

UN Committee on NGOs accredits 129 NGOs, defers 130

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The [Committee on Non-Governmental Organizations \(NGOs\)](#) held its resumed session in New York from 21-31 of May 2012. The Committee is tasked with considering the applications of NGOs for consultative status with the UN[1] as well as the quadrennial reports submitted by NGOs already in consultative status.

The [Committee on Non-Governmental Organizations \(NGOs\)](#) held its resumed session in New York from 21-31 of May 2012. The Committee is tasked with considering the applications of NGOs for consultative status with the UN[1] as well as the quadrennial reports submitted by NGOs already in consultative status. The Committee makes recommendations to the Economic and Social Council (ECOSOC), which can either approve or overturn a decision.[2] During this session, the Committee granted consultative status to 129 NGOs and deferred the applications of 130.

This session was similar to others in that some Committee members continued to oppose NGOs that hold views they do not agree with, or that have been critical of a government's human rights record. The Committee approved 70 (59%) of the 119 new applications at this session—an improvement over an average approval rate of 47% over the last 10 sessions.[3] However, the rate of approval of previously deferred applications[4] remains disturbingly low. Of the 162 applications deferred from previous sessions, only 59 (36%) were approved this session. This is in keeping with an average approval rate of 30% for deferred applications over the last 10 sessions.

The Committee has come under criticism in recent years for failing in its core task of giving civil society a voice at the UN and deviating from the guiding principles in [ESOCOC resolution 1996/31](#) in its handling of applications for consultative status and review of quadrennial reports. It is widely accepted that membership of the Committee[5] lies at the root of these negative trends. The Committee is known for excessive politicization and the balance of the Committee's membership tends towards States that do not support a vibrant civil society at the UN.[6]

These States use various strategies to control the review process and defer applications, such as asking (often repetitive) questions that go beyond the scope of what NGOs are required to submit with their applications. These tactics are used to wrongly delay, deny, and close the applications of credible NGOs whose work addresses significant human rights concerns of relevance to the UN. In this sense, such action by the Committee is a form of reprisals against human rights defenders. By using these tactics, some NGOs waiting for accreditation have had their applications deferred for up to 10 years.[7]

Targeted NGOs include those dealing with sexual orientation and gender identity (SOGI), women's rights, reproductive rights, minority issues, caste, and freedom of expression and association. They also include national NGOs working on human rights in States that are not supportive of civil society.

Among many others, the Committee continued to block applications from organizations working on caste issues ([International Dalit Solidarity Network \(IDSN\)](#)[8]), minority issues ([A.U.A. Americas Chapter](#)[9]), human rights ([Scholars at Risk \(SAR\)](#),[10] [WITNESS](#),[11] [International Federation of Liberal Youth](#),[12] [Collectif des Familles de Disparu\(e\)s en Algérie](#),[13] [Iran Human Rights Documentation Center \(IHRDC\)](#),[14] sexual and reproductive rights ([Alliance for Reproductive Health Rights \(ARHR\)](#),[15] [Youth Coalition for Sexual and Reproductive Rights \(YCSRR\)](#)[16]), and SOGI issues ([Australian Lesbian Medical Association \(ALMA\)](#)[17], [Homosexuelle Initiative Wien \(HOSI-Wien\)](#).[18])

Continued discrimination against NGOs dealing with SOGI

As in previous sessions, some of the more contentious moments concerned the applications of organizations that work on SOGI. In response to continuing questioning by Morocco, Sudan and Russia for ALMA and HOSI-Wien, Belgium, Israel and the US spoke out to decry the obvious discrimination against these organizations. Israel expressed concern with the Committee's 'extreme and irrational' aversion to NGOs working on lesbian,

gay, bisexual and transgender (LGBT) issues and criticised the argument that LGBT is 'undefined', when the same States that make this claim have codified who belongs to these groups and how the state can sanction them. The US expressed serious concern that the Committee refuses to accredit any NGOs dealing with SOGI by consensus, [19] despite guidance by ECOSOC that these organizations meet the criteria in ECOSOC resolution 1996/31. Belgium and the US expressed their hope that all questions had now been asked and that the Committee would grant status to these organizations at the next session. The US noted that all delegations should be on notice and not use a procedural no-action motion[20] to further defer consideration of the applications. However, it is worth noting that the US and Belgium mentioned this at the previous session as well. In fact, this year marks the first since 2006 that pro-civil society members have not pressed the Committee to act by making a motion to recommend status for an NGO dealing with SOGI issues.

