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General segment

PROVISIONAL SUMMARY RECORD OF THE 38th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 20 July 2007, at 3 p.m.

President: Mr. MÉRORÈS (Haiti)
(Vice-President)

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In the absence of Mr. Čekuolis (Lithuania), Mr. Mérorès (Haiti),
Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

NON-GOVERNMENTAL ORGANIZATIONS (E/2007/32 (Part I and Corr.1 and Part II
and Corr.1))

The PRESIDENT invited the Council to consider the report of the Committee on Non-Governmental Organizations on its 2007 regular session (E/2007/32 (Part I and Corr.1)) and on its resumed session (E/2007/32 (Part II and Corr.1)).

Mr. MEJID (Iraq) said that Iraq was currently building a society committed to the protection of human rights, in which it was important to encourage the development of civil society organizations and NGOs. Non-governmental organizations had begun to play an important part in Iraqi society, and their role and independence were protected by the new Iraqi Constitution. The Government of Iraq encouraged NGOs to conduct research and publish reports on the situation of human rights, in order to promote the objectives of the United Nations and ensure the full implementation of international treaties on civil, political, economic, social and cultural rights. A ministry for civil society affairs had been established to encourage citizens to set up efficient civil society organizations and to strengthen cooperation between Iraqi and international NGOs and encourage national NGOs to obtain consultative status in the Council. The support of the international community for the further development of NGOs and civil society organizations in Iraq could help to achieve sustainable peace and security in a country that was at a critical stage in the development of its democratic system.

The PRESIDENT invited the Council to take up the five draft decisions contained in Chapter 1 of document E/2007/32 (Part I).

Draft decision I: Applications for consultative status and requests for reclassification received from non-governmental organizations

Draft decision I was adopted.

Draft decision II: Application of the World Sindhi Institute

Draft decision II was adopted.

Draft decision III: Application of the Coalition gaie et lesbienne du Québec

Mr. ADSETT (Canada) said that his delegation urged the Council not to be discriminatory, since the United Nations should be representative of the diversity of society, and in that context all requests for NGO accreditation should be given equal consideration. Legitimate NGOs that represented specific groups of society must be allowed to have representation in the United Nations. He therefore asked for a vote to be taken on the draft decision, and called on the Council to vote against it.

Mr. SKORPEN (Observer for Norway) said that legitimate NGOs, such as the Coalition gaie et lesbienne du Québec should be allowed consultative status in the Council. He therefore urged the Council to vote against the draft decision.

Mr. DA COSTA (Brazil), speaking in explanation of vote before the vote, said that the homosexual community in Brazil tended to be more susceptible to HIV/AIDS and other sexually transmitted infections than the heterosexual community, and NGOs had been instrumental in raising awareness on sexual health. His delegation would therefore vote against the draft decision.

At the request of the representative of Canada, a vote was taken by roll-call.

Guinea, having been drawn by lot by the President, was called upon to vote first.

In favour: Belarus, Benin, Chad, China, Guinea, Iraq, Pakistan, Russian Federation, Saudi Arabia, Somalia, South Africa, Sri Lanka, Sudan.

Against: Albania, Austria, Bolivia, Brazil, Canada, Czech Republic, Denmark, France, Germany, Greece, Guinea-Bissau, Japan, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Portugal, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Angola, Barbados, Cape Verde, Costa Rica, El Salvador, Guyana, Haiti, India, Indonesia, Paraguay, Philippines, Thailand.

Draft decision III was rejected by 21 votes to 13, with 12 abstentions.*

Draft decision III was rejected.

Mr. LOPES CABRAL (Guinea-Bissau) said that any form of discrimination based on race, gender, sexual orientation or any other grounds was unacceptable. The Charter of the United Nations was underpinned by the concept of non-discrimination, and Guinea-Bissau had found it necessary to assert that principle by voting against the draft decision. Questioning whether the recommendation by the Committee on Non-Governmental Organizations had in that instance evinced a sufficient degree of objectivity, he expressed the hope that the discussions and decisions of the Council would in future be based on respect for that principle.

Draft decision E/2007/L.20: Application of the non-governmental organization Coalition gaie et lesbienne du Québec

The PRESIDENT, following the rejection of draft decision III, invited the Council to take action on the draft decision contained in document E/2007/L.20, entitled “Application of the non-governmental organization Coalition gaie et lesbienne du Québec”.

