ninth operative paragraph, to read as follows:

- 9bis. Emphasizes, in particular, the need to take immediate and dissuasive measures to deal with corruption and guarantee total transparency, with the aim of ensuring the credibility, among the majority of citizens, of the enforcement of the rule of law on an equal footing, as well as to strengthen the role of civil society in this regard;**

(Egypt)

Operative paragraph 10

Delete operative paragraph 10.

(India)

Amend to read as follows:

10. *Urges* parliaments to invite representatives of the corporate sector and non-governmental organizations (NGOs) **to support the efforts of the governments** to engage in a policy dialogue aimed at exploring avenues of increased collaboration, especially with regard to long-term commitments in areas such as the pursuit of the Millennium Development Goals, protection of the environment and debt relief, and also aimed at identifying impediments preventing NGOs from participating in and contributing to various fields of development;

(Indonesia)

Amend to read as follows:

10. *Urges* parliaments to invite representatives of the corporate sector and non-governmental organizations (NGOs) to engage in a policy dialogue aimed at exploring avenues of increased collaboration, especially with regard to long-term commitments in areas such as the pursuit of the Millennium Development Goals, protection of the environment and debt relief, and also aimed at identifying impediments preventing NGOs from participating in and contributing to various fields of development, **and the measures needed to eliminate them;**

(Romania)

Operative paragraph 11

Amend to read as follows:

11. *Invites* parliaments and governments to support the role played by civil society organizations in job creation and economic development, **and to capitalize on their expertise in this field;**

(Romania)

Operative paragraph 12

Amend to read as follows:

12. *Urges* parliaments and governments to encourage the development and strengthen **the capacity-building** of local civil society by providing the necessary support, training and

technical assistance, and by organizing open hearings and other activities that promote a permanent dialogue with civil society;

(Indonesia)

Amend to read as follows:

12. *Urges* parliaments and governments to encourage the development and strengthening of local civil society by providing the necessary support, ~~training~~ and technical assistance, and by organizing open hearings and other activities that promote a permanent dialogue with civil society;

(Romania)

Operative paragraph 13

Amend to read as follows:

13. *Invites* parliaments to participate in the creation of ongoing contacts with NGOs, including those that represent marginalized groups, with a view to encouraging a greater level of popular advocacy in political life, **providing (and encouraging NGOs to seek from governments) systematic responses to advocacy, including both actions taken and clear explanations of inaction, so as to strengthen incentives for participation,** and educating their constituents about the importance of civic participation at all levels;

(Canada)

New operative paragraph 13bis

Add a new paragraph after the thirteenth operative paragraph, to read as follows:

- 13bis. Calls upon parliaments to adopt rules and procedures capable of ensuring an effective dialogue with civil society in the performance of parliamentary functions;**

(Italy)

Operative paragraph 14

Amend to read as follows:

14. *Recommends* that the IPU **develop closer links with civil society and** project itself as a global actor in the promotion of civil society by adopting a new comprehensive media strategy to make the Union better known to the general public;

(Romania)

Operative paragraph 15

Delete operative paragraph 15.

(India)

Amend operative paragraph 15 as follows:

15. *Urges* parliaments to encourage ~~networking~~ **active interaction** among civil society groups by sharing **experiences and exchanging views** to ensure best practices.

(Indonesia)

New operative paragraphs 15bis and 15ter

Add two new paragraphs after operative paragraph 15, to read as follows:

- 15bis. *Calls upon* parliaments to design, jointly with their governments, programmes that promote the education of democratic values such as liberty, equality for legality and, especially, the right to free association, and emphasizes that their defence is much more feasible in a well-informed and organized society.

(Mexico)

- 15ter. *Calls upon* member parliamentarians of the IPU to follow up on and contribute to the elaboration and dissemination of the Guide on parliaments in contribution to democracy as an effective way to disseminate and assimilate successful experiences in the widening of the democratic and parliamentary lives of our societies.

(Mexico)

New operative paragraphs 15bis, 15ter, 15quater and 15quinquies

Add four new paragraphs after operative paragraph 15, to read as follows:

- 15bis. *Calls upon* parliaments and governments to ensure that legislation is worded in a manner that is clear and comprehensive for the citizen and to ensure also that citizens and civil society actors are aware of their legal and constitutional rights and their responsibilities in respect of participation in the democratic process;

- 15ter. *Encourages* parliaments to ensure that their relations with the media and their information and communication policies for civil society and the public in general are transparent and based on trust;

- 15quater. *Encourages* the media to be the objective and impartial intermediary transmitting the legislative debate and the relationship between parliament and civil society to citizens, by reporting without restrictions, faithfully and in detail on the work of parliament and parliamentarians, and also on the relationship between elected representatives and civil society;

- 15quinquies. *Recalls* parliamentarians' interest in developing direct contacts with civil society actors and citizens in general, both at the electoral district level by establishing a parliamentary presence there where constituents can be

received, and at the national or international level, by using interactive Internet resources, for example;

(Algeria)