Committee continues to defer quadrennial reports of human rights organizations

The Committee also continued to exert its pressure on NGOs that already have status by deferring the quadrennial reports of certain organizations. Notably, the Committee again deferred the 2005-2008 quadrennial report of [Human Rights Watch](#)[21] due to additional questions from China and Sudan. Due to questions from China and Cuba, the Committee also deferred the 2007-2010 quadrennial report of [Freedom House](#), though it finally took note of Freedom House's earlier 2003-2006 report.[22] Cuba, Nicaragua, Venezuela and Sudan disassociated themselves from the Committee's consensus decision in that regard. The representative of Cuba stressed that the organization had taken a 'hostile and aggressive' position towards a number of Member States, in particular developing countries. Regarding the treatment of quadrennial reports generally, the US underlined that, per ECOSOC resolution 1996/31, the review is not meant to be a 'requalification' of status but merely an update on activities. The US elaborated that if states believe that NGOs are not in compliance then they should take action by moving to suspend or withdraw the status of the NGO.

Committee rejects proposal by US to close application of NGO with alleged terrorist ties

Another contentious moment occurred when the US made a motion to have the application of the Islamic African Relief Agency (IARA)[23] closed, alleging that it had financed terrorist groups. Despite the US arguing that the organization had had sufficient due process and time to respond to all allegations, Sudan contended that there was no evidence to justify the accusations and that the NGO ought to be given more time to respond.[24] Sudan tabled a 'no-action motion' to block the US proposal. The debate was effectively adjourned when the Committee voted 9 in favour, 5 against with 2 abstentions on that proposal.[25] Thus, the IARA remains on the list of applications deferred to future sessions.

Committee withdraws status of NGO at Pakistan's request

At this session the Committee also decided to withdraw the status of [Interfaith International](#), an NGO that was previously suspended for two years in 2010 as a result of a complaint that Pakistan lodged with the Committee.[26] The original decision to suspend was taken despite the concerns of some states, including the US, that such harsh measures were unwarranted and inconsistent with NGOs' right to freedom of expression and opinion. NGOs also expressed concern at the time that the decision was hurried and failed to even respect the limited procedural safeguards required by ECOSOC Resolution 1996/31.[27] At the present session of the Committee, Pakistan lodged a complaint that the NGO had violated the terms of its suspension by continuing to engage in activities on UN premises[28] and using its consultative status insignia. Though the decision was taken by consensus, both the US and Belgium called the punishment disproportionate, stating that an extension of the suspension would have been preferable.

Vietnam urges Committee to reconsider decision to grant status to NGO

A final controversy took place in the Committee on the last day when the Permanent Representative of Vietnam made an oral statement registering Vietnam's protest against the [Khmers Kampuchea-Krom Federation](#)'s (KKF) application for consultative status, which had been approved consensually earlier in the session. The KKF is a US-based NGO that 'through the use of peaceful measures and international laws, to seek freedom, justice, and the right to self-determination for the Indigenous Khmer-Krom Peoples living under the oppression of the Vietnamese government in Kampuchea-Krom.' Vietnam said the NGO advocates and

promotes secession and that its 'dark aims and ill-will and illegal acts' make it utterly unqualified for consultative status. Vietnam asked the Committee to take appropriate action to prevent KKF from getting consultative status. Several delegations—including Pakistan, Cuba, Russia, India, Venezuela, Nicaragua, and Turkey—noted that they would carefully consider the request and take appropriate action at ECOSOC in July. Only the US spoke against the application being reconsidered by ECOSOC, arguing that they and other delegations considered the application closely and that a review of the materials submitted by Vietnam did not justify an overturning of the decision by ECOSOC. If reconsidered, it appears this would be the first time a consensus decision to grant status would face potential overturning by a vote in ECOSOC. This could place China in a difficult situation, as a traditional ally in the Committee of countries opposing NGOs that work on minority issues. China's position has consistently been that the decisions of the Committee should be respected by ECOSOC.[29] In this respect, it is notable that China remained silent in the Committee during this discussion.

