

## **Protecting and promoting civil society participation in anti-corruption: Fulfilling the spirit and intent of UNCAC Article 13**

Global Civil Society Coalition for the UNCAC<sup>1</sup> Submission to CoSP11

**21 November 2025**

Civil society has a crucial role to play in preventing and combating corruption, reaffirmed by the UN Convention against Corruption (UNCAC) in Article 13 (participation of society), Article 10 (access to information), and other UNCAC provisions. A well-informed and engaged civil society provides valuable expertise and experience, and a different perspective from that of public officials, ultimately contributing to more informed decision-making and better outcomes. A safe and enabling environment is critical to ensure that the conditions are present for civil society to operate independently and without fear of reprisal in their efforts to combat corruption, as envisioned by the UNCAC, the UN Special Session against Corruption (UNGASS) Political Declaration, and most recently the Atlanta Declaration adopted at the 10th UNCAC Conference of States Parties (CoSP) in December 2023.<sup>2</sup>

However, civic space worldwide continues to face serious limitations. CIVICUS's Monitor 2024 finds that 72.4 percent of the global population lives under "closed" or "repressive" civic space, while almost 30 percent lives in countries where civic space is "completely closed".<sup>3</sup> Activists, investigative journalists, witnesses, whistleblowers, and other civil society actors carrying out anti-corruption work in numerous countries worry about their safety; many face threats and persecution for uncovering and reporting on corruption, and too many – including their families – have been the victims of attacks.<sup>4</sup> Major challenges include physical attacks, threats, intimidation, and harassment; digital and online attacks; restrictive or harmful laws; Strategic

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<sup>1</sup> Has been known as the UNCAC Coalition.

<sup>2</sup> See UNGASS political declaration (paragraphs 21 and 31):

<https://documents.un.org/doc/undoc/gen/n21/138/82/pdf/n2113882.pdf>, CoSP10 Resolution 10/1, OPs 8, 9 & 13 and the preamble: Atlanta 2023: promoting integrity, accountability and transparency in the fight against corruption: [https://www.unodc.org/documents/treaties/UNCAC/COSP/session10/resolutions/L-documents/2325351E\\_L.5\\_Rev.1.pdf](https://www.unodc.org/documents/treaties/UNCAC/COSP/session10/resolutions/L-documents/2325351E_L.5_Rev.1.pdf). See: Transparency International's submission to UNCAC CoSP10, December 2023, "Article 13 and Civic Space", <https://www.unodc.org/documents/treaties/UNCAC/COSP/session10/NGO/CAC-COSP-2023-NGO4.pdf>.

<sup>3</sup> CIVICUS Monitor, "People Power under Attack 2024", [https://monitor.civicus.org/globalfindings\\_2024/](https://monitor.civicus.org/globalfindings_2024/).

<sup>4</sup> Article 19, 'Guide on the Enforcement of Articles 10 and 13 of the UNCAC by Governments and Civil Society', 2022, <https://www.article19.org/wp-content/uploads/2022/12/UNCAC-Guide-Final.pdf>.

Lawsuits Against Public Participation (SLAPPs) and other legal challenges; as well as inadequate funding and limited access to decision-makers and decision-making processes.

In 2025, the significant geopolitical shifts, funding cuts, and shrinking civic space have increased the risks and barriers for civil society organizations (CSOs) working on anti-corruption issues, harmfully affecting the rights to freedom of expression, association, and assembly, and making it more difficult for them to advance anti-corruption measures.<sup>5</sup>

## Challenges facing civil society working on anti-corruption

Shrinking civic space trends globally show that CSOs, whistleblowers, journalists, academics, and other civil society actors working on anti-corruption face a wide range of attacks and challenges in carrying out their work at the country level.<sup>6</sup>

- **General threats to the safety and security of CSO members**, including physical attacks, intimidation, harassment, stigmatization, and reputational attacks, anti-NGO narratives, as well as online attacks such as surveillance and digital threats.
- **Significant funding cuts and a rapidly changing funding landscape** affect the ability of many NGOs to operate and/or maintain services, resulting in project cancellations, staff reductions, and limited operational capacity. For other organizations, it poses longer-term challenges in securing sustainable funding.<sup>7</sup>

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<sup>5</sup> UN Special Mandate Holders press statement, “UN Experts Urge States Parties to Safeguard Civic Space and Uphold Human Rights in anti-corruption efforts”, August 2025, <https://www.ohchr.org/en/press-releases/2025/08/un-experts-urge-uncac-states-parties-safeguard-civic-space-and-uphold-human>.

