

Open Letter to ECOSOC regarding the Committee on NGOs

To: Member States of ECOSOC

Cc: Chair of the Committee on NGOs, President of the General Assembly, President of the Human Rights Council, Member States of the UN General Assembly, UN Secretary General.

Excellencies,

We write to you regarding the ECOSOC Committee on NGOs (the Committee), which recommends approval of consultative status for non-governmental organisations, enabling access to and participation in a range of UN bodies and processes. ECOSOC Resolution 1996/31—which provides the mandate for the work of the Committee— acknowledges ‘the breadth of non-governmental organisations’ expertise and the capacity of non-governmental organisations to support the work of the United Nations.’

We are concerned about recent actions taken by the Committee suggesting it functions in a politicised manner, particularly in regard to its consideration of applications for consultative status from human rights organisations. We therefore call on UN Member States to ensure that the Committee upholds and respects the rights to freedom of expression and association and accords due process to all applicants for consultative status.

Several States have criticised the practice of the Committee in ECOSOC meetings. In 2015, Chile, Mexico and Uruguay, as well as the European Union, expressed strong concerns about the recent politicisation of the work of the Committee, in which some Committee members use procedural tactics to block certain organisations from being granted consultative status. The European Union noted that withdrawal of consultative status might be used as a form of reprisal for the activities of NGOs. Chile, Mexico and Uruguay called for greater transparency in the work of the Committee, recommending webcasting of Committee sessions.

In his 2014 report to the General Assembly (A/69/365), UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Maina Kiai criticised the multiple deferrals and perpetual questioning of some applications by Committee members. He noted that ‘(m)ember States and the UN have a legal obligation to strengthen civil society participation in the UN, including by ensuring that people can exercise their rights to freedom of peaceful assembly and of association in multilateral arenas.’

At its most recent session in January 2016, the Committee voted to close an NGO’s application on the basis that its work was contrary to the UN Charter, and then voted to deny the organisation the right to engage in dialogue with the Committee and address the allegations. This was condemned in ECOSOC by US Ambassador Mendelson who said that Committee members were using the body ‘to subvert the purpose of the Committee by further restricting civic space at the UN and blocking or deferring NGO applications on non-substantive grounds’.

Recommendations:

- As the parent body, ECOSOC must ensure that the practice and procedures of the Committee are in keeping with the principles, spirit and purpose of ECOSOC resolution 1996/31, and in strict compliance with international human rights standards.
- The practice and procedures of the Committee should thus be uniformly applied, apolitical, fair, transparent, non-discriminatory, consistent and expeditious. The practice and procedures should not be used to block accreditation through repeated questioning and persistent deferrals. ECOSOC must not allow its Committee's procedures and powers to be abused by imposing de facto restrictions on freedom of opinion and expression or freedom of association in violation of international human rights standards.
- ECOSOC, and its NGO Committee, should demand that States fully respect the Declaration on Human Rights Defenders, GA res 53/144 (1998), which affirms “the right, individually and in association with others, to unhindered access and communication with international bodies.” Instead, far too many of the Committee's actions appear themselves to pose an unacceptable hindrance to such access, whether by design or in their impact.
- ECOSOC should explicitly affirm the need for the NGO Committee to make sure that its own processes fully respect international human rights standards, including by ensuring full respect for the right of NGOs at risk of adverse decisions to be heard by the Committee, by excluding any decision motivated by discrimination of any kind, and by committing itself to upholding the right of everyone to unhindered access to international human rights bodies.
- Specifically, ECOSOC should take into account the recommendations set forth by Chile, Mexico and Uruguay and institute webcasting sessions of the Committee to encourage transparency in its operations and enable NGOs whose applications are being considered by the Committee to follow proceedings.
- Furthermore, when putting themselves forward for membership of the Committee, Member States must fulfill their responsibility to comply with international human rights standards, including obligations to uphold the rights to freedom of association and expression.

Unfortunately, the practice of the Committee is reflective of growing restrictions on civil society globally at the very time restrictions at the national level make access to the UN all the more crucial. The members of ECOSOC should take into account the recommendations above in order to promote a safe, transparent and enabling environment for civil society at the UN. By fostering such an environment, the UN can take full advantage of the particular expertise and insights provided by NGOs while protecting the legitimacy and credibility of its work.

