

PRACTICAL GUIDE

Using the United Nations Human Rights System to Address Illegal Intercountry Adoption

Guidance for NGOs, adoptee groups and advocates

Legal content and research

International Law Clinic of Panthéon-Assas (France)

Professor Olivier de Frouville

Professor Julia Grignon

Marie-Lee Lurel

Olivier Pedeboy

Maguy Lawson

Marie-Lys Levaux

Jade Rubio

Editorial design, visual communication and publication development

InterCountry Adoptee Voices (ICAV)

Lynelle Long

July 2026



WHAT'S IN THIS DOCUMENT?

A practical guide for NGOs engaging with the UN human rights system on illegal intercountry adoptions



PURPOSE

To provide NGOs with practical guidance on how to engage with the United Nations human rights system to address illegal intercountry adoptions and seek justice for affected adoptees.



WHO IS IT FOR?

Non-governmental organizations (NGOs), advocates, and networks working on or supporting victims of illegal intercountry adoptions.



PREPARED BY

International Law Clinic of Panthéon-Assas

WHAT THE DOCUMENT COVERS



PART I TRANSITIONAL JUSTICE MECHANISMS AS A FRAMEWORK FOR ADOPTEE'S RIGHTS



Introduction to transitional justice



Retributive justice (accountability and prosecutions)



Restorative justice (acknowledgment, reparation, support)

Explains how these approaches can support truth, accountability, reparation and reform for adoptees.



PART II HOW TO LEVERAGE ECOSOC FOR NGOs IMPACT WITHIN THE UN SYSTEM



Introduction to ECOSOC and the consultative status for NGOs



Ways NGOs can participate: ECOSOC sessions, side events, and Human Rights Council engagement



Step-by-step guide to obtaining consultative status



Obligations of accredited NGOs: quadrennial reports



Practical information: key contacts and NGO delegate badges

Provides practical steps for NGOs to gain a voice, influence agendas, and build impact within the UN.



PART III HOW NGOs CAN DRIVE CHANGE BY ENGAGING WITH THE UN TREATY BODIES SYSTEM



Accreditation for treaty bodies



The reporting procedure to treaty bodies (advocacy role)



The complaints procedure before treaty bodies (quasi-judicial procedure)

Explains how NGOs can use UN treaty bodies to report violations and seek remedies for victims.



OVERALL GOAL

To empower NGOs with the knowledge, tools, and pathways to advocate effectively within the United Nations for the rights and justice of adoptees affected by illegal intercountry adoptions.



INTERNATIONAL LAW CLINIC
OF PANTHÉON-ASSAS



AUTHORS

Professor Olivier de Frouville | Julia Grignon
Marie-Lee Lurel | Olivier Pedebay
Maguy Lawson | Marie-Lys Levaux | Jade Rubio

Table of Contents

GENERAL INTRODUCTION TO THE UNITED NATIONS	5
THE UNITED NATIONS: ITS CREATION AND ARCHITECTURE	5
DIFFERENTIATING BETWEEN THE CONVENTION (TREATY-BASED) SYSTEM AND THE CHARTER SYSTEM OF THE UNITED NATIONS	6
THE CHARTER BASED SYSTEM	6
THE TREATY BASED SYSTEM	7
III. SUBSTANTIVE RIGHTS TO BE CALLED UPON BEFORE COMMITTEES	11
THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR) - HUMAN RIGHTS COMMITTEE ..	11
CONVENTION AGAINST TORTURE (CAT) - COMMITTEE AGAINST TORTURE	11
THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC) – COMMITTEE ON THE RIGHTS OF THE CHILD	12
THE INTERNATIONAL CONVENTION FOR THE PROTECTION FOR ALL PERSONS FROM ENFORCED DISAPPEARANCE (CED) – COMMITTEE ON ENFORCED DISAPPEARANCES	13
PART I. TRANSITIONAL JUSTICE MECHANISMS AS A FRAMEWORK FOR ADOPTEE RIGHTS. 14	
INTRODUCTION TO TRANSITIONAL JUSTICE.....	14
WHAT IS TRANSITIONAL JUSTICE?	14
WHY APPLY TRANSITIONAL JUSTICE TO ILLEGAL ADOPTIONS?	14
WHAT IS THE UNITED NATIONS DOING?	14
THE ROLE OF NGOS	15
TWO TYPES OF JUSTICE WORKING TOGETHER.....	15
RETRIBUTIVE JUSTICE	17
THE KEY ROLE OF NGOS	17
A SUCCESS STORY: THE CASE OF NETHERLANDS.....	17
RESTORATIVE JUSTICE	18
THE ROLE OF NGOS	18
THREE EXAMPLES	18
THE LIMITS OF RESTORATIVE JUSTICE	18
PART II. HOW TO LEVERAGE ECOSOC FOR NGOS IMPACT WITHIN THE UNITED NATIONS SYSTEM	19
INTRODUCTION TO ECOSOC	19
PRESENTATION OF ECOSOC.....	19
NGOS AT ECOSOC: THE CONSULTATIVE STATUS	19
ACTIVITIES OF ACCREDITED NGOS	21
PARTICIPATION OF NGOS IN THE WORK OF ECOSOC	21
WRITTEN STATEMENTS	21
ORAL STATEMENTS.....	22
THE ORGANIZATION OF <i>SIDE EVENTS</i>	22
PARTICIPATION OF NGOS IN THE HUMAN RIGHTS COUNCIL	23

PARTICIPATION IN THE UNIVERSAL PERIODIC REVIEW (UPR).....	26
NGOS PARTICIPATION IN THE WORK OF SPECIAL RAPPORTEURS	28
IV. PROCEDURE FOR OBTAINING CONSULTATIVE STATUS.....	29
A) ELIGIBILITY CONDITIONS FOR CONSULTATIVE STATUS OF AN NGO WITH ECOSOC	29
B) THE SIX STEPS TO OBTAIN CONSULTATIVE STATUS WITH ECOSOC:	30
C. REVIEW OF THE APPLICATION	32
IV. THE DUTY OF ACCREDITED NGOS: QUADRENNIAL REPORTS	34
V. PRACTICAL INFORMATION	35
KEY CONTACTS	35
OBTAINING BADGES FOR NGO REPRESENTATIVES.....	36

**PART III. HOW NGOS CAN DRIVE CHANGE BY ENGAGING WITH THE UNITED NATIONS
TREATY BODIES SYSTEM..... 37**

ACCREDITATION FOR COMMITTEES.....	37
THE REPORTING PROCEDURE TO TREATY BODIES	37
THE COMPLAINTS PROCEDURE BEFORE TREATY BODIES (QUASI-JUDICIAL PROCEDURE) .	39

GENERAL INTRODUCTION TO THE UNITED NATIONS

THE UNITED NATIONS: ITS CREATION AND ARCHITECTURE

Founded on 26 June 1945 through the adoption of the United Nations Charter in San Francisco, the United Nations (UN) brings together today 193 Member States around four fundamental missions set out in Article 1 of the Charter: to maintain international peace and security, to develop friendly relations among nations, to achieve international co-operation on economic, social and humanitarian issues, and to promote human rights without discrimination¹.