<sup>6</sup> Shrinking civic space has posed significant challenges for civil society around the world, including in the Coalition’s network, see: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30210>, [https://www.eeas.europa.eu/eeas/georgia-statement-spokeperson-authorities%E2%80%9999-decision-freeze-bank-accounts-seven-civil-society\\_en](https://www.eeas.europa.eu/eeas/georgia-statement-spokeperson-authorities%E2%80%9999-decision-freeze-bank-accounts-seven-civil-society_en), <https://www.hrw.org/news/2025/05/23/el-salvador-foreign-agents-law-targets-civil-society-media>, <https://uncaccoalition.org/update-on-the-case-of-dr-gubad-ibadoghlu-escalating-threats-to-azerbaijan-human-rights-defenders/>, <https://www.hrw.org/news/2025/05/23/el-salvador-foreign-agents-law-targets-civil-society-media>, <https://www.wola.org/analysis/curtailing-civic-space-tightening-restrictions-on-civil-society-in-the-americas/>, <https://www.transparency.org/en/press/transparency-international-indonesia-crackdown-on-protest-is-dangerous-erosion-of-civic-space>.

<sup>7</sup> Special Rapporteur on the rights to freedom of peaceful assembly and of association, “Freedom of assembly and association rights, collective action and human solidarity facing an existential threat”, <https://www.ohchr.org/en/documents/thematic-reports/a80219-report-special-rapporteur-rights-freedom-peaceful-assembly-and>. Also see the Global Aid Freeze Tracker by Accountability Lab, Humentum and Global Voices, an ongoing survey of civil society on the impacts of funding cuts: <https://www.globalaidfreeze.com/>. In some cases, funds are being directed away from governance and anti-corruption initiatives towards other sectors, leaving CSOs focused on anti-corruption and governance issues with fewer resources. Onerous reporting requirements, pressure related to receiving foreign funds, and challenges in opening bank accounts are other impediments.

- **Restrictive laws** make it challenging for CSOs to register, be established, or operate. “Foreign Agents Laws” equate civil society’s receipt of international funds with being a tool of foreign influence. Such restrictive laws and the **weaponization of laws** create barriers for CSOs to operate effectively, presenting direct threats to the freedoms of expression, association, and assembly.
- **Barriers to freedom of expression**, including online, and the **proliferation of SLAPPs** are often used to intimidate and silence CSOs and journalists. Institutional mechanisms are also abused to restrict the work of CSOs. For example, judicial bodies have launched investigations against CSOs for merely carrying out their work.
- **Impediments to access information** continue to pose a major challenge. While Freedom of Information Act (FOIA) laws exist, new legal exceptions are increasingly encountered, making it harder to access public information. Journalists often find themselves in the role of defending the right to information. The conflict between data protection and access to information is another major concern, where privacy clauses are often used to block access to critical information.

## Restrictions on civil society in UNCAC fora

Civil society actors continue to face restrictions to fully participate in UNCAC fora, which contradicts the fundamental rights of freedom of expression, assembly, and association, and Article 13 and other UNCAC articles.<sup>8</sup> These restrictions include the following:

- While non-state actors can participate as observers in the UNCAC CoSP, held every two years, there have been challenges to their participation, including arbitrary objections from a few States Parties blocking several NGOs from attending CoSPs.<sup>9</sup>
- CSOs and other non-state actors have traditionally been excluded from participating as observers of the UNCAC’s subsidiary bodies, even though the UNCAC rules of procedure allow for civil society participation in UNCAC subsidiary bodies, but have not been applied.<sup>10</sup>

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<sup>8</sup> United Nations, “Guidance Note on Protection and Promotion of Civic Space”, 2020, [https://www.ohchr.org/sites/default/files/Documents/Issues/CivicSpace/UN\\_Guidance\\_Note.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf), and OHCHR, “Guidelines for States on the effective implementation of the right to participate in public affairs”, July 2018, <https://www.ohchr.org/en/documents/tools-and-resources/guidelines-effective-implementation-right-participate-public-affairs>.