Conclusion

On a more positive note, of the applications previously deferred for several sessions that were approved at this session, the following were related to: **reproductive rights** (the [Women's Global Network for Reproductive Rights](#) (WGNRR))[30]; **women's rights/issues** (Autonomous Women's Center Pakistan, [Women Deliver, Inc](#)[31]); **caste issues** (the [All India Christian Council](#) (AICC)[32]); and **human rights** ([Programme on Women's Economic Social and Cultural Rights](#),[33] [Krityanand UNESCO Club Jamshedpur](#),[34] [International Senior Lawyers Project](#),[35] [Human Rights Now](#),[36] [Human Rights Association for Community Development in Assiut](#) (HRACDA),[37] [UPR Info](#),[38] [Apne Aap Women World Wide \(India\) Trust](#),[39] [International Human Rights & Anti-Corruption Society](#),[40] [Movement for the Protection of African Child \(MOPOTAC\)](#),[41] [Pacific Disability Forum](#) (PDF),[42] and the [Scalabrini International Migration Network, Inc](#)[43]).

Overall, confrontations and prolonged discussions seemed less frequent than at previous sessions, indicating that Committee members were settling a greater number of matters bilaterally. Recent attempts by some members to focus on the rules of Resolution 1996/31 and less on past practice also contributed to the less acrimonious atmosphere. The Chair noted that this willingness to reach out and settle difficult issues had contributed to an improved environment. While it has its advantages, this type of approach can also contribute to a more confusing and less transparent atmosphere for NGOs.

[1] Consultative status provides NGOs with access to a range of fora at the UN, including the Human Rights Council, ECOSOC and its subsidiary bodies, UN conferences, and special events organized by the President of the General Assembly.

[2] ECOSOC (54 States) meets annually in July, alternatively in Geneva or New York.

[3] Approval rates for new applications have fluctuated significantly in the last five years: 56% at the 2012 regular session, 50% at the 2011 resumed session, 36% at the 2011 regular session, 18% at the 2010 resumed session, 34% at the 2010 regular session, 33% at the 2009 resumed session, 56% at the 2009 regular session, 80% at the 2008 resumed session, and 62% at the 2008 regular session.

[4] Deferred applications are those that have been reviewed by the Committee at previous sessions but on which the Committee has not come to an agreement.

[5] Members of the NGO Committee for the period 2011-2014 are: Belgium, Bulgaria, Burundi, China, Cuba, India, Israel, Kyrgyzstan, Morocco, Mozambique, Nicaragua, Pakistan, Peru, Russian Federation, Senegal, Sudan, Turkey, United States of America, and Venezuela.

[6] Despite the small size of the Committee (19 members) relative to the number UN Member States (193), the

membership of the Committee is remarkably constant. A seat on the Committee ensures that a State can play a key role in deciding which NGOs are granted consultative status. Russia/former USSR has held a seat on the Committee since its inception in 1946. Cuba has been on the Committee from 1975 until now with the exception of 1983-1989. China was on the Committee from 1946-1960, 1995-2003 and 2006-present. Of the Committee members that are friendlier to civil society, the US has been on the Committee since its inception, with the exception of 1991-1994. The UK was on the Committee from 1946-1979, 1995-2001 and 2007-2010.

[7] Currently, the oldest application before the Committee is that of the [Asian-Eurasian Human Rights Forum](#), which applied for consultative status in 2002.

[8] IDSN is an NGO based in Denmark aims to contribute to the elimination of caste-based discrimination worldwide. Since its application for consultative status in 2007, IDSN has received 56 questions.

[9] AUA Americas Chapter is located in the US. It aims to increase public awareness and understanding of the Assyrian culture and people, to promote human rights and indigenous rights, and to provide charitable services to persons of Assyrian descent. It has received 8 questions since it applied in 2010.