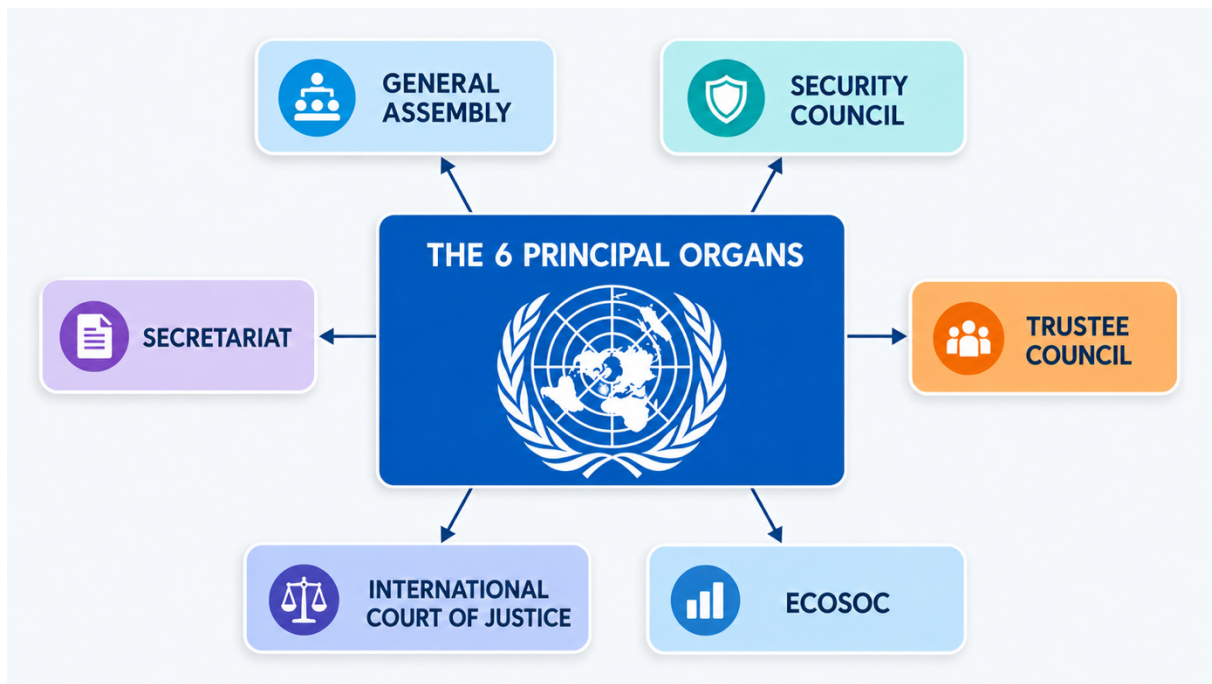
On an institutional level, the Charter structures the Organization around six principal organs². The General Assembly is the universal deliberative body, bringing together all Member States. The Security Council, composed of 15 members including 5 permanent members with veto rights, bears primary responsibility for the maintenance of peace. ECOSOC coordinates economic, social and environmental policies and constitutes the institutional anchor for relations between the UN and non-governmental organizations. The International Court of Justice settles legal disputes between States and issues advisory opinions. The Secretariat, led by the Secretary-General, ensures the administrative functioning of the Organization. Finally, the Trusteeship Council, responsible for supervising trust territories, suspended its activities in 1994 following the independence of the last territory concerned.

Beyond these six principal organs, the UN has developed over the decades a vast system of funds, programs, specialized agencies and subsidiary bodies (such as UNICEF, WHO, UNHCR, and UNESCO) forming what is known today as the United Nations system³. It is the irreplaceable universal multilateral framework for global governance, international humanitarian law and the protection of fundamental rights. **It is within this framework that non-governmental organizations find their principal levers of action to bring issues of justice and the protection of vulnerable populations to the international level.**

¹ The full United Nations Charter, online: <https://www.un.org/en/about-us/un-charter/full-text>.

² More about the main bodies of the United Nations, online: <https://www.un.org/en/about-us/main-bodies>

³ More about the United Nations System, online: <https://www.un.org/en/about-us/un-system>.



DIFFERENTIATING BETWEEN THE CONVENTION (TREATY-BASED) SYSTEM AND THE CHARTER SYSTEM OF THE UNITED NATIONS

The international protection of human rights within the United Nations does not rest on a single mechanism, but on two distinct systems governed by different logics: the Charter-based system and the treaty-based system.

The Charter Based System

The Charter-based system is founded directly on the UN's constitutive treaty (the Charter itself) and has a very specific characteristic: universality. As such, the Charter-based system applies to all Member States of the Organization, independently of any other conventional commitment. This means that no State can evade its obligations on the grounds that it has not ratified certain treaties.

The Charter-based system is structured around several pillars.

The first pillar is the **Human Rights Council**, an intergovernmental body composed of 47 States elected by the General Assembly for a three-year mandate.⁴ The HRC is a crucial pillar in the promotion and protection of human rights. It meets three times a year to discuss specific human rights themes and situations requiring its attention. The HRC is a council comprising only States (not independent experts), which gives it strong political legitimacy but also makes it vulnerable to the influence of national interests over objective human rights assessments.

⁴ More about the Human Rights Council of the United Nations, online:

<https://www.ohchr.org/en/hrbodies/hrc/home#:~:text=The%20Human%20Rights%20Council%20is,its%20attention%20throughout%20the%20year.>

The second pillar is **the Universal Periodic Review (UPR)**, which is the HRC's flagship mechanism⁵. Every four and a half years, each UN member state submits a report on its human rights situation for peer review. **During this process, other States and NGOs may submit additional information.** After the review, the State receives a list of recommendations which it is free to accept or reject.

The **HRC's special procedures** are also a crucial instrument of the Charter system. These are thematic or geographical mandates entrusted to independent experts (special rapporteurs, independent experts, working groups) appointed by the HRC in their personal capacity and not as representatives of their State⁶. They may carry out official visits to countries, address urgent communications to governments to report on imminent or ongoing violations, publish thematic reports submitted to the General Assembly or the HRC, and take a public position on worrying situations. There are currently 46 thematic mandates and 13 State mandates.

In 2022, the Committee on the Rights of the Child, the Committee on Enforced Disappearances, the Special Rapporteur on the truth, the Special Rapporteur on the sale of children, the Special Rapporteur on trafficking in persons and the Working Group on Enforced or Involuntary Disappearances joined together to produce a joint statement on illegal intercountry adoptions unanimously condemning illegal intercountry adoptions⁷.

Finally, **the Office of the High Commissioner for Human Rights (OHCHR)** provides institutional and operational support to the entire system headed by the High Commissioner for Human Rights⁸.

The Treaty Based System

The treaty system is based on specific international treaties that States freely choose to ratify. By accepting a treaty, **a State** undertakes specific legal obligations *and submits itself to the scrutiny of an independent expert body (called a committee or treaty body)* responsible for monitoring its implementation⁹. **The nine fundamental treaties form the normative foundation of this system. Among the most important instruments concerning illegal adoptions are the International Covenant on Civil and Political Rights (ICCPR, 1966), the Convention on the Rights of the Child (CRC, 1989), the Convention against Torture (CAT, 1984), and the International Convention for the Protection of All Persons from Enforced Disappearance (CED, 2006)**¹⁰. Each treaty creates specific substantive obligations that States commit themselves to by ratifying them. This system has the advantage of offering precise standards and a rigorous technical inspection carried out by

⁵ More about the Universal Periodic Review, online: <https://www.ohchr.org/en/hr-bodies/upr/upr-home>

⁶ More about the special procedures, online: <https://www.ohchr.org/en/special-procedures-human-rights-council>

⁷ More about the joint statement on illegal intercountry adoptions, online:

https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/2022-09-29/JointstatementICA_HR_28September2022.pdf

⁸ More about the Office of the High Commissioner for Human Rights, online: <https://www.ohchr.org/en/about-us>.

⁹ More about the treaty bodies of the United Nations and their roles, online: <https://www.ohchr.org/en/treaty-bodies>

¹⁰ More about the different treaties of the United Nations and their monitoring bodies, online: <https://www.ohchr.org/en/core-international-human-rights-instruments-and-their-monitoring-bodies>

independent experts. On the other hand, it applies only to States that have ratified the relevant treaty and lacks direct enforceability.

Each treaty is monitored by its own treaty body, composed of independent experts acting in a personal capacity and carrying out technical and legal work. There are nine committees, including the Committee on the Rights of the Child, the Committee against Torture and the Committee on the Elimination of Discrimination against Women (CEDAW)¹¹. These committees have three control mechanisms¹²:

- **Periodic reports:** State parties are required to submit regularly a detailed report on the measures taken to implement their treaty obligations. The committee reviews this report, may ask additional questions to the state, and may adopt concluding observations that identify progress made and persistent shortcomings.
- **Individual communications**¹³: Where the State has accepted this optional jurisdiction, any person who considers themselves a victim of a violation may apply directly to the competent committee, provided they have exhausted domestic remedies. The committee examines the situation and adopts *findings which, without having the force of a binding judgment, constitute an authoritative legal assessment*.

Who qualifies as a victim?¹⁴

- Anyone claiming to be a victim of a violation of their rights contained in one of the eight treaties can submit a complaint, provided that certain conditions are fulfilled. Complaints may also be brought on behalf of individuals with their written consent. In certain instances, such as detention without access to the outside world or enforced disappearance, consent is not required.
- Please note that each while some treaties only allow individuals to submit communications, others permit **organizations or NGOs to have standing** to apply in their own name.

What are the conditions of admissibility for an individual communication?¹⁵

- **Jurisdiction :**

¹¹ Ibid.

¹²More about the functions of the treaty bodies of the United Nations and their control mechanisms, online: <https://www.ohchr.org/en/treaty-bodies/what-treaty-bodies-do>

¹³More about Individual communications procedures of the treaty bodies of the United Nations, online: <https://www.ohchr.org/en/treaty-bodies/individual-communications-procedures-treaty-bodies>

¹⁴ Ibid.

