

To: UN Secretary-General, Assistant Secretary-General for Human Rights, President of the UN Economic and Social Council

Cc: Members of UN Economic and Social Council, Chair of the ECOSOC Committee on NGOs.

21st February 2017

Re: Withdrawal of ECOSOC accreditation from Turkish NGOs and closure of new applications

Excellencies,

We write to express grave concern about the use by the ECOSOC Committee on Non-Governmental Organizations (NGOs) of improper grounds and procedures in its current session to recommend withdrawal of ECOSOC accreditation from, or close new applications of, a number of Turkish NGOs and NGOs that were, until recently, based in Turkey. Given the Committee's reliance on improper grounds and procedures, the recommendations in these cases should be rejected.

We are deeply concerned that the Committee on NGOs made the decisions to withdraw these organizations' accreditation on the grounds that they had been closed and deregistered in 2016 by Turkey, the State in which they were registered at the time they applied for or obtained UN accreditation. Registration at the national level is not a requirement for being granted or retaining ECOSOC accreditation.

Beyond the fact that that registration is not a criterion upon which ECOSOC accreditation relies, it is of deep concern that the Committee on NGOs recommended withdrawal or rejection of accreditation based on a decision taken at the national level that has been criticized itself as in violation of international human rights standards.

We note that Amnesty International has characterized the deregistration of organizations in Turkey during the period of state of emergency announced on 21 July 2016 as disproportionate and arbitrary.¹ This is because the State failed to provide individualized justifications for closure of NGOs or to provide a legal remedy to challenge the suspensions, raising concerns about the rights to freedom of expression and association, a fair hearing, and equality before the law.

Further to this, the Committee on NGOs did not inform the affected NGOs of the decision to recommend the withdrawal or rejection of their accreditation. This flies in the face of the Committee's own procedures, specifically ECOSOC Resolution 1996/31 Article 56, which provides that in cases where the Committee decides to withdraw an NGO's consultative status, "the non-governmental organization concerned shall be given written reasons for that decision and shall have an opportunity to present its response for appropriate consideration by the Committee as expeditiously as possible." It was improper for the Committee to refuse to provide the required notice on the supposed basis that due to deregistration by the national authorities there would necessarily be no-one to represent the organization

¹ Amnesty International, EUR 44/5141/2016

via the contact details in the NGO Committee's database, or via the NGO Committee's messaging system. Indeed, it is clear that in at least two cases additional addresses had been provided to the NGO Branch and, furthermore, during the Committee session there were representatives of one or more of the organisations ready to respond if given the opportunity. Providing the NGOs with no opportunity to respond to the recommendation to withdraw or refuse accreditation mimics the lack of due process provided nationally.

We wish to acknowledge the interventions of those Committee members who expressed concern at a crackdown on civil society during this session. We are dismayed that their interventions were in the minority.

For some time, the ECOSOC Committee on NGOs has been the subject of criticism by UN officials, independent experts and some States. In June 2016, 230 NGOs wrote to the President of ECOSOC expressing grave concern about the politicized nature of the work of the Committee and its practice of repeated deferral of applications.

The latest actions taken by the Committee are alarming developments in an already worrying practice. The Committee, by withdrawing NGO accreditation to ECOSOC solely because an organization has been deregistered by the State in which it was registered at the time it gained accreditation, particularly without providing the NGO with notice or right to respond, has only increased the potential for the Committee itself to be instrumentalized by States seeking to commit reprisals against NGOs that call attention to their human rights records at the United Nations

We call upon ECOSOC to reject these recommendations to withdraw or refuse accreditation when considering the Committee on NGOs' report at its session in April.

The Committee's latest actions do not reflect the objectivity, impartiality and sense of fairness and due process that should characterize its work. We urge the President of ECOSOC to prioritize reform of the Committee on NGOs to ensure it works to fulfil its mandate in strict compliance with international human rights standards. We would be pleased to provide the President and members with our views and specific proposals as to the details of such reform.

Yours sincerely,

Access Now

Amnesty International

CIVICUS

Conectas Human Rights

Four Freedoms Forum

Freedom Now

International Commission of Jurists

International Service for Human Rights

Jacob Blaustein Institute for the Advancement of Human Rights

OutRight Action International