Mr. ADSETT (Canada), introducing draft decision E/2007/L.20, said that Canada supported NGOs such as the Coalition gaie et lesbienne du Québec, since it believed that NGOs representing diverse communities must have the opportunity to express their views in the United Nations, which should be an inclusive forum. He urged all delegations to adopt the draft decision to grant consultative status to the Coalition, since the Council’s credibility would be severely compromised if NGOs were denied accreditation solely on the grounds that they were addressing human rights violations involving sexual orientation and gender identity.

* The delegation of Algeria subsequently informed the Council that it had intended to vote in favour of the draft decision.

Mr. HAYEE (Pakistan), speaking in explanation of vote before the voting, said that his delegation would vote against draft decision E/2007/L.20 because it believed that the Council should support and implement the decisions of its subsidiary bodies. The text of draft decision E/2007/L.20 was moreover inadmissible in that it effectively invited the Council to grant consultative status to the Coalition on the basis of the report of the Committee on Non-Governmental Organizations, rather than on the application through which the NGO had requested consultative status, which would be in violation of the Council's own procedures whereby an NGO could be considered for consultative status.

The vote was taken by roll-call.

Brazil, having been drawn by lot, was called upon to vote first.

In favour: Albania, Austria, Bolivia, Brazil, Canada, Czech Republic, Denmark, France, Germany, Greece, Guinea-Bissau, Iceland, Japan, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Portugal, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Belarus, Benin, China, Guinea, Indonesia, Iraq, Pakistan, Russian Federation, Saudi Arabia, Somalia, Sri Lanka, Sudan.

Abstaining: Angola, Barbados, Cape Verde, Chad, Costa Rica, El Salvador, Guyana, Haiti, India, Paraguay, Philippines, South Africa, Thailand.

Draft resolution E/2007/L.20 was adopted by 22 votes to 13, with 13 abstentions.

Draft decision IV: Application of Geneva Call

Draft decision IV was adopted.

Draft decision V: Report of the Committee on Non-Governmental Organizations on its 2007 regular session

Draft decision V was adopted.

The PRESIDENT invited the Council to take up the draft decisions contained in Chapter I, Section A of the report of the Committee on Non-Governmental Organizations on its resumed 2007 session (E/2007/32 (Part II)).

Draft decision I: Applications for consultative status and requests for reclassification received from non-governmental organizations

Draft decision I was adopted.

Draft decision II: Withdrawal of consultative status of the non-governmental organization Liberal International

The PRESIDENT informed the Council that, in the light of a letter from the President of the organization in question addressed to the Permanent Representative of the People's Republic of China to the United Nations Office at Geneva, a consensus had been reached during informal consultations on an amendment to the draft decision. The word "withdraw" would be deleted and replaced by "suspend" and the words "for a period of one year" would be inserted at the end of the draft decision. He welcomed the spirit of compromise shown by both the organization and the delegation of the People's Republic of China.

Mr. LOPES CABRAL (Guinea-Bissau) welcomed the amendment to the draft decision, which was in conformity with Council resolution 1996/31, and commended the representative of China for the spirit of compromise shown by his delegation.

Draft decision II, as amended, was adopted.

Mr. CHEN Jingye (China) said that his delegation supported the constructive participation of non-governmental organizations in the work of the Organization and the Council, but stressed that those organizations must respect the rules and regulations governing that participation. On 29 March 2007 a representative of Liberal International had expressed support for the admission of Taiwan into the World Health Organization (WHO), an organization of sovereign States, at a meeting of the Human Rights Council, in violation of General Assembly resolution 2758 (XXVI) and Council resolution 1996/31. The following day

the secretariat had issued a statement saying that the representative of Liberal International did not have the right to make such statements, had denied him access to conference rooms, confiscated his United Nations pass, and removed his statement from the webcast and press releases.

In the light of Liberal International's abuse of its consultative status and its refusal to admit any wrongdoing, the Committee on Non-Governmental Organizations, at its resumed session in May, had voted to withdraw its consultative status, a decision which his delegation considered justified and appropriate. His delegation had nevertheless continued to urge Liberal International to admit its error and take action to ensure no such incident would occur in the future. Thanks to the efforts of a number of parties, he had received a letter dated 19 July 2007 from the President of Liberal International which expressed his regrets, acknowledged that the incident should not have occurred, undertook to fully respect the provisions of Council resolution 1996/31 and indicated that the necessary measures had been taken to ensure that such incidents would not occur in the future. His delegation, although not entirely satisfied, believed that the letter was a step in the right direction and had decided to accept the amendment as proposed by the President.

