

H.E. Mr. Vuk Jeremić
President of the 67th session of the
United Nations General Assembly
United Nations
New York, NY 10017
Via fax: 1-212-963-3301

17 July 2013

Dear Mr President,

We are writing to you regarding the process of selection of civil society not in consultative status with ECOSOC in the High Level meeting on the appraisal of the UN Global Plan for Action to Combat Trafficking in Persons.

In this regard, we refer to your letter of 25 June 2013 in which you responded to the requests of member States to provide additional information about the objections of two member States to the participation of an non-governmental organisation (NGO) in the High Level meeting. Our concern is that the outcome of your decision to not disclose further information--due to disagreement among member States--is, in effect, a tacit agreement to continue unfair and nontransparent procedures.

We welcomed your decision in advance of the High Level meeting to share some information on the selection process with member States, including the preliminary list of NGOs who expressed an interest in participating in the meeting, the final list of organisations, the name of the NGO that was deleted from the final list, and the number of States that objected.

However, it is our view that the non-disclosure of additional pertinent information fails to respect the transparency principle explicitly included in resolution A/RES/67/260 of 1 May 2013, and the letter and spirit of ECOSOC Resolution 1996/31 (in particular part 7 of ECOSOC resolution 1996/31). Rather, the requirements of procedural fairness warrant the collection and sharing of further information, including which States objected to the NGO's participation, the reasons for the objection to the NGO, and the rationale for prohibiting the organization from participating in the High Level event. The

NGO should also have an opportunity to respond to the specific allegations within a reasonable timeframe.

NGOs recognize and respect the intergovernmental nature of the UN, and we are not taking a position on the substance of this specific case. However, we are deeply concerned that the use of the no-objection procedure, without procedural safeguards, in high level UN events may enable the politically motivated exclusion of NGOs and subjects these legitimate stakeholders to censorship.

The President of the General Assembly has an instrumental role to play in fostering the respectful and productive relationship between non-governmental organizations and member States and in helping to ensure the full and inclusive participation of civil society in high-level UN events and conferences. We therefore respectfully encourage you to commit to and facilitate a more open and transparent accreditation process for non-ECOSOC NGOs in high-level UN events, and to help develop proportionate responses to deal with the objections of member States to the participation of particular NGOs, focusing on solutions rather than sanctions.

While we believe that the President of the General Assembly can play a key role in the preliminary consideration of member State objections and NGO responses, and in making fair, balanced, and proportionate recommendations after weighing the evidence from all parties, including from the NGO, the final decision on the participation of any organisation in a UN high level event or conference should reside with the General Assembly.

In closing, we would draw your attention to a letter (enclosed) that a group of national, regional and international human rights NGOs (including some of the signees to this letter) sent to member States on 22 April 2013. In the letter, the group expressed concern about the inclusion of the no-objection procedure in the resolution creating the modalities for the High-Level meeting to combat trafficking, and reiterated the importance of ensuring that any procedure used to manage the participation of diverse stakeholders is in keeping with the principles of accountability, transparency and due process.

Civil society has a great deal to contribute to UN processes, which are strengthened and broadened by our involvement. Our voices enrich the discussion, and through respectful dialogue, NGOs can assist states to make better decisions. We urge you to use your office to protect the spaces for independent civil society to engage openly and without restrictions, and to

make certain that civil society can meaningfully participate in and contribute to UN high-level events and conferences.

We look forward to further dialogue with you on this matter.

Sincerely,

Alkarama

American Civil Liberties Union (ACLU)

Amnesty International

Cairo Institute of Human Rights Studies (CIHRS)

Center for Legal and Social Studies (CELS)

Child Rights Connect

CIVICUS: World Alliance for Citizen Participation

Commonwealth Human Rights Initiative (CHRI)

East and Horn of Africa Human Rights Defenders Project (EHAHRDP)

Centre for Civil and Political Rights (CCPR Centre)

Human Rights Watch

International Rehabilitation Council for Torture Victims (IRCT)

International Service for Human Rights (ISHR)

The African Centre for Democracy and Human Rights Studies (ACDHRS)

The African Democracy Forum (ADF)

World Federalist Movement–Institute for Global Policy (WFM-IGP)