

July 20, 2009

Your Excellency,

We are writing to express our concerns about the threat to independent NGO advocacy at the United Nations, specifically in the area of human rights protection and promotion. We are alarmed by the deteriorating conditions faced by NGOs and the increasing obstacles they face in gaining and maintaining UN accreditation due to politicization of the review process.

As you know, Article 71 of the UN Charter provides for consultation with NGOs concerned with matters within the competence of the Economic and Social Council. Resolution 1996/31, which governs the UN's consultative relationship with NGOs, states that UN accreditation may be granted to organizations provided that they can demonstrate that their program of work is of direct relevance to the aims and purposes of the United Nations, and that the organization is democratically governed. The Resolution further states that consultative relationships should be guided by the principle of "securing expert information or advice" and should "enable organizations that represent important elements of public opinion to express their views."

In recent years, increasing political control has been exerted by some delegations over the accreditation process to ensure that eligible NGOs critical of member states' positions and policies are denied accreditation. Specifically, several states that sit on the 19-member Committee on Non-Governmental Organizations charged with overseeing the accreditation process, have succeeded in instituting a set of disturbing practices to frustrate, deny, or strip the accreditation of eligible NGOs that have criticized their government's human rights practices.

Many prominent human rights and democracy NGOs are being questioned at unreasonable length in their efforts to gain or maintain accreditation. Organizations dedicated to advancing the rights of lesbian, gay, bisexual, and transgendered people are consistently rejected by the Committee due to opposition by Member States to the philosophy of the organizations.

While Committee members have the right to ask questions of NGO applicants, this right has been systematically abused in substance and procedure to delay, deny, and suspend targeted NGOs. This practice, as well as peer pressure to ensure a consensus-driven process and a worrisome re-interpretation of provisions of Resolution 1996/31 to require endorsement by governments of national NGOs, has silently been sanctioned by other Committee members to ensure political control over the accreditation process. These practices could ultimately result in fewer NGOs gaining accreditation and the eventual weeding out of independent NGOs which engage in substantive human rights monitoring, reporting and advocacy. If these trends are not reversed, we fear the negative consequences will be felt by the United Nations for years to come, as well as human rights defenders and victims around the world.

We urge your Excellency to work within ECOSOC and the UN General Assembly to ensure that eligible NGOs are not denied or stripped of their accreditation. The NGO Committee should function as a technical committee with clear rules of procedure that prevent arbitrary actions and decisions. We believe that any political supervision of the accreditation and reporting process for NGOs should follow technical procedures that uphold the rights of NGOs to form and express independent viewpoints freely and prevent retribution based on those freely expressed opinions.

We thank you in advance for your attention to this issue. Please accept, Excellency, the assurances of our highest consideration.

Sincerely,

African Centre for Democracy and Human Rights Studies, Gambia

Africa Democracy Forum, Johannesburg

Aim for Human Rights, Netherlands

The Asian Legal Resource Centre, China

Bahrain center for Human Rights, Bahrain

The Brazilian Gay, Lesbian, Bisexual, Transvestite and Transsexual Association, Brazil

Cairo Institute for Human Rights Studies, Egypt

The Center for Legal and Social Studies, Argentina

Commonwealth Human Rights Initiative, India

Conectas Human Rights, Brazil

Democracy Coalition Project, United States

East and Horn of Africa Human Rights Defenders Project, Uganda

Egyptian Initiative for Personal Rights, Egypt

Euroregional Center for Democracy, Romania

Freedom House, United States

Fondation Humanus, Cameroon

Humanist Institute for Cooperation with Developing Countries, Netherlands

Human Rights Watch, United States

International Dalit Solidarity, Denmark

Justice and Peace Netherlands, Netherlands

Mexican Commission for the Defense and Promotion of Human Rights, Mexico

Mouvement Citoyen, Senegal

Open Society Institute, United States

Quê Me: Action for Democracy in Vietnam, Vietnam

Unitarian Universalist United Nations Office, United States

United Nations Association of the United States, United States

Vietnam Committee for Human Rights, Vietnam

West Africa Human Rights Defenders Network, Togo