

December 13, 2012

Excellency,

Re: language on NGO participation in resolution on International Migration and Development (A/C.2/67/L.15)

The 15 undersigned nongovernmental organizations (NGOs) are writing to express our concern regarding the language on NGO participation in the draft resolution on International Migration and Development, to be adopted by the Second Committee of the General Assembly on 13 December 2012.

We are concerned that the resolution as currently drafted limits the participation of non-governmental organizations to those that are 'relevant', 'in consultative status with the Economic and Social Council' and to whose participation no State objects. The concern is that such language is open to a politically motivated exclusion of NGOs and undue censorship of these legitimate stakeholders.

The 'no-objection' procedure for NGO participation, whereby NGOs can be barred from participating if a single State objects, is severely flawed. The arbitrary and ad-hoc nature of the procedure poses a severe obstacle to the effective participation of NGOs, and undermines the planning of meaningful NGO contributions. By its very nature, the procedure risks excluding relevant voices in each of the fora it is applied, and we therefore object to its application.

Notwithstanding our fundamental objection to the procedure, another concerning aspect of its inclusion in the resolution on International Migration and Development is that States can anonymously object to an NGO, without giving the rejected organisation a reason for the denial or a chance to contest the decision. Despite rhetoric supporting the vital role that civil society plays within the UN, this procedure flouts basic principles of accountability, transparency, and due process.

This practice has serious implications for the participation of NGOs in spaces that would otherwise benefit greatly from their contributions, vital information and expertise. NGO participation allows for dialogue between NGOs and governments, and constructive engagement on what the UN can do to address the relevant issues. It is important that processes such as the High Level Dialogue on Migration and Development continue to hear a variety of voices.

For these reasons we strongly believe that it is essential for Member States to provide for the meaningful participation of NGOs in this and similar processes.

We urge your delegation act to protect the spaces for independent civil society to engage openly and without restrictions in the High Level Dialogue on International Migration and Development and other UN fora. We urge you to reject language in draft resolution A/C.2/67/L.15 that would directly or indirectly curtail the regular and predictable participation of NGOs in the High Level Dialogue, and ensure that any procedure used is in keeping with the principles of accountability, transparency and due process.

Sincerely,

African Democracy Forum
Amnesty International
Cairo Institute of Human Rights Studies (CIHRS)
Conectas Direitos Humanos
Center for Legal and Social Studies (CELS)
Centre for Civil and Political Rights (CCPR)
CIVICUS World Alliance for Citizen Participation
Commonwealth Human Rights Initiative (CHRI)
East and Horn of Africa Human Rights Defenders Project

Egyptian Initiative for Personal Rights
International Rehabilitation Council for Torture Victims (IRCT)
International Service for Human Rights (ISHR)
NGO Group for the Convention on the Rights of the Child
Partnership for Justice
West African Human Rights Defenders Network (WAHRDN)