Yours sincerely,

Access Now
Acción Solidaria en VIH/SIDA
Action Canada for Sexual Health and Rights
ActionAid International
African Centre for Democracy and Human Rights Studies (ACDHRS)
Ain o Salish Kendra
Akahatá AC
Albanian Helsinki Committee
Alkarama Foundation
American Civil Liberties Union (ACLU)
American Counseling Association
American Association of University Women
Amis des Etrangers au Togo (ADET)
Amnesty International
ARC International
Ariel Foundation International
Article 19
Asian Forum for Human Rights and Development (FORUM-ASIA)
Asian Legal Resource Centre
Association de Lutte Contre la Dependance (ALCD)
Association for the Prevention of Torture
Association for Women's Rights in Development (AWID)
Association of Scientists, Developers and Faculties
Association of Women for Awareness & Motivation (AWAM)
Association Promotion of Sustainable Development - India
Bahrain Youth Society for Human Rights
British Humanist Association
Brot für die Welt
Cairo Institute for Human Rights Studies (CIHRS)
Castan Centre for Human Rights Law
CAP Liberté de Conscience
Center for Constitutional Rights
Center for Development of International Law
Center for Egyptian Women's Legal Assistance (CEWLA)
Centre for Human Rights, University of Pretoria
Center for Inquiry
Center for Reproductive Rights
Center for Women's Global Leadership
Centre d'Etudes Juridiques Africaines (CEJA)
Centre for Civil and Political Rights
Centre for Sustainable Development and Education in Africa
Centre for the Development of Democracy and Human Rights
Centro de Documentación en Derechos Humanos "Segundo Montes Mozo S.J." (CSMM)
Centro de Estudios Legales y Sociales (CELS)
Child Rights Connect
Child Rights International Network (CRIN)

Choice for Peace Gender and Development - Nigeria
Christian Solidarity Worldwide
CIVICUS: World Alliance for Citizen Participation
CIVILIS Derechos Humanos
Coalition for the rights to health and to life (CODEVIDA)
Coalition Ivoirienne pour la Cour Pénale Internationale (CI CPI)
COC Netherlands
Colectivo de Abogados José Alvear Restrepo (CCAJAR)
Community Self Reliance Centre (CSRC)
Concern for Environmental Development and Research
Cooperation for Peace and Development (CPD)
Craddes ONG
Defend Defenders (East and Horn of Africa Human Rights Defenders Project)
Development Alliance
Dimension Humaine
Diverse Voices and Action (DIVA) for Equality – Fiji
DSW (German Foundation for World Population
Due Process of Law Foundation
East Timor and Action Network (ETAN)
Edmund Rice International
Egyptian Initiative for Personal Rights
Emonyo Yefwe International
ENDA Tiers Monde
End Impunity Organization
European Environmental Bureau
FAWCO
FIAN
Finnish NDGO platform to the EU (Kehys)
Forum for Women and Development (FOKUS)
Forum Suape Social and Environmental Space
Foundation for Aboriginal and Islander Research Action (FAIRA)
Foundation for Human Rights Initiative (FHRI)
Foundation for Socio-Economic Justice - Swaziland
Four Freedoms Forum
Freedom House
Freedom Now
Frente de Mujeres Defensoras de la Pachama - Ecuador
Fundamental Human Rights & Rural Development Association (FHRRDA)
Gender Empowerment and Development (GeED)
Geneva Infant Feeding Association (GIFA)
Gestos HIV and AIDS, Communication and Gender
Girls Education Mission International
Global Fund for Women
Global Initiative for Economic, Social & Cultural Rights
Global Justice Center
Graduate Women International

Green Advocates
Group Thematique Droits de la Femme et Violences Sexuelles – Democratic Republic of Congo
Gulf Centre for Human Rights
Helsinki Citizen's Assembly, Vanadzor
Human Rights Movement: Bir Duino – Kyrgyzstan
Humanitaire Plus
Human Rights Council of Australia
Human Rights Defenders Network – Sierra Leone
Human Rights First
Human Rights House Foundation - Geneva
Human Rights Law Centre
Human Rights Watch
Human Rights Without Frontiers International
Hungarian Civil Liberties Union
HURISA
International Federation of Business and Professional Women (IFBPW)
IBFAN –Zambia
Ifafunke Home of Hope-Africa Foundation
Institute for Reporters' Freedom and Safety
Institute on Statelessness and Inclusion
International Alliance of Women
International Association of Lawyers Against Nuclear Arms
International Association of World Peace Advocates
International Baby Food Action Network (IBFAN)
International Centre for Justice and Human Rights (ICJHR)
International Center for Not-for-Profit Law
International Commission of Jurists
International Council of Jewish Women
International Council of Women
International Dalit Solidarity Network
International Disability Alliance
International Federation of Action by Christians for the Abolition of Torture (FIACAT)
International Federation for East Timor (IFET)
International Federation for Human Rights (FIDH)
International Federation of Settlements
International Federation of Social Workers
International Humanist and Ethical Union
International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)
International Movement Against All Forms of Discrimination and Racism (IMADR)
International Partnership for Human Rights
International Peace Bureau
International Platform against Impunity
International Service for Human Rights
International Volunteer Organisation for Women Education Development
International Women's Development Agency
International Women's Anthropology Conference
International Women's Rights Action Watch Asia Pacific