[10] SAR is an international network of universities and colleges that promotes academic freedom and defends the human rights of scholars and their communities worldwide. SAR has received 50 questions since it applied for status in 2007.

[11] WITNESS is a US-based NGO that uses the power of video and storytelling to open the eyes of the world to human rights abuses. WITNESS has received 56 questions since its application in 2008.

[12] IFLY is a Belgium-based umbrella organization for liberal and student youth organizations oriented towards the promotion of active citizenship, respect for human rights and the rule of law. Since its application in 2006, the IFLY has received 36 questions.

[13] CFDA is a France-based NGO whose principal aim is to locate victims of forced disappearances and to shed light on all victims of forced disappearances in Algeria. CFDA has received 69 questions since its application for status in 2008.

[14] IHRDC is a US-based organization that documents the human rights situation in Iran, and promotes accountability, respect for human rights and the rule of law in Iran. IHRDC applied for status in 2010 and has since been asked 33 questions. IHRDC has also participated in at least two question and answer sessions with the Committee in person.

[15] ARHR is a Ghanaian NGO that promotes rights-based advocacy to sexual and reproductive health through advocacy and inclusive policy making. It applied for status in 2010 and has received 6 questions since.

[16] YCSRR is an international organization based in Canada that Youth Coalition is an international organization of young people committed to promoting adolescent and youth sexual and reproductive rights at the national, regional and international levels. It applied for status in 2010 and has received 16 questions since.

[17] ALMA is an Australian NGO that helps lesbian doctors, lesbian medical students and their partners. ALMA applied for status in 2007 and has since faced 52 questions from the Committee.

[18] HOSI-Wien is an Austrian NGO that advocates for the human rights of gays and lesbians. Its application dates back to 2007. It has since faced 23 questions.

[19] The US-based International Wages Due Lesbians and Australian-based Coalition of Activist Lesbians have had consultative status since 1998 and 1999, respectively. Since then, with one exception (COC-Netherlands, which was recommended by the Committee by a vote of 7-6 in 2008), ECOSOC has granted SOGI groups consultative status only after first overturning negative recommendations from the Committee: Danish National Association for Gay and Lesbians, the European Region of the International Lesbian and Gay Association (ILGA-Europe), and the Lesbian and Gay Federation in Germany (2006); the Gay and Lesbian Coalition of Québec and the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (2007); State Federation of Lesbians, Gays, Transsexuals and Bisexuals of Spain (FELGTB) (2008); Brazilian Federation of LGBT Groups (Associação Brasileira de Gays, Lésbicas e Transgêneros (2009); International Gay and Lesbian Human Rights Commission (2010); and the International Lesbian and Gay Association (ILGA) (2011).

[20] A no-action motion is a procedure that prevents member States at the UN from continuing a debate. It allows countries to avoid taking a position on politically sensitive issues. It has been used increasingly in the Committee in recent years.

[21] Human Rights Watch is a US-based NGO dedicated to defending and protecting human rights around the world. It has now received 16 questions regarding that report.

[22] Freedom House is a US-based NGO that Freedom House supports democratic change, monitors freedom, and advocates for democracy and human rights around the world. It had received 19 questions regarding that report.

[23] The Sudan-based IARA had first had its consultative status withdrawn in 2006. It reapplied for status in 2011.

[24] In response to a question asked at the February session of the Committee, in which the US asked the IARA to explain its relationship to Al-Qaeda and Hamas, the IARA denied any relationship past or present. In 2004, the US placed the organization on Department of the United States Treasury list of terrorist organizations because of its links with Al Qaida and terrorist financing activities. The US wished to close the application permanently as it does not believe the Committee should treat the application as if there is a 'statute of limitations' on activities linked to terrorism.

[25] The following states voted in favour of the no-action motion: China, Cuba, Morocco, Nicaragua, Pakistan, Russian Federation, Senegal, Sudan, and Venezuela. The following states voted against: Belgium, Bulgaria, Israel, Peru, and United States. India and Kyrgyzstan abstained. Mozambique, Turkey and Burundi were absent.

[26] Interfaith International works on human rights situations around the world where religion or ethnicity plays a major role, including the Sindh, Baluchistan and Gilgit regions in Pakistan. Click [here](#) for a summary of the ECOSOC meeting at which Interfaith International was suspended.