¹⁵More about the conditions of admissibility of individual communications procedures of the treaty bodies of the United Nations, online: https://ehrac.org.uk/wp-content/uploads/2025/03/EHRAC-Guide-Individual-Communications-to-UN-Treaty-Bodies-Admissibility-Issues-_-ENG.pdf

-
- **Subject matter jurisdiction** (*ratione materiae*): The alleged violation must relate to a right expressly guaranteed by the treaty under which the communication is submitted and falling within the competence of the committee seized.
 - **Temporal jurisdiction** (*ratione temporis*): The alleged violation must have occurred after the treaty's entry into force for the State party.
 - **Acceptance of the mechanism**¹⁶: The State must have recognized the competence of the treaty body to receive individual complaints.
-
- **Exhaustion of Domestic remedies**: The applicant must have sought redress from all relevant national bodies first, unless such remedies are ineffective, inaccessible or unreasonably prolonged.
 - **Time Limits**: Communication must be submitted within a reasonable time after domestic remedies have been exhausted (some committees impose a strict deadline).
 - **Non-duplication** (*lis pendens*): The matter must not be under examination by another international procedure (investigation or settlement).
 - **Substantiation**: The applicant must provide factual and legal information that is sufficiently precise and credible to move the complaint beyond mere allegation and permit a serious examination of the merits.
 - **Abuse of process**: The communication must not constitute a misuse or malicious use of the complaint mechanism, nor be manifestly incompatible with the provisions of the relevant treaty. It cannot be anonymous.
-
- **Inquiries and visits**: The Committee against Torture has a mandate to visit States parties under its Optional Protocol. Six other committees (CESCR, CAT, CEDAW, CRPD, CED, and CRC) conduct inquiries or request information if they receive reliable evidence of serious or systemic violations.

¹⁶Link to check whether a State is party and the date of ratification of each treaty:
https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-7&chapter=4&clang=_en

THE UNITED NATIONS SYSTEMS



HUMAN RIGHTS COUNCIL
(Intergovernmental body promoting and protecting human rights)



UNIVERSAL PERIODIC REVIEW
(Each state is reviewed every 4-5 years)



SPECIAL PROCEDURES
(Special rapporteurs, independent experts, and Working Groups)



HIGH COMMISSIONER (OHCHR)
(UN's principal human rights office)



TREATY-BASED SYSTEM
States that have ratified the treaties



THE TREATIES AND THEIR PROTOCOLS
(CRC, CEDAW, CAT, ...)



TREATY BODIES
(Committees of independent experts)



MONITORING MECHANISMS
(Periodic state reports, individual complaints, inquiries)



STATE PARTIES
(States are only legally bound by their treaty obligations if the treaty is ratified)

III. SUBSTANTIVE RIGHTS TO BE CALLED UPON BEFORE COMMITTEES

Before examining the functioning of the treaty bodies and the procedural mechanisms at your disposal, it is important to identify the substantive rights that you hold as adopted persons. These rights, enshrined in several international conventions ratified by States, constitute the legal basis for any action before committees. They are primarily found in four main conventions, each subject to a separate competent committee.

The International Covenant on Civil and Political Rights (ICCPR) - Human Rights Committee

Article 17 Right to Privacy

- Protects against arbitrary interference in private and family life. For adoptees, it establishes a right of access to information regarding to their biological origins. For example, a state that refuses or obstructs such access may be held liable under this provision.

Article 23 (1) Protection of the Family

- Recognizes the family as the natural and fundamental unit of society and provides for its protection by the State. It may be usefully invoked in cases of child abduction committed in the adoptee's country of origin, where the separation from the biological family has been carried out unlawfully and without consent.

Article 24 (2) Birth Registration

- Requires every child to be registered immediately after birth. This is directly applicable in situations where adoptees have little or no documentary evidence of their birth. This phenomenon is common in irregular adoptions where civil status records have been falsified or destroyed.

Convention against Torture (CAT) - Committee against Torture

Article 1 Protection against ill-treatment

- The definition of torture under the CAT includes inhuman and degrading treatment. This article may be used to support adoptees who have been victims of trafficking in children and sold through illicit channels, provided that such treatment is the responsibility, even indirect, of the State.

Article 2 Preventive Obligations

- Requires States to take all legislative, administrative, judicial and other measures to prevent acts of torture within its territory. In the context of individual communications, it makes it possible to highlight States' positive obligations to protect children against trafficking networks, including when they operate in a context of international adoption.

The Convention on the rights of the child (CRC) – Committee on the Rights of the Child

Article 3 Best Interests of the Child

- A cross-cutting standard requiring that child's best interests be a primary consideration in all actions. It can be invoked in support of all the other rights listed below.

Article 7 Birth Registration

- Like Article 24 (2) ICCPR, this article guarantees every child the right to be registered at birth and to have a name assigned to him or her. It is directly relevant in cases where the civil identity of the adoptee has been falsified or never constituted.

Article 8 Right to an Identity

- Recognizes the right of the child to an identity, including nationality, name and family relations. It is the most direct legal basis for adoptees who are denied access to their adoption files or information about their biological families.

Article 9 Right Not to be Separated from Parents

- Establishes that a child may not be separated from his or her parents against their will, except where such separation is necessary for his or her best interests and decided by a competent authority. It may be mobilized in all cases where the separation from the biological family has resulted from abduction, pressure or fraud.

Article 11 Prevention of Illicit Transfer and Non-return of Children

- Obliges States to take measures to combat the illicit transfer of children abroad and their non-return. It may enable the responsibility of the adoptee's State of origin to be engaged, in particular when children have been transferred abroad without the valid consent of their biological parents.

Article 19 Protection of the Child from All Forms of Violence and Abuse

- State must protect children from all forms of violence, abuse or brutality, including in institutions that receive them. It is applicable both to victims of trafficking and to adoptees who have been ill-treated in orphanages or adoption centers.

Article 21 Safeguards in International Adoption

- The cornerstone of protection. It mandates that international adoption is only authorized if it is in the child's best interest and that all necessary consents are obtained without any “*undue financial gain*”.

Article 35 Prevention of abduction, sale, and Trafficking

- Specifically requires States to prevent the abduction, sale, or trafficking of children for any purpose, including for the purpose of illegal adoption.

The International Convention for the protection for all persons from enforced disappearance (CED) – Committee on enforced disappearances

Article 1 Prohibition of Enforced Disappearance

- Prohibits forced disappearances in all circumstances. In the context of illegal adoptions, it may be applied when the child has been taken from his or her family under organized conditions, with the complicity or tolerance of State agents.

Article 3 Duty to Investigate and Obligation of Due Diligence

- Requires State to investigate enforced disappearances, even when they are committed without direct involvement of State agents. It is an important lever to hold the home or host state accountable for failing to carry out the necessary investigations to find the biological families.

Article 25 Specific Protection for Children

- Provides specific protections for children who are victims of enforced disappearance, including the obligation for states to take measures to trace and identify children taken from their families. It is particularly relevant in cases of organized adoptions in the context of authoritarian regimes or armed conflicts.

PART I. TRANSITIONAL JUSTICE MECHANISMS AS A FRAMEWORK FOR ADOPTEE RIGHTS

Illegal intercountry adoptions are not isolated incidents. They are often part of organized systems of violations, involving both public and private actors, and leaving victims with lasting harm: a stolen identity, a severed family, unknown origins. Before examining the United Nations mechanisms available to victims and the NGOs supporting them, it is therefore essential to understand the broader framework that gives meaning to all these tools: transitional justice. This framework, originally designed to address mass human rights violations in post-conflict contexts, is increasingly being recognized as relevant to illegal adoptions.

INTRODUCTION TO TRANSITIONAL JUSTICE

What is transitional justice?

When a country emerges from war or a period of widespread violence, it needs to find ways to deal with the crimes that were committed. This is what transitional justice is about. It is built around four key ideas: finding out what happened (the right to truth), holding those responsible accountable (justice), helping victims rebuild their lives (reparations), and making sure it never happens again (guarantees of non-repetition). The goal is not only to punish individuals, but also to acknowledge victims' suffering and to reform the institutions that allowed these abuses to take place.

Why apply transitional justice to illegal adoptions?

Illegal adoptions are not simply administrative mistakes. They are often part of organized systems, sometimes operating during times of crisis or conflict, involving both public and private actors. They deprive children of fundamental rights: knowing who they are, knowing their family, and knowing where they come from.

Given how serious and long-lasting these violations are, the tools of transitional justice are particularly well suited to addressing them. Special commissions can investigate and establish the facts, legal proceedings can be brought against those responsible, and concrete measures can help victims trace their origins and obtain reparations. This approach also makes it possible to look at the problem as a whole, rather than on a case-by-case basis.

What is the United Nations doing?