<sup>9</sup> At the UNCAC 10th Conference of the States Parties in December 2023, a historic, first-ever vote lifted objections against the participation of leading non-governmental organizations and allowed all registered observer organizations to participate in the conference, see UNCAC CoSP10 Atlanta Civil Society Declaration (15 December 2023), <https://uncaccoalition.org/wp-content/uploads/UNCAC-CoSP10-%E2%80%93Atlanta-Civil-Society-Declaration.pdf>.

<sup>10</sup> Despite the essential role of civil society in combating corruption as embodied by UNCAC Articles 10, 13, and other provisions, non-governmental stakeholders have been excluded from participating as observers in the UNCAC’s subsidiary bodies since 2010. However, according to Rule 2, the UNCAC CoSP rules of procedure must be

- Civil society actors' participation in national country reviews under the UNCAC's Implementation Review Mechanism (IRM) is optional, despite the spirit and intent of UNCAC Article 13 and other articles. This restriction hinders non-governmental stakeholders' ability to contribute to the reviews. Inadequate transparency in the country review process also makes it difficult for CSOs to engage or to access information about the status of reviews; country reports and self-assessment checklists from reviews are not required to be published.<sup>11</sup>

## **Following through on UNCAC commitments<sup>12</sup>**

The Global Civil Society Coalition for the UNCAC urges States Parties to adopt the following concrete recommendations in their own country and to collectively, through the UNCAC and beyond, defend, protect, and support civil society actors in their efforts to combat corruption and ensure greater transparency and accountability.

## **Recommendations for the national level<sup>13</sup>**

- 1. Create and maintain a safe and enabling environment for civil society actors:** States Parties should immediately take the following actions to fulfill their UNCAC obligations and other relevant international commitments and ensure the conditions are present for active civil society participation in anti-corruption.
  - *Adopt and effectively implement enabling laws and policies:* States Parties have an obligation to develop laws and policies that align with the spirit and intent of Article 13 and international human rights standards, which is the foundation for ensuring a safe space for civil society actors to operate and the rights to freedom of assembly, association, and expression. This includes supportive laws to create

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applied mutatis mutandis to subsidiary bodies created under Article 63. These bodies include the Implementation Review Group, the Working Group on Prevention, and the Working Group on Asset Recovery. Therefore, the following rules apply to the IRG mutatis mutandis: Rule 17 says that CSOs can participate as observers in CoSP plenaries. Rule 40 says that CoSP plenaries should be public unless the COSP decides otherwise.

<sup>11</sup> The IRM has weaker standards than other anti-corruption monitoring mechanisms on such aspects as transparency, civil society participation, follow-up process, efficiency, and assessing effectiveness. See Karin Adams, Frederike Diny, Sheenam Puri, U4 Issue Brief, "How to make the UN Convention against Corruption's Implementation Review Mechanism More Effective", 2024, <https://www.u4.no/publications/how-to-make-the-un-convention-against-corruption-s-implementation-review-mechanism-more-effective.pdf>.

<sup>12</sup> This submission draws on ideas and recommendations discussed at the panel on protecting civic space that was held during the IRG annual NGO Briefing (informal part) in September 2024.

<sup>13</sup> Human Rights Council, Resolution 59/10 "Civil society space", July 2025, <https://docs.un.org/en/A/HRC/RES/59/10>. The resolution highlights the threats facing civil society and includes specific calls to action for States to ensure a safe and enabling environment for civil society, which are highly relevant for civil society actors working on anti-corruption.

a more favorable environment for activism and journalism, effective access to information, and ensuring journalists and other civil society actors have access to adequate funding for legal protection.

- *Regularly review and revise national laws:* States Parties should regularly review and revise their national laws to ensure they comply with international standards, addressing any restrictive laws that make it difficult for CSOs to operate. For States with strong laws already in place, strong monitoring mechanisms are needed to ensure that these laws are implemented properly and upheld.<sup>14</sup>
- *Adopt participatory forms of civic engagement:* States should also go beyond merely consulting civil society and adopt more participatory forms of civic engagement in anti-corruption to lead to more impactful outcomes, for example, in the use of climate finance funds to ensure that the funds achieve their intended aims and benefit communities and other stakeholders most affected.<sup>15</sup>
- *Promote civic space in conversations:* States should create inclusive environments where civil society can actively participate and contribute to discussions and decision-making on anti-corruption laws, strategies, and other measures, and ensure that civic space is an integral part of national <sup>16</sup>conversations.

