

CIVICUS Written Submission to the Consultations of the Committee on NGOs with NGOs in consultative status with ECOSOC

June 2018

1. How can NGOs further contribute to the work of ECOSOC and its subsidiary bodies? What are the most efficient modalities for NGOs to contribute to the United Nations policy-making, be recognized and be influential in these processes?

The incorporation of civil society voices within the United Nations has enjoyed a relatively positive trajectory. However, it has become clear that much more could and should be done to improve civil society influence on policy issues. Civil society in ECOSOC has little space to impact on policy and limited scope to affect policy direction. The onus is still primarily placed on CSOs to try to engage in policy discussions or just to have a seat at the table. Access to UN decision-making hubs simply isn't good enough.

A common frustration among civil society is that NGO participation rights are severely limited in ECOSOC by its Rules of Procedure, with each subsidiary body having its own rules of engagement. NGOs are thereby limited from meaningful engagement in many important intergovernmental discussions, with NGO participation relegated to 'side events' or to making short statements at the end of long meetings. Similarly, civil society actors note that navigating the numerous accreditation and consultation processes requires a considerable commitment of time and resources.

Research completed by CIVICUS shows that civil society actors want greater regional and local outreach by the UN, moving away from centralised, headquarters-based engagement, particularly in light of ongoing visa challenges. Many CSOs see outreach based within their geographic locale as far more effective and meaningful. Therefore, a need to strengthen networks of civil society actors working towards a common thematic goal is viewed by civil society as a key to improving civil society engagement in the future. In essence, the UN at all levels needs to include and amplify civil society voices.

CSO outcomes from regional consultations are rarely visible which can be demoralising for civil society. Overarching needs from CSOs include decentralised engagement strategies, a focus on the need for regional civil society interlocutors, and more tangible outcomes from consultations.

2. What in your organization's view should be done to provide better support to NGOs during the process of obtaining consultative status with ECOSOC?

CIVICUS is concerned that the modalities around current accreditation processes lack transparency and efficiency, and place undue burdens on certain types of NGOs. CIVICUS is particularly worried that some actions by the Committee have not only unduly delayed applications but have also amounted to reprisals against NGOs seeking to cooperate with the UN. There are several measures that the ECOSOC Committee on NGOs should implement to ensure that the process of obtaining consultative status with ECOSOC is efficient, fair and transparent for all NGOs. Importantly, clear guidelines explaining the grounds on which applications for accreditation are assessed are required. The current lack of guidelines makes the process for obtaining consultative status unfairly more arduous on some NGOs. Members of the Committee currently use procedural tactics such as repetitive questioning to delay applications. These tactics disproportionately affect NGOs that work on particular human rights concerns such as those of LGBTQI individuals.

The lack of guidelines also contributes to the lack of geographical representation among accredited NGOs since NGOs with limited resources and without direct access to UN headquarters are more likely to be discouraged by an opaque and lengthy application process.

The current procedures that delay NGOs from responding to questions, and even serious allegations, immediately or within a reasonable time frame should also be changed. NGOs should have the option to be able to respond to questions immediately, including via video conferencing facilities.

CIVICUS explicitly opposes any actions by the Committee that serve to constrain or limit the civic freedoms of organisations seeking accreditation. For example, the Committee has recently denied some applicants the opportunity to defend themselves against accusations of terrorist sympathies. In some cases, such actions by the Committee and/or its members have constituted apparent reprisals against NGOs highlighting sensitive human rights concerns and seeking to cooperate with the UN.

3. How can the participation of NGOs from developing countries and countries with economies in transition in UN's work be increased?

Based on inputs from more than 450 civil society actors, the three main priorities for civil society actors that engage with the UN are:

- Greater focus on local or regional outreach,
- Greater focus on identifying appropriate interlocutors to reach different types of CSOs
- Decentralised CSO outreach strategies.

For detailed findings of this research refer to the 2014 CIVICUS State of Civil Society IGO Scorecard Report: <https://www.civicus.org/index.php/igo-scorecard>.

As of May 2018 regional representation among the 5262 NGOs in consultative status with ECOSOC remains heavily weighted towards organisations registered in Europe (1540) and North America (1253) versus organisations in Asia (932), Africa (840), Latin America (273) and Oceania (273) (source: <http://esango.un.org/>).

However even once organisations gain consultative status, they face additional barriers including:

- The location of UN headquarters, with Nairobi the only location in the Global South
- The location of ECOSOC and ECOSOC subsidiary meetings, primarily at UN headquarters in New York.

Although regional consultations provide additional avenues for CSOs from different regions to participate in the lead up to major UN events, the UN should endeavour to hold more major meetings, including for example CSW, in locations outside of North America and Europe. The 2015 Financing for Development Conference held in Addis Ababa is one of only a few recent examples of major UN meetings held outside of Europe and North America. CIVICUS is particularly alarmed by US visa restrictions that continue to prevent the participation of civil society delegates in ECOSOC and ECOSOC subsidiary meetings.

Delegates for the 2018 Commission on the Status of Women who were denied visas reported questions focusing on unrelated issues such as their marital status, rather than the purpose of their visit, and were denied visas despite having appropriate invitation letters and in some cases fellowships and financial assistance from international organisations. These denials contravene the terms of sections 11 and 13 of the United Nations Headquarters Agreement (1947) which recognises that "(4) representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter, or (5) other persons invited to the headquarters" among the groups that "shall be granted without charge and as promptly as possible."

ECOSOC should also ensure that interlocutor organisations, such as alliances and networks of CSOs, with genuine constituencies in the Global South, are prioritised both for cooperation with the UN, since these organisations can provide avenues for smaller grassroots national and local NGOs to participate. ECOSOC should take up instances of visa denials for civil society representatives with relevant state authorities.

4. Once the consultative status is granted to organizations, how best can NGOs access the opportunities given to them to take part in UN processes?

After accreditation NGOs generally need a prolonged presence at a UN hub to sustain influence. This is expensive and unfair to NGOs who may not be able to afford dedicated outreach staff. Moreover, the UN needs to ensure that they promote diversity in the range of civil society actors they engage with. Thus, decentralising outreach strategies and encouraging the participation of civil society members that are geographically removed from decision-making hubs is critical. Essentially, this would involve empowering UN country and regional offices to take control of civil society engagement and holding them responsible for proactively engaging with a wide spectrum of CSOs.

Further, UN agencies and departments need to do more to mainstream civil society outreach, beyond focal points, so that all staff are encouraged to proactively engage civil society. In many cases a formal civil society engagement policy may be appropriate. This will allow for enshrined commitments for civil society engagement, institutionalisation of a culture of civil society outreach and empowerment of focal points to distill professional experiences and build capacity of staff within IGOs. Moreover, it will encourage the dissemination of best practice regarding civil society engagement.

Notably, the UN and Member States need to place emphasis on institutional resources for civil society engagement. This means allocating more funding for civil society engagement at all levels and championing advocates for civil society reform both internally and externally, as well as allocating more resources for building a greater awareness of mechanisms available to civil society and building the capacity of civil society to engage more effectively with UN system.

It is critical that member States and the UN system take the lead in global efforts to create an enabling environment for civil society and support effective partnerships in line with Agenda 2030 commitments. The ECOSOC and in particular the Committee on NGOs must back up their commitment to civil society by not turning a blind eye to attacks on civil members and organisations in countries where they operate. States elected to the NGO Committee should demonstrate commitment to modeling enabling environments for NGOs domestically.