At the UN, the issue of illegal adoptions is receiving growing attention. The Committee on the Rights of the Child and other UN experts have recognized the seriousness of these practices. In 2022, a group of UN experts published a joint statement calling for truth and reparations for victims. As early as 2017, the Special Rapporteur on the sale and sexual exploitation of children was the first to apply this framework to illegal intercountry adoptions, stressing that states must acknowledge their responsibility and put in place concrete measures for victims.

The role of NGOs

Non-governmental organizations play a vital role — both in filling the gaps left by states and in supporting victims, who can sometimes feel overwhelmed by processes that are slow and difficult to navigate. NGOs help document abuses, support victims, and push for illegal adoptions to be recognized as serious human rights violations. Their work helps build real momentum for transitional justice, including within the UN system.

Two types of justice working together

Any effective response must combine two complementary approaches: punishing those who committed the abuses (retributive justice) and meeting the needs of the victims (restorative justice).



Truth Commissions

These are ad hoc commissions of inquiry established to investigate and report on the conflict. They often make recommendations for preventing future violence and increasing the durability of negotiated settlement.



Reparations Programs

Along with other efforts to rebuild after wide-scale violence, reparations can include material benefits (e.g., monetary compensation, social services) or symbolic benefits (e.g., monuments, public apologies, commemorative gestures of atonement), or both.



Structural Reforms

Reforms may include changes in the military, police, prosecution service, judiciary, and other state institutions that permitted or perpetrated the atrocities. Such post-conflict reform efforts are vital to both prevent recurrence and rebuild public trust.



Memorials & Museums

Commemorative spaces such as these preserve public memory, raise moral consciousness, and help stiffen resolve to prevent atrocity recurrence.



Criminal Prosecution

Prosecution can play a vital role in conjunction with the aforementioned measures. In countries that are in the midst of rebuilding or have limited justice system capacity, prosecutions may target those most responsible for massive or systematic violence or crimes.

RETRIBUTIVE JUSTICE

Retributive justice is about making sure that those who committed violations face real consequences whether through criminal courts or administrative sanctions. In the case of illegal adoptions, this means holding corrupt adoption agencies, illegal intermediaries, and complicit officials accountable for what they did.

The key role of NGOs

NGOs are often the first to push for accountability. They do this in several concrete ways:

- They submit reports to UN monitoring bodies and share information with independent UN experts (called Special Rapporteurs). This work has directly contributed to official UN recommendations calling for investigations, prosecutions, and reparations in countries such as Switzerland, Norway, Cambodia, and Ukraine.
- They mobilize the media and public opinion, putting pressure on governments to take action. This pressure led to the creation of national investigation commissions in the Netherlands, Belgium, Sweden, and Switzerland.

A success story: the case of Netherlands

One of the clearest examples of retributive justice working in practice is the Joustra Commission in the Netherlands (2019–2021). After years of campaigning by adoptee associations, who had carefully documented the abuses and brought them to public attention, the Dutch government set up an official commission of inquiry. Its conclusion was clear: systemic abuses had taken place in international adoptions over more than thirty years, and the Dutch authorities had either been complicit or had looked the other way.

In Uganda, a civil society network called UCICC helped push for the ratification of the Rome Statute, which allowed international criminal justice standards to be applied at the national level.

Despite these advances, many obstacles remain:

- Receiving countries (the countries where children were adopted) and adoption agencies frequently point the finger at the countries of origin, refusing to accept their share of responsibility.
- Some states have not even made illegal adoptions a specific criminal offense. France, for example, has no specific law criminalizing illegal adoptions, and has not put in place any legal procedure to review or annul adoptions that took place under fraudulent conditions. The UN Committee on Enforced Disappearances has specifically urged France to address these gaps.

RESTORATIVE JUSTICE

While retributive justice focuses on punishing those responsible, restorative justice takes a different approach: it places the victim at the heart of the process. It is about recognizing the harm that was done, helping people find answers about who they are and where they come from, and supporting them in rebuilding their lives. Concretely, this can include an official acknowledgment by the state of the wrongs committed, access to records and information about one's origins, help tracing biological family members, psychological support, and financial compensation where appropriate.

The role of NGOs

NGOs are often the most important allies victims have in this process. They help amplify their voices, provide emotional and practical support, push governments and institutions to take responsibility, and accompany victims through the often long and painful journey of searching for their origins and birth families. They also offer legal assistance and create spaces where victims can meet and support one another.

Three examples

In **Uganda**, an organization called the Victim Support Initiative acted as a bridge between victims and the justice system, making sure that legal processes took victims' experiences and needs into account.

In **Australia**, following decades of forced adoptions between the 1950s and 1970s, the Prime Minister issued a formal public apology in 2013, officially recognizing that illegal practices had taken place and acknowledging the suffering caused to victims and their families. This kind of official recognition is itself a crucial part of restorative justice.

In **Ireland**, an NGO called the Clann Project played a remarkable role by collecting 164 testimonies from victims of illegal adoptions and from their biological mothers. These testimonies were compiled into a collective file submitted both to the national investigation commission and to UN bodies, a powerful example of how NGOs can transform individual stories into a force for systemic change.

The limits of restorative justice

Ireland also illustrates how restorative justice can be undermined. Despite the creation of a national investigation commission, adopted persons still cannot freely access their adoption records. These records are kept secret by both the state and religious institutions, which is itself a violation of victims' right to know the truth about their own lives. Without access to this information, restorative justice remains incomplete.

PART II. HOW TO LEVERAGE ECOSOC FOR NGOS IMPACT WITHIN THE UNITED NATIONS SYSTEM

INTRODUCTION TO ECOSOC

Presentation of ECOSOC

ECOSOC is the United Nations body responsible for coordinating the activities of the United Nations system and its specialized agencies in the economic, social, and environmental fields. It also oversees many subsidiary bodies involved in these areas.

Located at the heart of the UN system, ECOSOC plays a central role in integrating the three dimensions of sustainable development: economic, social, and environmental. It is the main platform for coordination, policy dialogue, and policy review on economic and social development issues.

The Council also contributes to monitoring the implementation of international commitments adopted at major UN conferences and summits, including those related to the Sustainable Development Goals.

The ECOSOC comprises 54 member states elected by the General Assembly for overlapping 3-year terms. Seats on the Council are allocated based on equitable geographical representation: 14 to African States; 11 to Asian States; 6 to Eastern European States; 10 to Latin American and Caribbean States; 13 to Western European and other States.

The work of the Council is carried out through several segments and meetings, including preparatory meetings, round tables and expert meetings with representatives of civil society throughout the year. In accordance with General Assembly resolution 68/1, the Council's program of work has been adjusted to a cycle from July-to-July cycle, around an annual theme, to align and better coordinate the various subsidiary bodies of the Council.

NGOs at ECOSOC: The consultative Status

From the outset, ECOSOC has been the main gateway for NGOs within the UN system. The ECOSOC remains the only UN body with a formal mechanism for NGO participation. In 1946, 41 NGOs were granted consultative status by the Council. In 1992, more than 700 NGOs had obtained this status, and since then the number has been steadily increased, reaching nearly 5,000 organizations in 2018.

Article 71 of the Charter of the United Nations provides the legal basis for the participation of non-governmental organizations in the United Nations system. This article specifies that ECOSOC may organize consultations with non-governmental organizations working on issues within its competence.

It provides that:

“The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after

consultation with the Member of the United Nations concerned.” - United Nations Charter, Chapter X, Article 71.

This provision paved the way for the establishment of an institutional framework for cooperation between the United Nations and civil society. It recognizes the role that NGOs can play in international policy expertise, analysis and implementation.

Today, this relationship is mainly framed by **the ECOSOC resolution 1996/31, which defines:**

- eligibility criteria for consultative status;
- the rights and obligations of NGOs;
- procedures for the suspension or withdrawal of consultative status;
- the role of the ECOSOC NGO Committee;
- the responsibilities of the UN Secretariat in managing this process.

Consultative status is the main mechanism for NGOs to participate in United Nations activities.

This accreditation system benefits both the UN and civil society organizations. It provides the Council and its subsidiary bodies with specialized information and analysis from the field, while giving NGOs a voice in their members' concerns and perspectives.

Resolution 1996/31 states:

“The purpose of the provisions on consultations is to enable the Council to obtain information or expert opinions from organizations having special competence in the matters concerned and to give organizations representing important sectors of public opinion the possibility to make known the point of view of their members.” Full resolution: <https://undocs.org/E/RES/1996/31>

Consultative status with ECOSOC allows NGOs to participate actively in the work of the United Nations and contribute to international discussions in their areas of expertise.

Consultative status offers several concrete possibilities for participation in the activities of the United Nations system. Accredited organizations can, among other things:

- attend international conferences and events organized by the United Nations; (cf. II.)
- submit written statements and make oral interventions at certain meetings;
- organize side events at international conferences;
- access the United Nations premises;
- develop cooperation networks with other organizations and government representatives.