Mr. ADSETT (Canada) said that his delegation had not blocked consensus on the amended draft decision but deplored the decision to suspend Liberal International for one year and rejected the view that the incident in question violated the rules governing the consultative status of non-governmental organizations. Liberal International represented more than 75 democratic parties worldwide. Such organizations made an important contribution to the processes of the United Nations and enhanced their transparency and accountability. His delegation strongly supported the right to freedom of speech of such organizations and believed that the links between the Organization and such civil society actors should be strengthened. The suspension sent the wrong signal with regard to the important interaction between the United Nations and civil society organizations after more than 40 years of valuable experience with the consultative status system.

Ms. CARVALHO (Portugal), speaking on behalf of the European Union, thanked the parties concerned for the flexibility they had shown in reaching a consensus position.

Mr. MILLER (United States of America) said that his delegation had carefully considered the complaint made by China against Liberal International and did not believe that the incident constituted an unsubstantiated or politically motivated act. His Government believed that the participation of Taiwan in the World Health Organization (WHO) would be in the public health interests of the international community. Furthermore, even if the statement by the representative of Liberal International had been in violation of the rules governing consultative status, it would not constitute a pattern of such acts as required pursuant to Council resolution 1996/31. His delegation did not believe that the incident justified the suspension of Liberty International.

Ms. MATSUO de CLAVEROL (Paraguay) said that her delegation had not opposed consensus but did not believe that Liberal International had violated the terms of its consultative status or that its suspension was justified pursuant to Council resolution 1996/31.

Mr. CHENG Jingye (China) expressed surprise at the statements made by the representatives of Canada and the United States. He emphasized that the letter dated 19 July 2007, addressed to him personally, in which the President of Liberal International acknowledged that the incident in question should not have happened and would not be repeated, spoke for itself.

Ms. JANJUA (Pakistan) said that the Committee on Non-Governmental Organizations had considered the application of Liberal International as a whole, as well as the incident in question, which it considered to have been in violation of the obligation to respect the territorial integrity of member States. The Committee had decided that Liberal International did not qualify for consultative status. The delegation of China had however decided to show flexibility and accept the compromise amendment in the light of the letter from Liberal International and the Council should acknowledge that flexibility.

Ms. HERRERA CASEIRO (Cuba) said that the Committee on Non-Governmental Organizations had considered the application of Liberal International and had been perfectly justified in withdrawing its consultative status because the incident in question had violated the

terms of Council resolution 1996/31. She commended the delegation of China for the spirit of compromise and dialogue it had shown in deciding, following consultations, to accept the amended resolution suggested by the President.

Draft decision III: Application of the non-governmental organization Jewish National Fund

Draft decision III was adopted.

Mr. MILLER (United States of America) said that his delegation opposed and disassociated itself from the decision to deny the application of the Jewish National Fund for consultative status. The United States had strongly supported the application of the Jewish National Fund in the Committee on Non-Governmental Organizations, and continued to believe that the Fund would contribute positively to the work of the Council. He expressed the hope that the Jewish National Fund would reapply for observer status at an appropriate time in the future and that the Council would give its application positive consideration.

Ms. CARVALHO (Portugal), speaking on behalf of the European Union, said that it was a matter of principle for the European Union that every NGO regardless of its nature, was entitled to treatment that was in accordance with Council resolution 1996/31 on the consultative relationship between the United Nations and non-governmental organizations and that followed the standard practice of the Committee on Non-Governmental Organizations. The European Union regretted the decision taken by the Committee at its resumed session. She drew the Council's attention to the statement made and supported by the two European Union members of the Committee at that session.

Draft decision IV: Application of the non-governmental organization Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights

Ms. CARVALHO (Portugal), speaking on behalf of the European Union, reiterated that every NGO was entitled to treatment that was in accordance with Council resolution 1996/31, which explicitly confirmed the need to take into account the full diversity of non-governmental organizations, and set out that non-governmental organizations should be granted consultative status if they were concerned with matters falling within the competence of

the Council and its subsidiary bodies, had aims and purposes that were in conformity with the spirit, purpose and principles of the United Nations Charter, and undertook to support the work of the United Nations and to promote knowledge of its principles and activities. In recent years, the Committee on Non-Governmental Organizations had only rejected applications for consultative status from organizations that had carried out actions against a Member State or were connected to terrorism; the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights clearly did not fall into that category. To reject its application, therefore, only served to undermine the principles of resolution 1996/31. The European Union would vote against the Committee's recommendation and strongly encouraged all members of the Council to do the same.

