



# Economic and Social Council

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46<sup>th</sup> & 47<sup>th</sup> Meetings (AM & PM)

### ECONOMIC AND SOCIAL COUNCIL APPROVES CONSULTATIVE STATUS FOR THREE NON-GOVERNMENTAL ORGANIZATIONS FOCUSING ON GAY, LESBIAN RIGHTS

The Economic and Social Council today adopted five draft decisions, including three approving consultative status for non-governmental organizations focusing on the rights of gays and lesbians.

The decision granting consultative status to the Danish National Association for Gays and Lesbians was adopted by a recorded, roll-call vote of 23 in favour to 16 against, with 11 abstentions.

The decision granting the International Lesbian and Gay Federation – Europe consultative status was adopted by a recorded, roll-call vote of 23 in favour to 17 against, with 10 abstentions.

The decision on granting consultative status to the Lesbian and Gay Federation in Germany was adopted by a recorded, roll-call vote of 24 in favour to 16 against, with 10 abstentions.

In introducing each of the three decisions, the representative of Germany stressed that the organizations in question fully met the criteria set, by the Council, for consultative status. They had fully answered the questions put to them by the Committee on Non-Governmental Organizations, yet no valid reasons for their rejection had been offered.

The representative of Finland, on behalf of the European Union, said that in establishing consultative relations with non-governmental organizations, the United Nations must try to ensure diversity in the representation of those groups. Since much of the organizations' work dealt with matters of health, gender, development and human rights and HIV/AIDS, they clearly fell under the Council's competence.

The representative of Guinea-Bissau said he wished that it would have been possible for the Committee to return to consideration of such an important question, in order to show responsibility and make judgments based on objective criteria. For that reason, he would not participate in the vote, so as not to confirm an action that undermined the Committee's credibility and authority.

The representative of the Russian Federation said that he had voted against the draft decisions, since he believed that the Council had been trying to assume a function that was not part of its powers. An earlier Council resolution had empowered the Committee to award consultative status to non-governmental organizations. The drafts had been reviewed by that Committee, and its conclusions must be respected.

Without a vote, the Council today also approved draft decisions taking note of the report of the Committee on Non-Governmental Organizations on its 2006 regular session and taking note of the Secretary-General's report of the Committee on Non-Governmental Organizations on its 2006 resumed session. The Council also took note of the Report of the Committee on the Rights of the Child.

Also speaking today were the representatives of Pakistan, Colombia, Mauritania, Saudi Arabia, Costa Rica, Turkey, Canada, Norway (on behalf of New Zealand), China, and Benin.

The Council will meet next, at a time to be determined, to resume its consideration and general discussion under a number of agenda items and then take action on decisions and resolutions.

#### Background

The Economic and Social Council was today expected to take action on three draft resolutions and take note of two reports.

By the text of three separate drafts on applications for consultative status, the Council would decide to grant such status to the Danish National Association of Gays and Lesbians (document E/2006/L.24), the International Lesbian and Gay Association – Europe (document E/2006/L.25), and the Lesbian and Gay Federation in Germany (document E/2006/L.26).

The Council was also expected to take up the Report of the Committee on Non-Governmental Organizations on its 2006 regular session (document E/2006/32 Part I), which included the Committee's recommendations, made at its 2006 regular session, on applications for consultative status. The report contained six draft decisions on matters calling for the Council's action.

By draft decision I, the Council would grant consultative status to 97 non-governmental organizations, reclassify two non-governmental organizations and note that the Committee took note of the quadrennial reports of 42 organizations. It would further decide to close consideration of the applications of two non-governmental organizations -- the Women and Child Development Organization and the World Assembly of Muslim Youth.

By draft decision II, the Council would decide not to grant consultative status to the International Lesbian and Gay Association.



By draft decision III the Council would decide not to grant consultative status to the Danish National Association for Gays and Lesbians.

By draft decision IV, the Council would decide not to grant consultative status to the non-governmental organization People in Need.

By draft decision V, the Council would decide to withdraw the status of the Islamic African Relief Agency.

By draft decision VI, the Council would take note of the present report, which also contained a statement by the Chairperson of the Committee on the reinstatement of status of the organization Indian Movement Tupaj Amaru.

The second part of the Report of the Committee on Non-Governmental Organizations on its 2006 regular session (document E/2006/32 Part II) contained five draft decisions.

By the text of draft decision I, the Council would grant consultative status to 55 non-governmental organizations, reclassify one non-governmental organization and note that the Committee had taken note of the quadrennial reports of 27 organizations. It would further decide to close the consideration of non-governmental organization applications.

Draft II would have the Council decide not to grant consultative status to the Lesbian and Gay Federation in Germany.

Draft III would have the Council decide not to give consultative status to the International Lesbian and Gay Federation – Europe.