It should be noted, however, that ECOSOC does not provide direct funding to NGOs.

The following pages are based on the official ECOSOC website, which details the entire procedure. We have simplified it to make it easier to read, but for more information or the full text, please consult this site directly:

<https://ecosoc.un.org/en/ngo/guide-to-consultative-status>.

ACTIVITIES OF ACCREDITED NGOS

Participation of NGOs in the work of ECOSOC

NGOs in consultative status with the ECOSOC can participate in different types of activities within the United Nations system. They may attend the sessions and meetings of ECOSOC, as well as those of its functional commissions and other subsidiary bodies.

The modalities of participation vary between bodies. However, a general rule applies - only NGOs officially accredited to ECOSOC may participate in these meetings.

ECOSOC calendar is available at the following link: <https://ecosoc.un.org/en/events/calendar>.

Written statements

Civil society actors are encouraged to submit written statements on issues under consideration by the Council.

In accordance with ECOSOC Resolution 1996/31:

An organization in general or special consultative status may submit written contributions on matters within its competence and relevant to the work of the Council. The Secretary-General shall forward these communications to the members of the Council."

Written declarations must be submitted online via the CSONet platform¹⁷. NGOs should read the instructions provided carefully, as procedures may vary between meetings or bodies.

For statements addressed directly to ECOSOC, the maximum length depends on the type of consultative status of the NGO:

- General consultative status: up to 2,000 words
- Special consultative status: up to 500 words

Only one written statement can be submitted per organization. NGOs with Roster status can submit a written statement only if invited to do so by the Secretary-General, after consultation with the President of ECOSOC or the Committee on NGOs.

NGOs in general or special consultative status may also submit written statements to the technical commissions and other subsidiary bodies of ECOSOC, particularly when they possess specific expertise on the topics under consideration. In this case, the word boundaries are:

¹⁷ <http://csonet.org/index.php?menu=86>.

-
- General consultative status: up to 2,000 words
 - Special consultative status: up to 1,500 words

Again, only one written statement is allowed per organization.

Oral statements

In accordance with ECOSOC Resolution 1996/31, organizations in general or special consultative status may make oral statements before the United Nations Economic and Social Council.

These statements should be on the topics on the Council's agenda for the current year. NGOs can present their statements:

- directly in front of ECOSOC;
- before one of its subsidiary bodies;
- or in the context of technical committees.

The NGO Branch informs organizations of deadlines for submitting oral statements and provides them with a preliminary agenda for the session. Note that:

- The President of the Council shall determine the order and time of speeches;
- The NGO Service cannot therefore guarantee a specific time slot for an organization's intervention;
- The final list of speakers is determined by the President of the Council.

NGOs are also encouraged to present joint statements with other organizations in consultative status, which often enhances the impact and visibility of the message.

The organization of *Side Events*

Side events are events that you can organize on the sidelines of ECOSOC sessions: they are informal exchanges to raise awareness about your project through networking between a wide variety of stakeholders. (representatives of States, non-governmental organizations, experts...) In this context, you will be able to present your experience, without having to resort to legal speeches. It is therefore an informal but strategic means of intervention that allows an NGO to make its voice heard.

NGOs also have the possibility to organize side events during sessions of ECOSOC or its technical commissions. However, UN rules state that UN premises may only be used for events officially sponsored by:

- a permanent mission of a UN member or observer state;
- a department or office of the United Nations Secretariat;
- an organization or agency of the United Nations system.

Thus, an NGO wishing to organize a parallel event must associate itself with one of these actors and present its project to them. If the latter agrees to sponsor the event, the NGO can then coordinate its organization with the institutional partner.

For example, during the 61st session of the UN Commission on the Status of Women in 2017, Oxfam International organized a side event in collaboration with the Permanent Mission of Costa Rica to the UN entitled: “Addressing inequalities in domestic work to promote women’s economic empowerment.”

Another example: on 25 April 2023 during the *ECOSOC Youth Forum*, several NGOs including Save the Children and Plan International, organized a side event titled “A Child-Focused Humanitarian Reste - Why and How?” aimed at promoting a better consideration of the needs and rights of children in international humanitarian policies.

PARTICIPATION OF NGOs IN THE HUMAN RIGHTS COUNCIL

The United Nations Human Rights Council (HRC) is the principal intergovernmental body of the United Nations charged with promoting and protecting human rights worldwide. It is composed of 47 member states and meets at least three times a year in Geneva. The Council shall consider violations of human rights, including grave and systematic violations, and shall work to promote universal respect for fundamental rights.

At its regular sessions, the Council:

- review the work of its special procedures and other mechanisms;
- organizes interactive dialogues, panels and thematic debates;
- facilitates discussions between States, experts and civil society actors.

In addition to its regular sessions, the Council may convene special sessions devoted to an urgent situation concerning a specific country or theme. Although the Human Rights Council is not a subsidiary body of ECOSOC, only NGOs in consultative status with ECOSOC may be accredited to participate in its sessions.

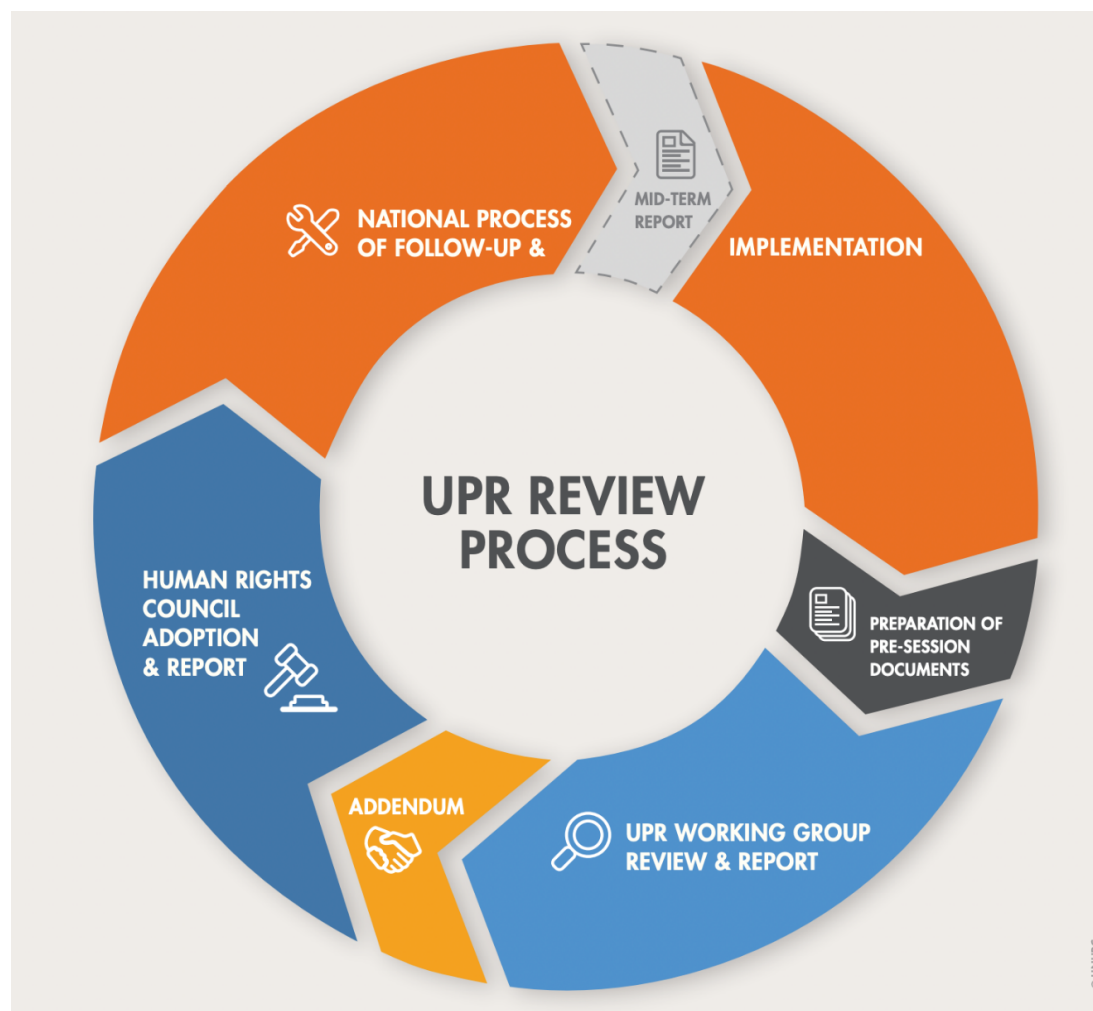
Accredited NGOs participate in the work of the Council as observers. As such, they can in particular:

1. attend and observe Council debates (except in confidential complaint procedures);
2. submit written statements;
3. make oral interventions during the sessions;
4. participate in the Universal Periodic Review (UPR), which evaluates every four years the human rights situation in each of the 193 UN member states;
5. participate in interactive dialogues, debates and informal meetings;
6. organize side events on topics related to human rights.
7. participate in the work of special rapporteurs.

