

# States and the UN must support NGO participation and plurality

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States should recognise NGOs as vital and legitimate stakeholders in the promotion and protection of human rights and support their full and active participation at the UN, says Chile's Ambassador to the UN, Marta Mauras.



***By Marta Mauras, Ambassador of Chile to the UN in Geneva and former Vice-Chair of the UN Committee on the Rights of the Child***

***States should recognise NGOs as vital and legitimate stakeholders in the promotion and protection of human rights and support their full and active participation at the UN, says Chile's Ambassador to the UN, Marta Mauras.***

In Chile, civil society actors and organisations played a key role in defending human rights during the military dictatorship and during our transition back to democracy. They continue to have a prominent influence in strengthening public policies and institutions today. A well-known example is the 'pinguinos', student marches of six years ago to press for education reform away from privatisation. Today some of those students have themselves become parliamentarians, and as such are faced with legislating on an important reform of the education system, with students' organisations and many others knocking at their doors to be heard.

Together with Ireland, Japan, Sierra Leone and Tunisia, Chile promoted Human Rights Council Resolutions 24/21 in 2013 and 27/31 in 2014 on protecting 'civil society space' with the conviction that it is essential for States to maintain and reinforce efforts to strengthen the role of civil society and freedom of expression and association at home and in the international human rights system. Recall this was one of the more debated resolutions last September, with several amendments that were put to the vote but did not succeed.

This is also why last year, along with Uruguay and Mexico, Chile intervened in the ECOSOC NGO Committee meeting to stress that the Committee's role as set out in ECOSOC Resolution 31/1996 is to open and facilitate channels and spaces of action and participation in the UN. This was done in the face of what we think is a lamentable tendency to restrict civil society space and freedom of expression and association, which in the UN is transformed into restrictions to NGOs. At the same time we welcomed that in the last session of the NGO Committee [consultative status was granted to an important organisation, ARC International](#), in line with the strengthening of the diversity of voices which the UN should embrace.

From the perspective of a former member of a treaty body, the Committee on the Rights of the Child, civil society organisations play a crucial role. First, they provide information based on evidence and direct experience, often complementing scarce or general data. Second, they offer a complementary experience to that of the State. Third, they can provide concrete examples of situations that help understand better the context, decisions and their impact on human rights. Fourth, they explore new issues affecting human rights. It was NGOs, for example, that brought the issue of business and human rights to the attention of the Committee on the Rights of the Child, leading to the development and adoption by the CRC of its General Comment No 16 'on State obligations regarding the impact of the business sector on children's rights'. Finally, and most importantly, NGOs are essential to promote and implement the treaties and conventions and the recommendations by treaty bodies.

In the Human Rights Council, resolutions 24/21 and 27/31 clearly acknowledge this role. But we also need to listen to those States who express concerns on what is a civil society organisation, how to ensure they are independent, what is their financing and other such questions that need transparency from all parties concerned.

We believe that as the world opens up to more globalisation, civil society organisations are increasing in importance; supporting, complementing and completing efforts by States to realise human rights, not only in their legitimate capacity as critics or opponents but also as fellow stakeholders in policy and programme

decisions by States.

Thus we believe that what needs to become the criteria for NGO participation in the UN are considerations of independence, diversity, plurality and alignment with the principles and purposes of the UN Charter. Too often we see objections presented year after year in the NGO Committee in the form of questions that challenge NGO applicants for ECOSOC consultative status. While this is legitimate in keeping with standards, these cannot become shackles for participation by smaller NGOs, or those that espouse specific causes, or those coming from remote areas. For the treaty bodies, the closer to the ground and more specialized, the more useful an NGO typically is. Treaty bodies, the Human Rights Council and other mechanisms and organs within the UN human rights system need to listen to children, to persons with disabilities, to women victims of violence, and so on.

Therefore, we believe the system needs strengthening by ensuring the UN is a space that guarantees the right to freedom of expression of ideas and opinions. While civil society organisations and NGOs do not replace States, they complement them. This is relevant especially regarding human rights-focused NGOs, because States have committed to adopt legal and practical measures to create a safe and positive environment for human rights defenders to act freely and securely. In this sense, we believe the efforts of the Council to create some sort of a UN focal point to support human rights defenders and protect them against intimidation and reprisals needs to be pursued.

Finally, on their side, civil society organisations need to ensure their contributions to the UN are solid, in that they are well researched, verified and appropriately documented. They should actively seek opportunities to work in support of visits of experts and missions by human rights mechanisms, in addition to making their voices be heard in conferences and at meetings. The [Practical Guide to the UN Committee on NGOs](#), launched by ISHR, is a very good help to all of us.

*This is an edited version of remarks delivered by Ambassador Mauras at an [event co-hosted by ISHR and the Australian Mission](#) to the UN in Geneva on 22 April 2015.*