Draft IV would have the Council decide that its 2007 regular session would take place from 22 January to 2 February, with the continuation [of the period] of sessions from 14 to 18 May, and approve the provisional program and documentation for the 2007 sessions.

Draft V would have the Council take note of the present report.

Also before the Council was a Report of the Committee on the Rights of the Child (document A/61/41), which, among other things, discussed the outcome of informal consultations with States parties to the Convention on the Rights of the Child, held on 17 January. Attended by some 53 States parties to the Convention and/or its Optional Protocols, participants discussed, among other things, the reform of the treaty body monitoring and reporting system and the follow-up to the Committee's concluding observations.

According to the report, the Committee also participated in a variety of meetings at the international, regional and national levels, where issues relevant to the rights of the child had been raised. In addition, the Office of the United Nations High Commissioner for Human Rights (OHCHR), with the support of United Nations Children's Fund (UNICEF), organized subregional workshops on the implementation of the Concluding Observations of the Committee on the Rights of the Child, from 11 to 13 November 2004 in Bangkok, Thailand, and from 19 to 21 June 2005 in Doha, Qatar. A seminar on the same topic had been held from 28 to 30 November 2005 in Buenos Aires, Argentina.

The Committee took note, with appreciation, of the increased attention being paid to children in armed conflict by the Security Council, according to the report. Since the Optional Protocol to the Convention on the involvement of children in armed conflict came into force on 12 February 2002, the Committee had considered 7 of the 17 reports submitted under that Optional Protocol. The issue had also been raised during its consideration of 13 State party reports from its thirty-sixth to forty-first sessions. A mechanism was currently being elaborated by the Security Council, which would focus on six "grave child rights violations in situations of conflict": the killing and maiming of children; recruiting or using child soldiers; attacks against schools or hospitals; rape and other grave sexual violence against children; abduction of children; and the denial of humanitarian access for children.

#### Statements

The representative of Finland, on behalf of the European Union, said that, in establishing consultative relations with non-governmental organizations, the United Nations must try to ensure diversity in the representation of those groups. That was especially true of non-governmental organizations whose mandates fell under the competence of the Economic and Social Council and its subsidiary bodies, and who conducted themselves in the spirit of the United Nations Charter. The Danish National Association for Gays and Lesbians, the Lesbian and Gay Federation in Germany and the International Lesbian and Gay Federation – Europe certainly fulfilled those criteria, since much of their work dealt with matters of health, gender, development and human rights and HIV/AIDS.

He said that of the 2,800 non-governmental organizations that had gained consultative status with the United Nations, many undoubtedly espoused views that were not in keeping with those of the European Union. However, those groups still had a right to make their views known. While it was true that the consultative status of groups should be rejected or withdrawn if they conducted terrorist activities or carried out activities against Member States, the groups under consideration today did fall into those categories.

He said the European Union had joined the consensus to defer the discussion to a later date, because many delegations had requested more information be provided before such a decision could be taken. The representatives of the three non-governmental groups had duly provided the requested information and so the European Union stood ready to tackle that item. It trusted that other delegates were also ready to do the same.

The representative of Canada said that she supported the drafts proposed by Finland. Her country supported an inclusive United Nations and expected the Non-Governmental Organization Committee to ensure fair consideration of all non-governmental organization applications, including by following the established practice of engaging in dialogue. Unfortunately, the Committee had not done that. It was crucial for non-governmental organizations representing diverse constituencies to be able to express their views in United Nations forums.

The representative of Norway, speaking on behalf of New Zealand, said that the relationship between the United Nations and non-governmental organizations was as old as the Charter and critical to the Organization's work. Any non-governmental organization that applied for consultative status should be considered objectively. Each non-governmental organization should get a fair hearing and be judged on its merits. It was a matter of serious concern that the Non-Governmental Organization Committee did not discuss substantively the non-governmental organizations in question, with no reason given. There was extensive evidence of violations of the rights of people, based on their sexual orientation and gender identity. He called on Council members to ensure that the applications were considered today on their merits.

The representative of Pakistan said it had been her understanding that the Council would take action on the present item during the afternoon, as the *Journal* had seemed to indicate. She asked the Bureau for clarification on that issue.

In response, the Secretary of the Council said that what appeared in the *Journal* was not an indication of the order in which agenda items should be discussed and so it would be possible to consider both items in the morning or afternoon as the Council wished.

The representatives of Guinea-Bissau, Russian Federation, Colombia, Mauritania and Saudi Arabia expressed their agreement with the representative of Pakistan, and voiced support for the proposal to defer the matter to the afternoon, while the representative of Germany said that the matter should be taken up in the morning.

The Council then decided to defer the item to the afternoon.