Mr. ADSETT (Canada) said that Canada was in favour of an inclusive United Nations in which a variety of voices could be heard. The Committee on Non-Governmental Organizations had been entrusted with processing NGO applications for consultative status in an equitable and fair manner. Canada was concerned by the repeated refusal of the Committee to grant consultative status to organizations addressing issues linked to sexual orientation and invited it to review its approach with regard to such organizations. Canada encouraged the Council to grant consultative status to the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights. Canada was in favour of a democratic and non-discriminatory approach in the accreditation of NGOs, and for that reason would vote against the decision.

The PRESIDENT reminded delegates that by voting in favour, they would be adopting the recommendation of the Committee on Non-Governmental Organizations not to grant consultative status to the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights.

A vote was taken by roll-call on draft decision IV.

Angola, having been drawn by lot by the President, was called upon to vote first.

In favour: Algeria, Belarus, Benin, China, Guinea, Indonesia, Iraq, Pakistan, Russian Federation, Saudi Arabia, Somalia, South Africa, Sri Lanka, Sudan.

Against: Albania, Austria, Bolivia, Brazil, Canada, Czech Republic, Denmark, France, Germany, Greece, Guinea-Bissau, Iceland, Japan, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Portugal, Romania, United Kingdom, United States of America.

Abstaining: Angola, Barbados, Cape Verde, Costa Rica, El Salvador, Guyana, Haiti, India, Paraguay, Philippines, Thailand.

Draft decision IV was rejected by 22 votes to 14, with 11 abstentions.

The PRESIDENT said that, following the rejection of decision IV, a vote would be taken by roll-call on the draft decision contained in document E/2007/L.21.

Ms. PLINER (Secretary of the Council) read the text of the draft decision, which, if adopted, would grant consultative status to the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights.

Ms. CARVALHO (Portugal) said that Portugal had presented the draft decision on behalf of the European Union as it considered that the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights should have the right to consultative status. In its application and responses to subsequent questions from the Committee on Non-Governmental Organizations, the Swedish Federation had clearly demonstrated that it fulfilled the criteria set out in resolution 1996/31. There was therefore no reason to refuse consultative status except discrimination. The European Union believed that the Council should grant consultative status to the Swedish Federation and would therefore vote in favour of the draft resolution.

A vote was taken by roll-call on draft decision E/2007/L.21.

Guyana, having been drawn by lot by the President, was called upon to vote first.

In favour: Albania, Austria, Bolivia, Brazil, Canada, Czech Republic, Denmark, France, Germany, Greece, Guinea-Bissau, Iceland, Japan, Lithuania, Luxembourg, Mexico, Netherlands, New Zealand, Portugal, Romania, United Kingdom, United States of America.

Against: Belarus, Benin, China, Guinea, Indonesia, Iraq, Pakistan,
Russian Federation, Saudi Arabia, Somalia, Sri Lanka, Sudan.

Abstaining: Angola, Barbados, Cape Verde, Costa Rica, El Salvador, Guyana, Haiti,
India, Paraguay, Philippines, South Africa, Thailand.

Draft decision E/2007/L.21 was adopted by 22 votes to 12, with 12 abstentions.

Draft decision V: Dates of the 2008 session of the Committee on Non-Governmental
Organizations and provisional agenda

Mr. LOPES CABRAL (Guinea-Bissau) said his delegation welcomed the fact that the Committee's agenda included the sub-item entitled "Review of the methods of work of the Committee: implementation of Economic and Social Council resolution 1996/31, including the process of accreditation of representatives of non-governmental organizations, and Council decision 1995/304". The Committee would be well advised to proceed with that review in the light of the Council's discussions in Geneva the previous year, in December in New York and at that day's session.

The PRESIDENT confirmed that that was the Committee's intention.

Draft decision V was adopted.

Draft decision VI: Report of the Committee on Non-Governmental Organizations on its
2007 resumed session

Draft decision VI was adopted.

The meeting rose at 5.25 p.m.