International Youth Human Rights Movement (YHRM)
Iranti-Org
JASS (Just Associates)
Justice and Peace Netherlands
Jubilee Debt Campaign
Karapatan Alliance Philippines
Kazakhstan International Bureau for Human Rights and Rule of Law
L'Observatoire Ivoirien des Droits de l'Homme (L'OIDH)
La Brique – Burkina Faso
Lawyers Rights Watch Canada
Legal Resources Centre
Lesbian and Gay Federation in Germany (LSVD)
Liberia Coalition of Human Rights Defenders
Light for the World
Lutheran World Federation
Marag
Mexican Commission for the Defence and Promotion of Human Rights
Mityana Rural Sustainable Farmers Organisation
Mongolian Gender Equality Center
Montage Initiative
Nagorik Uddyog (Citizen's Initiative) - Bangladesh
National Alliance for Right to Food - Nepal
Nazra for Feminist Studies
Network of Rural Women Producers Trinidad and Tobago
New Future Foundation
NGO Federation of Nepal
NGO Working Group on Women, Peace and Security
Niger Delta Women's Movement for Peace and Development
Nigerian Women Agro Allied Farmers Association (NIWAAFA)
Nonviolence International
Omonijuku Foundation
Organization for Refuge, Asylum & Migration (ORAM)
OT Watch Mongolia
Outreach Scout Foundation (OSF)
PacificWIN/Pacific Womens Indigenous Networks
Palestinian Consultative Staff for Developing NGOs
Panzi Foundation
Penal Reform International
People's Watch
Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDHDD)
Plataforma Mulheres em Acção
Positive Vibes Trust
Programme Against Custodial Torture and Impunity (PACTI)
Promo-LEX Association
Protection International
Physicians for Human Rights
REDHAC Réseau de Défenseurs des Droits Humains de l'Afrique Centrale

Refugee Council of Australia
Réseau Equitas Côte d'Ivoire (REQCI)
Réseau des Femmes pour le Développement des Savanes (REFED/S)
Rivers without Boundaries
Rural
Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (ASVDH)
Scholars at Risk Network
Socialist International Women
Society for Threatened People
Society for International Development (SID)
SOS Sexisme
Southern Africa Litigation Centre
South Sudanese Women Voice for Peace (SSWVP)
Sri Lanka Nature Group
SUARAM
Terra de Direitos
Terra Nuova
The Association for Progressive Communications
The Egyptian Initiative for Personal Rights
The Egyptian Organization for Human Rights
The European Centre for Democracy and Human Rights (ECDHR)
The Federation of American Women's Clubs Overseas (FAWCO)
The Global Alliance for LGBT Education (GALE)
The Jacob Blaustein Institute for the Advancement of Human Rights
The Norwegian Human Rights Fund
The Tandem Project
Think Centre
Tibetan Community UK
Togolese Coalition of Human Defenders Rights
Umuada Igbo Nigeria
Unidad de Protección a Defensoras y Defensores de Derechos Humanos - Guatemala (UDEFEGUA)
Unión Latinoamericana de Mujeres (ULAM)
Unión Patriótica de Cuba (UNPACU)
United Religions Initiative
United Sikhs
UPR Info
Urgent Action Fund for Women's Human Rights
USA Refugees and Immigrants
USC Canada
US Human Rights Network
Verein zur Förderung der Völkerverständigung
West African Human Rights Defenders' Network/Réseau Ouest Africain des Défenseurs des Droits Humains (ROADDH/WAHRDN)
Wild Migration
Women Environmental Programme
World Assembly of Youth
World Federalist Movement- Institute for Global Policy (WFM-IGP)

Women's Freedom Forum

Women's Global Network for Reproductive Rights (WGNRR)

Women's International Democratic Federation

Women Living under Muslim Laws

Women's UN Report Network (WUNRN)

World Federalist Movement-Institute for Global Policy

World Organisation Against Torture (OMCT)

Women NC/NC Committee for CSW

Women Thrive Worldwide

World Uyghur Congress

Yemen Organization for Defending Rights & Democratic Freedoms

Y-Fem|The Young Feminists Movement Namibia

Zimbabwe United Nations Association