UNCAC CoSP9 – Plenary on participation of NGO observers 14.12.21

Statement by Transparency International (Gillian Dell)

Mr. President, congratulations on your presidency of the CoSP,

Distinguished delegates,

Thank you for the opportunity to speak on behalf of Transparency International.

Once again, this conference is occupied with issues about the role of civil society. This time we have a critical situation, with eight NGOs excluded by objections from one State Party Turkey.

We were shocked by the objections raised by Turkey, we know of no possible justification for them, the allegations we have heard are completely unfounded. One of the objections concerns our chapter TI Georgia and one Access Info Europe, whose executive director is the Chair of the UNCAC Coalition. These and others named are highly respected NGOs and the unjustified allegations we heard have been made by Turkey are very harmful.

The arbitrary exclusion of NGOs from the CoSP is unfortunately another example of the shrinking civic space around the world. It is deeply worrying and does not bode well for international anti-corruption efforts.

The barriers placed for NGOs here are against the letter and spirit of UNCAC Article 13 but also go against something even more important – against international human rights standards. As we wrote in a letter to the CoSP President in November, the Human Rights Committee, in its General Comment No. 25, recognized that the right to take part in the conduct of public affairs covers the formulation and implementation of policy at the international level. Likewise, the rights to freedom of peaceful assembly and association are fundamental and protected at both the national and multilateral levels.

As my colleague from the UNCAC Coalition already said, and as we wrote to you in our joint letter, any denial of NGO participation in CoSP sessions should be subject to high standards of transparency and the principles of adequate notice, justification and procedural fairness. All these are currently missing in the opaque and unaccountable way in which the objection procedure has been implemented. We therefore commend the recommendation to develop guidelines guaranteeing transparency and procedural fairness.

However, you are also discussing deferral of the matter of the objections – we believe this is not the answer. As stated by a previous delegate, Rule 17 says that if there is an objection, the matter will be referred to the Conference for a decision. Deferring the matter is not a decision on the objections.

We understand that this body has always preferred consensus. However, if consensus cannot be reached, we call on this body to vote on the objections in line with Rule 17.