**2. Establish robust early warning and protection mechanisms for civil society actors and journalists coming under attack:** In cases where CSOs, activists, whistleblowers and journalists face extreme challenges and dire situations, adequate mechanisms should be put in place at the country level to help them survive and ensure they can continue their work without undue hindrance. It is also critically important to have more active and coordinated efforts by supportive governments, donors, intergovernmental organizations, and other global actors to exert diplomatic and other types of pressure to help defend and protect civil society members coming under attack.<sup>17</sup> Consolidating and

<sup>14</sup> As an example of how States can concretely take steps to strengthen the enabling environment for civil society, see Dominican Republic's Open Government Challenge to develop a national strategy to protect and expand civic space: <https://www.opengovpartnership.org/stories/open-gov-challenge-dominican-republic/>.

<sup>15</sup> For more details and examples of integrity and stakeholder participation approaches for climate finance projects see: World Bank, Green Climate Fund, Transparency International, "Integrity in Climate Finance and Action Knowledge Report", (2025), <https://www.worldbank.org/content/dam/documents/sanctions/other-documents/2025/may/Knowledge%20Report%20Symposium%20Supranational%20Integrity%20in%20Climate%20Finance.pdf>.

<sup>16</sup> Gina Romero, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, "Global Aid Dismantling Poses Existential Threat to Collect Action and and Human Solidarity," (2025), <https://www.ohchr.org/en/press-releases/2025/10/global-aid-dismantling-poses-existential-threat-collective-action-and-human>

<sup>17</sup> Examples of early warning and protection mechanisms for civil society and journalists: the Lifeline Embattled CSO Assistance Fund: <https://www.csolifeline.org/>, Protect Defenders: <https://protectdefenders.eu/protecting-defenders/> and Platform to promote the protection of journalism and safety of journalists: <https://fom.coe.int/en/accueil>.

better coordinating the existing protection mechanisms for civil society actors and journalists will help those coming under attack, specifically for anti-corruption work. Legal protection for journalists continues to be both difficult and costly to secure.

- 3. Provide funding and other types of support and capacity building to independent civil society actors and journalists.** Given the funding crisis, States should collectively and urgently work to increase financial and other types of assistance for civil society actors, networks, and coalitions to ensure they can carry out anti-corruption work in a sustained manner, can adapt to a rapidly changing environment, and respond to increasing threats and restrictions. Donors should recognize the challenges for CSOs to be reliant on project-based funding (a reality for many NGOs), which can threaten an organization's existence. Diversification of revenue streams is important to ensure the long-term viability and effectiveness of CSOs.
- 4. Strengthen transparency and inclusiveness in UNCAC fora,** including by allowing non-governmental stakeholders to participate as observers in the meetings of the UNCAC subsidiary bodies, increasing access to information about the discussions of subsidiary bodies and related-technical assistance programs, partners and outcomes, increasing transparency and civil society participation in ongoing UNCAC reviews,<sup>18</sup> and strengthening the IRM in its next phase to foster greater transparency and civil society participation in the key stages of the review process and follow-up.<sup>19</sup>

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<sup>18</sup> See the best practices outlined in the UNCAC Coalition's written submission to CoSP11 on "Meaningful, transparent and inclusive UNCAC implementation reviews", <https://uncaccoalition.org/wp-content/uploads/Meaningful-transparent-and-inclusive-UNCAC-reviews—CoSP11-submission—Global-Civil-Society-Coalition-for-the-UNCAC—November-2025.pdf>.

<sup>19</sup> See the Global Civil Society Coalition for the UNCAC's tools to increase civil society participation and transparency in UNCAC country reviews, <https://uncaccoalition.org/uncac-review/>, and specifically the UNCAC Review Status Tracker: <https://uncaccoalition.org/uncacreviewstatustracker/> and the Guide to Transparency and Participation in UNCAC country reviews: <https://uncaccoalition.org/wp-content/uploads/UNCAC-Coalition-%E2%80%93-Guide-to-Transparency-and-Participation-in-the-IRM-Dec.-2022.pdf>.