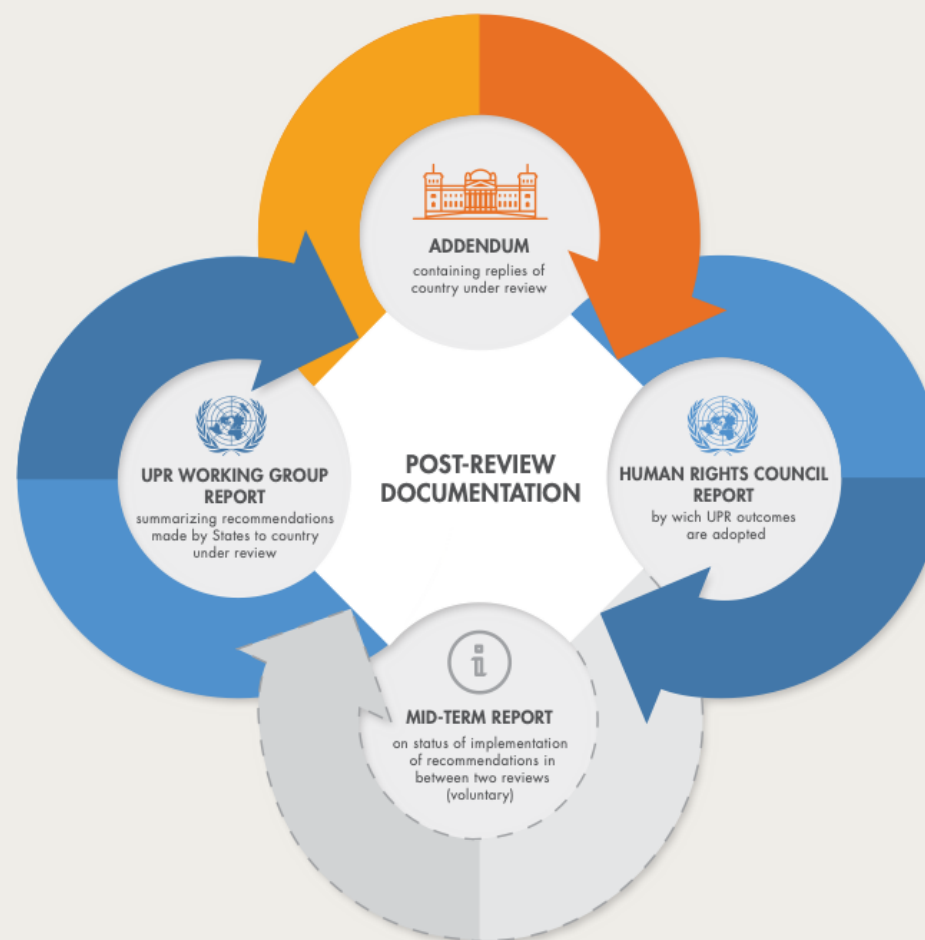
To participate in a session of the HRC, an NGO in consultative status with ECOSOC must submit an accreditation request to the Secretariat of the Council in Geneva, typically through the UNOG's online registration system (Indico) before the session's designated deadline.

SUBMIT A WRITTEN SUBMISSION	REMOTE PARTICIPATION BY VIDEO DECLARATION DURING THE SESSION	REQUEST TO SPEAK DURING THE SESSION	ORGANIZE A SIDE EVENT
NGOs in consultative status with ECOSOC may submit written submissions to the HRC. NGOs with General consultative status may submit papers of up to 2,000 words per paper. NGOs in Special Consultative Status with ECOSOC or on the list may submit written submissions of up to 1500 words. Written submissions will be distributed without being edited by OHCHR, in the language in which they were written (i.e. English, French or Spanish). The forms for submitting a written communication are available at the following address: http://www2.ohchr.org/english/bodies/hrcouncil/ngo.htm	NGOs in consultative status with ECOSOC that do not have offices or representations in Geneva, nor individuals accredited to the relevant council session, may participate in certain Council meetings by submitting a pre-recorded video statement. You must submit a request for this purpose using the online form and following the NGO guidelines on video statements: www.ohchr.org/EN/HRBodies/HRC/Pages/NGOParticipation.aspx	Accredited NGOs wishing to submit an oral statement should use the form available online: <ohchr.org/EN/HRBodies/HRC/Pages/NGOParticipation.aspx Normally, the list of speakers is determined according to the priority of requests, but also according to the time when the request was made, the number of requests per speaker and the time allocated by the Work Program.	Accredited NGOs may organize public events related to the work of the Council. The main interest of side events is to allow freer exchanges than in the formal setting: NGOs and experts can express themselves more easily and draw attention to certain violations; they serve to give visibility to causes. It promotes dialogue and networking between NGOs, international organizations and government representatives. Requests to reserve a room are made online: http://www2.ohchr.org/english/bodies/hrcouncil/ngo.htm To co-organize a side event with an NGO, you need to download and send the form for the Co-organizers: http://www2.ohchr.org/english/bodies/hrcouncil/ngo.htm

Participation in the universal periodic review (UPR)¹⁸



¹⁸ More about the Universal period review process, online at: <https://www.ohch.org/en/hr-bodies/upr/cycles-upr>.



NGOs participation in the work of special rapporteurs

The special procedures of the UN Human Rights Council are independent mechanisms tasked with monitoring, analyzing and reporting on human rights violations worldwide. They are entrusted to independent experts, called special rapporteurs, independent experts or working groups who do not represent their State and act in a personal capacity.

These procedures may be:

- thematic (torture, freedom of expression, sale and sexual exploitation of children): there are currently 46 mandates;

In the context of international adoptions, the most relevant thematic mandates include:

- the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-recurrence;
- the Special Rapporteur on Sale and Sexual Exploitation of Children, including child prostitution, child pornography and other child sexual abuse material;
- the Special Rapporteur on Trafficking in Persons, especially women and children;
- the Working group on Enforced or Involuntary Disappearances.
- country-specific (covering a specific country or territory): there are currently 13 country mandates.

At the end of these investigations, the special rapporteurs publish reports and recommendations. For example, the Special Rapporteur on the sale and sexual exploitation of children submitted a thematic report, presented at the 61st session of the Human Rights Council, which takes stock of six years in office, identifying emerging challenges to strengthen the fight against the sale and exploitation of children. Several could be of interest to NGOs specializing in illegal international adoptions, available at the following link: <https://www.ohchr.org/fr/topics>.

Listed below are a few themes and topics where your experience and analysis could be useful:

- Children and Youth
- Migration
- Disappearances and Executions

NGOs play a central role in the functioning of these procedures: they can transmit information and testimonies from the field, which is essential for these special procedures that do not have extensive investigative resources.

Urgent communications

Special rapporteurs can draw attention to specific situations by submitting urgent communications when there are serious violations. In this regard, NGOs may transmit information to the special procedures mandate-holder. Those submitting information may be direct or indirect victims of the alleged violations or claiming to have a direct link or reliable knowledge of the allegations.

To submit information: spsubmission.ohchr.org

The submission of information must be an accurate account of alleged violations and contain the following information:

-
- date, time, and place of the incident(s)
 - the victims (including the name)
 - the types of violations
 - the circumstances of the violations
 - the alleged perpetrators
 - the actions taken by the victims or their legal representative(s)
 - the actions taken by the relevant authorities to remedy the situations
 - any information to clarify the context in which the violations occurred

Please note: When submitting information on legislation or policies, you are encouraged to send the text of the legislation or policies, as well as an analysis of their non-compliance with international human rights standards.

Calls for contributions

Another tool that is **particularly important and easy to access for NGOs** is the call for contributions. When a rapporteur prepares a report, he or she seeks information, analysis or data from States, NGOs, researchers and national institutions on a specific topic. The contributions sent by NGOs can provide field information, examples of practices or concrete recommendations. This information is then used by the rapporteur in drafting his report to the Human Rights Council.

To this end, the calls for contributions are published by the special rapporteurs; they announce the precise theme of the future report and give a deadline for sending a contribution.