[27] The Committee has not developed any interpretive guidelines or a set of practical instructions on how to implement Resolution 1996/31. Rather it considers complaints on a case-by-case basis. NGOs have long criticised the weak procedural safeguards the resolution affords them if they are the subjects of a complaint by a member state, which are essentially limited to a right of reply within a limited time period.

[28] One of the allegations was that Interfaith International organized and participated in side events at the Human Rights Council. Interfaith International explained that they did not organize but rather were invited to participate in the events. The High Commissioner for Human Rights, Navi Pillay, also clarified in correspondence with the Committee about the case that NGOs without consultative status may co-sponsor and participate in side events at the Human Rights Council.

[29] <http://bit.ly/8XCVoz> Regarding ECOSOC's overturning of a Committee decision not to grant status to the International Gay and Lesbian Human Rights Commission, **China** said the Committee is an authoritative body and the Council had by-passed it, which established an unfavourable precedent, as it harmed the Committee's credibility and challenged the relationship between NGOs and the UN. China expressed great concern about the practice. **Venezuela** also said its vote against IGLHRC in ECOSOC was for reasons of procedure, not because it had substantive objections to that organization's work. Venezuela said the examination of applications for consultative status was the responsibility of the NGO Committee.

[30] WGNRR is a Philippines-based NGO that informs, links, engages and strengthens organisations and individuals worldwide in order to effectively promote and improve the reproductive and sexual health and rights (RSHR) for all women and girls. It applied for status in 2009 and received 32 questions.

[31] Women Deliver, Inc is a US-based NGO that works globally to generate political commitment and financial investment in fulfilling Millennium Development Goal 5 (MDG5)—to reduce maternal mortality and achieve universal access to reproductive health. It applied for status in 2011 and received 5 questions.

[32] The AICC is based in India and exists to proactively protect and serve the interests of the Christian community, minorities, and the oppressed castes. It applied for status in 2008 and received 35 questions.

[33] The PWESCR is an international human rights organization based in India that promotes women's human rights, in particular economic, social and cultural rights (ESCR). It applied for status in 2009 and received 6 questions.

[34] This NGO is based in India and aims to popularize the aims and purpose of the United Nations and its system and to promote its program and activities amongst the mass of society within India. It applied for status in 2008 and received 11 questions.

[35] ISLP is a US-based NGO that enlists the resources of highly skilled and experienced attorneys and law firms from around the world to advance the rule of law, human rights and equitable economic development. It applied for status in 2009 and received 11 questions.

[36] Human Rights Now (HRN) is an international human rights NGO based in Tokyo, established by lawyers, former UN officials, scholars, and other human rights activists to achieve, protect and promote the human rights of people worldwide, with a special focus on Asian countries. It applied for status in 2009 and received 13 questions.

[37] HRACA is based in Egypt and works to promote and protect human rights through calling for citizens' empowerment without discrimination and implementing sustainable development programs under institutional and moral bases and values. It applied in 2010 and received 10 questions.

[38] UPR Info is a Swiss-based NGO that aims at promoting and strengthening the Universal Periodic Review. It applied in 2010 and received 10 questions.

[39] Apne Aap is an NGO based in India that empowers trafficked and at-risk women and children to organize against the demand for purchased sex and the injustice in their own lives, and assert their right to dignified lives and livelihoods. It applied for status in 2010 and received 1 question.

[40] IHRAS is an NGO based in Nigeria that focuses on the promotion of human rights, democracy, a multi-dimensional approach to security, the fight against corruption and development globally. It applied for status in 2010 and received 3 questions.

[41] MOPOTAC is an NGO based in Nigeria that promotes, protects and defends the legal rights and liberty of children and young persons. It applied for status in 2011 and received 4 questions.

[42] PDF is based in Fiji and works to eliminate poverty for people with disabilities in the region. It applied for status in 2011 and received 3 questions.

[43] Scalabrini is an international network based in the US and Switzerland with more than 270 organizations involved in various services helping people on the move around the world. It applied in 2011 and received 3 questions.