Before moving on to the next item on the agenda, the representative of Costa Rica said that the *Journal* had often caused similar confusions in the past and suggested that that publication changed its format. Meanwhile, the decision taken today should not be used as a precedent for future meetings.

The Council then took note of the Report of the Committee on the Rights of the Child (document A/61/41).



## Action

During the afternoon session, the Council first took up the draft decision on granting consultative status to the non-governmental organization Danish National Association for Gays and Lesbians (document E/2006/L.24).

After procedural discussions, the representative of Germany introduced the text. He said that the European Union firmly believed that the group in question fully met the criteria set by the Council for granting consultative status. Those criteria stated that, if organizations were concerned with matters falling within the Council's competence, worked towards purposes that conformed with the Charter, and undertook support of the work of the United Nations, they were entitled to consultative status. The organization in question had provided fully satisfactory replies to the questions posed to it by the Committee. No valid reasons had been given for rejecting its application. It fully deserved consultative status, and he urged all delegations to support the decision.

Speaking in explanation of vote, the representative of Guinea-Bissau said that he was against any form of discrimination. It was necessary and appropriate, even desirable, for the Non-Governmental Organization Committee to consider, responsibly, all of the requests submitted to it. The requests of some delegations in Geneva had not been considered with due diligence or the necessary impartiality. He wished it would have been possible for the Committee to return to consideration of such an important question. He did not tolerate any discrimination of anyone, regardless of sexual, philosophical or doctrinal orientation. He would like the Committee to have the chance to show responsibility and make judgments based on objective criteria. The Committee must be given an opportunity to return to reconsider its decision. For that reason, he would not to participate in the vote that was about to take place, so as not to confirm an action that undermined the credibility and authority of the Non-Governmental Organization Committee.

The Council then adopted the decision by a recorded, roll-call vote of 23 in favour to 16 against, with 11 abstentions.

The Council then turned to the draft decision on granting the International Lesbian and Gay Federation - Europe consultative status (document E/2006/L.25).

The representative of Germany said that the European Union firmly believed that the organization in question fully met the criteria set by the Council for consultative status. The organization had fully answered the Committee's questions. No valid reasons for rejection had been presented. The Federation had 200 national and local member organizations in 40 European countries. It fought for human rights and against discrimination and worked toward an equal and inclusive Europe while promoting universal respect for and observance of human rights and freedoms. There were many areas of life where lesbian, gay, bisexual and trans-gendered people faced discrimination in Europe. The priorities of the group were clearly relevant to the Council. For that reason, it deserved consultative status.

The Council then approved the decision by a recorded, roll-call vote of 23 in favour to 17 against, with 10 abstentions.

The Council then took up the draft decision on granting consultative status to the Lesbian and Gay Federation in Germany (document E/2006/L.26).

Introducing the draft, the representative of Germany said that all the arguments he had made for the two other organizations also applied in the current case. A further argument was that the organization was a member of the German Forum of Human Rights, which was an umbrella organization for leading human rights organizations in Germany and had been an important part of the human rights dialogue for a number of years. It was also actively working for non-discrimination at the international level.

The Council then adopted the decision by a recorded, roll-call vote of 24 in favour to 16 against, with 10 abstentions.

The representative of China said that he wished to express concern about the granting of status to organizations. The Non-Governmental Organization Committee's authoritative role in that area should be respected. He hoped that the current decisions would not affect the Committee's work or credibility in the future, nor should it create any precedents for its future work.

The representative of Benin said that she was disappointed about the "masquerade" that had just been witnessed. The Council had acted in great haste and general disarray just to resolve certain problems. The Council had created an unfortunate precedent by reducing the authority of the Committee's decisions. She hoped measures would be taken to prevent such a situation from happening again and that the rules of procedure would be applied. The Council should not be in a hurry to sow confusion for the benefit of certain organizations.

The President said he did not think that the Council had in any way trampled on its own procedures and that appropriate processes had been followed.

The representative of the Russian Federation said his country had voted against those draft decisions, since it believed that the Council had been trying to assume a function that was not part of its powers. An earlier Council resolution had empowered the Committee on Non-Governmental Organizations to award consultative status to non-governmental organizations. The drafts had been reviewed by that Committee, and its conclusions must be respected. Hopefully, today's actions would not set a precedent for future relations with the Committee.

Following that statement, the Council took up draft decision VI in document E/2006/32 (Part I), where it heard a brief discussion on procedural matters in which the representatives of Turkey, Guinea-Bissau and Germany spoke.

That draft decision – by which it would take note of the report of the Committee on Non-Governmental Organizations on its 2006 regular session – was then adopted, without vote.

The Council then adopted draft decision V in document E/2006/32 (Part II) without a vote, upon which it would take note of the Secretary-General's report of the Committee on Non-Governmental Organizations at its 2006 resumed session.

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