To view calls for contribution: <https://www.ohchr.org/fr/calls-for-input-listing>

IV. PROCEDURE FOR OBTAINING CONSULTATIVE STATUS

A) Eligibility conditions for consultative status of an NGO with ECOSOC

1. The work of the NGO must be related to that of ECOSOC;
2. Its decision-making mechanisms must be transparent and democratic, and its constitution must have been democratically adopted;
3. It must have an established headquarters and a general manager;
4. She must have been in office for at least two years;
5. It must be authorized to speak on behalf of its members;
6. It must have a representative structure;
7. It must be able to answer for its actions before its members;

-
8. It must provide the Committee with its financial statements showing contributions received and other assistance, as well as direct and indirect expenditure.
 9. An organization applying for consultative status must prove that it has been in existence for at least two years on the date of receipt by the Secretariat of its application. (ECOSOC Resolution 1996/31, Part IX, paragraph 61(h))

B) The Six Steps to Obtain Consultative Status with ECOSOC:

Each step will be described successively:

1. Create your organization's profile;
2. Submit the online application, consisting of answers to a questionnaire and supporting documentation;
3. An initial review by the NGO Service to ensure that the file is complete;
4. The consideration of your application by the ECOSOC NGO Committee at its regular annual session in January, or during the resumed session in May;
5. The recommendation by the Committee;
6. ECOSOC decision on your request in April (for requests considered during the regular session) or in July (for requests considered at the resumed session).

Step 1: Create your organization's profile

- a. Go to the NGO Service home page and click on "Apply for Consultative Status" in the left-hand menu;
- b. Check if your organization already has a profile in the database by clicking the link "Click here if you are not sure that your organization already has a profile";
- c. When you are assured that there is no old profile, click on "Add your organization's profile" under the "Profile Save" section;
- d. Click on "Create a new profile"
- e. Complete the New Profile form carefully. All fields marked with a red asterisk must be completed. Other fields are optional. From the "Primary Objective and Access" menu, select "Request for Consultative Status" as "Primary Objective". Please make sure not to create more than one profile.
- f. **Once this step is completed and your profile has been approved by the NGO Unit, you will be notified and provided with your website login settings.**

After receiving approval, you will be able to continue submitting your application for consultative status online with ECOSOC. Please note that profile approval can take a few days.

IMPORTANT: Make sure that the email address of the office you provide is working and that you frequently check your messages, as it will be used for all communications related to your request.

Step 2: Submit your application online

Depending on when your organization wishes to be heard by the Committee, your application for consultative status must be submitted online no later than 1 June of the preceding year. The application may be submitted in English or French, both working languages of the United Nations. It includes the online form and supporting documentation that must be attached in digital format, namely:

- A copy of your organization's constitution, charter, statutes or by-laws and any amendments thereto (in accordance with paragraph 10 of ECOSOC Resolution 1996/31);
- A copy of the registration certificate. According to Resolution 1996/31, an organization must demonstrate that it has been in existence for at least two years on the date of receipt of the application by the Secretariat);
- A copy of the most recent financial statement. All submitted documents must be translated into English or French. To submit your application:
 - a. Go to the NGO Service home page and log in by clicking "Login for the iCSO database";
 - b. Click on the "Consultative Status" tab and scroll down to click on "Submit Application".
 - c. Fill out the application form without omitting any fields. Be brief and stick to the essentials. Save the information at least every 20 minutes so you don't lose your work.
 - d. If something is missing or there is an error in your form, a red text will appear on the screen to report it. Once you are certain that your application form has been completed, click "Submit".
 - e. You will also need to upload the necessary documents, as mentioned above, using the "Documents" tab. All documents must be uploaded online. Otherwise, your application will not be reviewed.

IMPORTANT

- Answer all questions. Don't leave any questions unanswered;
- If a question doesn't apply to your organization, write "not applicable."
- Be brief and concise; Stick to the essentials.
- Don't forget to upload all the requested documents, including their translations.
- Make sure that the scanned documents are clearly legible.
- Use standard characters, avoid CAPS and symbols.
- Please refer to the document containing the application form questionnaire and guidance on how to complete the form, which is available on the NGO Branch website on the "Apply for consultative status" page.
- If you have any questions, please feel free to contact the NGO Service through its email system by clicking on the "Contact Us" link on the homepage.

C. Review of the application

1. First review by the NGO Branch

The NGO Branch of the United Nations Department of Economic and Social Affairs conducts the first review of applications. This step ensures that the dossier is complete, clear and contains all necessary information and documents before it is forwarded to the NGO Committee. The organization is informed of the date on which its application will be considered by the Committee.

2. Review by the NGO Committee

The Committee shall consider the request. The NGO may send up to two representatives to attend the session and answer questions if necessary. Attendance is not mandatory and does not influence the final decision. The Committee's questions are sent by email to the NGO's headquarters, and responses are uploaded via the online system of the NGO Service, which then forwards them to the Committee.

3. Recommendation and final decision

The Committee meets twice a year, in January and May, and makes a recommendation on each application. This is then forwarded to ECOSOC, which takes the final decision in April or July. The NGO obtains official consultative status only after this decision.

The Committee may:

- recommend one of the three types of consultative status (general, special or listing);
- or postpone the examination of the application until the next session if clarifications or additional information are needed.

It is therefore essential that NGOs:

- respond quickly to questions and requests for clarification;
- Maintain updated contact information for their organization on the iCSO site, including the primary email address, as this is the only official means of communication with the Committee.

Types of consultative status:

- **General status:** for influential NGOs representing important sectors of society. They cover most of the areas of activity of ECOSOC and its subsidiary bodies, are well established and have a broad international scope.
- **Special status:** for NGOs with specific expertise in certain areas of ECOSOC. They are generally more recent and of a smaller size.
- **List status:** for NGOs whose activities or technical input are limited, but which can provide a useful one-time contribution to ECOSOC or its subsidiary bodies.

PLEASE NOTE

Press releases keep you informed of the Committee's recommendations and ECOSOC decisions when you are not able to attend the Committee sessions. They are available on the Committee's web page in the "Meeting Coverage" section.

In addition, the sessions of the Committee are now broadcast live on UN Webtv: <http://webtv.un.org/>. You can search for records from previous sessions in the lookup field at the top right of the page; type in "committee on non-governmental organizations" or click the "Live Now" tile and select the session video.

4. The final decision of ECOSOC

ECOSOC makes the final decision on granting the status, which is the last step in the application procedure. The recommendations of the NGO Committee from its sessions in January and May are considered by the Council during its coordination and management meetings in April and July. Only once this decision has been taken does the NGO receive consultative status; A letter informing him is then sent to him.

IV. The duty of accredited NGOs: Quadrennial Reports

NGOs in general or special consultative status with the United Nations Economic and Social Council (ECOSOC) must submit a report every four years to the Committee on NGOs, through the Secretary-General of the United Nations. This obligation is provided for in ECOSOC Resolution 1996/31.

This report allows the Committee to assess the contribution of the NGO to the work of the United Nations, including its support for international development goals and initiatives.

The quadrennial report should briefly outline:

- the main activities carried out by the organization over the past four years;
- actions related to the United Nations or its programs;
- the NGO's contribution to internationally agreed development goals.

The report is submitted to the NGO Service via the CSOnet online platform.

To file the report:

- Log in to your organizational profile on the iCSO database via the NGO Service website.
- Go to the "Consultative Status" tab, then "Quadrennial Reports".
- Select "Submit a report".
- Fill in the fields requested on the online form.
- Save the document and click on "Send" to finalize the submission.

The NGO Department usually sends a reminder six months before the deadline to inform the organization of the deadline. It is important to keep the contact details of the organization up to date in the online profile to receive these notifications.

ECOSOC Resolution 2008/4 provides for several measures in case of non-submission of the report:

- One month after the deadline: the NGO Service sends a first reminder requesting submission of the report by 1 January of the following year.
- If the report is still not received: a final reminder is sent with a new deadline of 1 May.
- If the report is still not submitted: the Committee on NGOs may recommend suspension of consultative status for a period of one year.
- If the NGO still fails to submit its report during this period, the Committee may recommend withdrawal of consultative status with ECOSOC.

V. PRACTICAL INFORMATION

KEY CONTACTS

Human Rights Council

Address: Office of the High Commissioner for Human Rights, Palais Wilson, 52 rue des Pâquis, CH-1201 Geneva, Switzerland

Phone: +41 22 917 9656 (NGO liaison officer)

Courriel : civilsociety@ohchr.org

[<ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx](http://ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx)

[ohchr.org/EN/HRBodies/HRC/ Pages/NgoNhriInfo.aspx](http://ohchr.org/EN/HRBodies/HRC/Pages/NgoNhriInfo.aspx) (NGO participation)

NGO Committee

Address: United Nations Secretariat, 405 E 42nd Street, S-2540, New York, NY 10017, ÉTATS-UNIS

Tel: 1-212-963-8652

Fax: 1-212-963-9248

Messages to the NGO Department: Click on the "Contact us" link on the home page

<http://csonet.org/index.php?menu=80>

NGO Unit

Office for Intergovernmental Support and Coordination for Sustainable Development, Department of Economic and Social Affairs, United Nations Secretariat

Address: United Nations Secretariat, 405 E 42nd Street S-2540, New York, NY 10017, ÉTATS-UNIS

Tel: 1-212-963-8652

Fax: 1-212-963-9248

Messages to the NGO Department: Click on the "Contact us" link on the home page

<http://csonet.org>

CSO net: <http://csonet.org>

Requests for consultative status:

<http://csonet.org/index.php?menu=83>

Quadrennial reports:

<http://csonet.org/index.php?menu=85>

UN Access Badges:

<http://csonet.org/index.php?menu=86>

Civil society database:

<http://esango.un.org/civilsociety/newLogin.do>

Commission on Crime Prevention and Criminal Justice

Address: Civil Society Team, UN Office on Drugs and Crime, Vienna International Centre, P.O. Box 500, Room D1474 A-1400, Vienne, Autriche

Fax: (UNODC) Vienna Office: 43 (1) 26060-76955

Courriel : ngo.unit@unodc.org

unodc.org/unodc/en/commissions/CCPCJ/

OBTAINING BADGES FOR NGO REPRESENTATIVES

NGOs in consultative status with ECOSOC may designate representatives to obtain badges for **access to United Nations facilities, valid until 31 December each year.**

Each NGO can receive up to **seven badges per site** (New York, Geneva and Vienna). Among these seven badges, **two are necessarily reserved for the president or general manager and the head administrator** of the organization. These two representatives must be designated before any other badge request is made; no application will be considered until this step has been completed.

Badge applications are made **exclusively online. It is also possible to obtain** temporary badges, **valid from one day up to three months, for a maximum of nine temporary badges at a time.**

How to apply for an annual badge for New York:

1. Log in to your organization's page on the **NGO Service:**
<http://csonet.org/index.php?menu=14>
2. Under the "Consultative Status" **tab**, select **"Designations"**.
3. Click on **"New York"** to pre-register the representatives you wish to designate.
4. After receiving the email confirmation, print the **official letter** and the **security form** by clicking on the "print" icon next to the representative's name.
5. Present these documents along with a **valid ID and a photo at the UN Pass and ID Office**, 320 East 45th Street, between 1st and 2nd Avenues, New York. Schedule: Monday to Friday, 09:00 to 16:00.

Finally, NGOs must notify the **NGO Service as soon as a representative ceases to be in office, to keep the list of representatives up to date and allow for the issuance of new badges if necessary.**

PART III. HOW NGOS CAN DRIVE CHANGE BY ENGAGING WITH THE UNITED NATIONS TREATY BODIES SYSTEM

ACCREDITATION FOR COMMITTEES

First condition: Resolution 288 adopted by ECOSOC sets as the definition of the NGO: “**any organization not established as a Govt entity or an intergovernmental agreement and considered as a non-governmental organization**”, so there must not be any governmental nature.

Second condition: the NGO must have a direct link with the goals of the UN.

Third condition: it must pursue a **non-profit purpose**.

Fourth condition: she does not **have to advocate violence**.

Fifth condition: no political affiliation.

Sixth condition on the infrastructure: it must have an office, a constitution, a headquarters, and a transparent decision-making process.

To attend a committee session: The NGO must be registered through the single online accreditation platform (the link will be available on the webpage of the session you wish to attend). It takes two business days to process the request.

THE REPORTING PROCEDURE TO TREATY BODIES

Please note

The States are evaluated by session and by rotation between the different States: not all of them are examined during the same session.

For example: The Human Rights Committee will hold a session in 2027 (date to be determined) during which it will examine several states:

1. Angola
2. Belgium
3. Bulgaria
4. Cabo Verde
5. Central African Republic

To determine which States are examined by which Committees, please consult the following link:
<https://www.ungeneva.org/en/news-media/calendar-major-meetings>

All sessions of the current year are published on the website.

At what stages is it useful for the NGO to intervene?

The so-called “normal” procedure for examining a state takes place in several stages:

- Report submitted by the State: this is when National Human Rights Institutions (NHRIs) and NGOs can participate. They assist in the preparation of the report to be submitted to the Committee.
- Questions are then sent to the State on the report and the State replies in writing: at this stage,
- NGOs and NHRIs contribute to the preparation of questions with the Committee.
- The delegation presents the report during the session.
- There is a dialogue between the State delegation and the Committee.
- Finally, the Committee publishes the concluding observations (final observations = operational document ready to be used in practice by NGOs in support of their advocacy), *which include recommendations addressed to the State*.

After the session, a procedure is set up to monitor the implementation of recommendations, during which INDHs and NGOs participate through reports and surveys.

Possible double action for NGOs in following up on the concluding observations:

- The NGOs will be able to provide reports on how the recommendations are followed by the states.
- NGOs can rely internally on the recommendations to carry out actions to strengthen respect for rights and the application of recommendations.

Example: Committee on Enforced Disappearances, Concluding Observations on Sri Lanka, (2024)

Among its recommendations, the Committee urged Sri Lanka to:

- harmonize its Criminal Code with the Convention on enforced disappearances regarding illegal adoptions;
- conduct thorough investigations to determine whether disappeared children were subsequently adopted;
- establish specific procedures to review and potentially annul adoptions originating in enforced disappearance;
- identify biological families and provide them with support in searching for their children.

THE COMPLAINTS PROCEDURE BEFORE TREATY BODIES (QUASI-JUDICIAL PROCEDURE)

It is confidential.

Step 1: sending the complaint

Double filtering: sending the communication to the Secretary who will filter them before sending them back to a Rapporteur or an Intersessional Group which will decide whether or not to register the complaint and will take interim measures if necessary (protective and conservatory nature).

Step 2: admissibility of the complaint

If the complaint is admissible, then it must be forwarded to the institution that will examine the substance of the complaint and provide its arguments. Then the right to respond is given to the victim, who can counter the arguments of the State.

Step 3: examination on the merits

The Committee shall examine all that has been done previously and analyze the private session (deliberations) of the communication.

Committee adopts a final decision = findings (violation or not) and recommendations (financial or other reparations/ modification of standards/ guarantee of non-repetition).

There may be third-party interventions (e.g., NGOs) upon approval by the Committee.

Step 4: "obligations" of the State and monitoring

The State must ensure effective remedy for the victim and inform the committee of the follow-up.

Designated special rapporteur proposes 3-4 priority and urgent recommendations that are the subject of a request for information from NGOs, to which they respond within 6 months. This response is reviewed by the Rapporteur, and a follow-up report will be produced by his secretariat.

Third-party intervention procedure

The procedure depends on the Committee before which the case is heard. Before the Committee on the Rights of the Child, the possibility of third-party intervention is provided for in Article 23 of the Additional Protocol.

In general, when an NGO wishes to participate in a case without being invited, it must file a formal request with the Petitions and Urgent Actions Department of the Office of the United Nations High Commissioner for Human Rights.

Example: For the Human Rights Committee (according to Article 96 of the regulations and the "*Guidelines*"):

- A request for leave to submit an amicus curiae brief **must be made in writing to the Committee. It shall contain succinct information on the person or entity seeking to intervene, indicate the communication concerned and the issue(s) to which the intervention will relate. The request should also specify the nature of the information or analysis to be presented and explain how this contribution may be useful in the consideration of the communication. This request must not exceed** two pages.
- If the Committee or its Special Rapporteur grants authorization, it shall set **a deadline for the submission of the memorandum and may, where appropriate, specify the matters to which it should relate. The amicus curiae brief shall not exceed** 5,350 words. Third parties are also required to respect the **confidentiality** of information relating to the communication to which they would have access in the context of the procedure, unless expressly authorized by the Committee.
- The Committee may also, **on its own initiative**, invite an individual or organization to submit a third-party intervention in the form of an amicus curiae brief.
- Any intervention by third parties must be submitted **in writing**, preferably in the language of the communication and in any case in **one of the official languages of the United Nations**. It should be transmitted to the Committee through **OHCHR at the following address: petitions@ohchr.org**.

⇒ This third-party intervention serves 3 roles:

1. Role of counsel: provide supposed victims with advice so that they can file their own communications (the role of a lawyer)
2. Third-party intervention: throughout the procedure (e.g. by the HR Committee, authorized by Article 96 of the Rules of Procedure)

Help disseminate the JP of the Committees – e.g., CIEL NGO: specializing in the environment, which provides an overview of the JP.