Part III

NON-STATE ACTORS IN
MULTISTAKEHOLDER
DIPLOMACY

UN CONFERENCES ON THE SPOT – VOICES FROM CIVIL SOCIETY:
WHISPERING, TALKING AND SHOUTING OUT
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I n this short contribution for the "International Conference on Multistakeholder Diplomacy," some characteristic details of UN summits and their relevance for the participation of non-governmental organisations (NGOs) are identified.

Being able to draw on first hand experience, having participated as researcher or volunteer at the World Conference against Racism in 2001, the Social Summit +5 event (2000) and the World Summit on the Information Society I (2003), the author is now working within the ongoing research project "UN World Summits and Civil Society Engagement" in the programme area of "Civil Society and Social Movements" at the United Nations Research Institute for Social Development. Combining actual practice with planned changes in conditions and structures allows delineation of both limitations and possibilities for NGOs active in UN policy-making procedures.

This study focuses on one particular group of actors: NGOs. Looking at the structures of UN summits allows an understanding of some of the limits as well as of the opportunities offered to NGOs in these summits. As well, focusing on NGOs as one particular group of non-state participants in summits is useful, as it is in the context of world conferences that NGOs became particularly visible and known to a larger public in the 1990s.

The paper begins by introducing NGOs as civil society actors. In order to understand the possibilities provided to NGOs by various UN summits, the general structure of these events is outlined. The next part discusses who used those possibilities. With some empirical data, certain trends are outlined. Finally, the conferences are set within a broader context. A short, chronological listing of some of the main world conferences in the 1990s and early 2000s culminates in the questions: Has the time of those huge events come to an end? What could be the alternatives? Several proposals of the "Panel of Eminent Persons on United Nations-Civil Society Relations" are introduced and critically discussed. These suggestions, which discuss issues

like legitimacy, responsibility and accountability, are then compared with the preparations for an "integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields and the follow-up to the outcome of the Millennium Summit," and for the World Summit on the Information Society (WSIS phase II). Some examples highlight discrepancies between well meaning ideas and reality.

The paper ends with a reflection on the question of how the presence of so many NGO representatives at the 1990s world conferences influenced the UN's attitude toward inclusion of the "new" actors. What was heard from so many voices?

NGOs as Civil Society Actors

Civil society provides an autonomous space for various forms of movements, organisations, and associations. NGOs are one part of civil society. Although NGOs have not yet been sufficiently defined in a consistent manner, they are increasingly subject to political analysis and public debate and they are partners in practical politics. In the 1950s, the UN first used the term NGO in legalistic fashion (Martens, 2002; Heins, 2001; Willetts, 2000; Dichter, 1999): "Any international organization which is not established by intergovernmental agreement shall be considered as a non-governmental organization" (UN: ECOSOC resolution 288XB). Apart from the initial UN understanding of NGOs, which differentiated national, regional, and international actors, the expression NGO is now commonly used for organisations that operate at various levels (Hill, 2004; Heins, 2002; Martens, 2002; Judge and Skjelsbaek, 1975).

Martens (2002, p. 282) provides the following definition: "NGOs are formal (professionalized) independent societal organizations whose primary aim is to promote common goals at the national or the international level." NGOs are, therefore, formal organisations with a permanent structure, a headquarters office with (paid) employees with specific training. Moreover, although they might receive financial support from various donors, including governments, NGOs are independent and do not get under the formal control of any donor (Martens, 2002).

Structure: What Access Points Do NGOs Have?

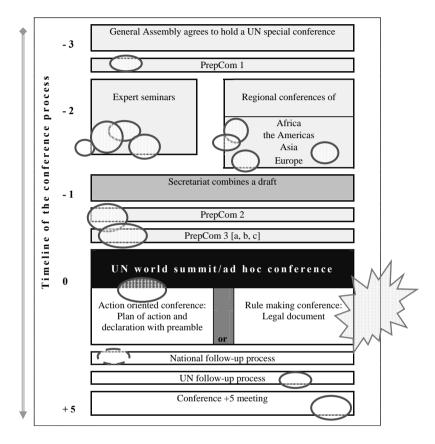*Figure 1* General Outline of a Typical UN Summit and its Preparatory Process

Figure 1 outlines the yearlong process leading to a UN summit. It also shows, with round symbols, where NGOs are involved in the conference process. The star attached to the UN summit displays the parallel conference of NGOs often organised as a huge side event at the same time as the summit. The figure does not claim to represent the whole conference process; details of the various conferences are not well represented, nor are facets of the expert seminars or other events stated.

The figure highlights the various different seminars, conferences, and meetings that take place (often years) before the summit itself is convened. Starting from a decision taken by the General Assembly (GA), a first preparatory committee meets in order to fix the next phases of the procedure. Expert seminars on relevant fields and areas that should be covered by the conference are organised. On most continents, regional conferences are arranged. Around two years before the scheduled world conference gathering, the secretariat of the conference synthesises the outcomes of the regional meetings and the expert seminars and submits draft versions of an action plan and a declaration. In the following Preparatory Committees (PrepComs), delegates from all UN member states discuss the various sections, sometimes word by word. Text that does not find agreement within the delegate meetings is put into brackets for later follow up. In addition, regarding specific topics in dispute, numerous informal working groups are set up under the leadership of a state that offers to co-ordinate discussions. Finally, the UN summit takes place, either as a rule-making conference whose purpose is to agree on a legal document, or as an action-oriented conference, with a declaration and a plan of action that describes necessary procedures. In general, the follow-up process begins both in the national states and in the UN. In the 1990s, it was common to have a "+5 conference" five years after the main event had taken place.

Agency: Who Used These Possibilities?

Figure 2 provides information about the number of institutional participants (NGOs) and individuals (NGO delegates) at various conferences. Even the obvious primary sources, the documentation of the UN organisers, can be inconsistent, making comparisons difficult. Although the information helps to retrace which organisations registered for the participation in advance, it does not say who actually participated or how many delegates were sent. Nonetheless, the chart allows an overview to retrace the complexity of UN world conferences.

Figure 2 NGOs and their Delegates at UN Summits

Conference Place	Number of NGOs	Number of individuals	Source
UNCED Rio 1992	14,000 18,000 attended the parallel forum	17,000	Gordenker and Weiss, 1996
	Not mentioned	20,000 +	Gagain, 2003
	Not mentioned	47,000	United Nations, 1997; Schechter, 2001
	500 + at PrepComIV		Bichsel, 1996
Human Rights Conference (WCHR) Vienna 1993	248 NGOs in consultative status; NGO reports estimated 1,400-1,500	593 participants	Clark, Friedmann and Hochstetler, 1998
	841, 248 with ECOSOC status	3,691 representatives	Gaer, 1996
Habitat II Istanbul 1994	Not mentioned	8,000	Gordenker and Weiss, 1996
	Not mentioned	30,000	United Nations, 1997; Schechter, 2001
Women's conference Beijing 1995	Not mentioned	30,000	Emmerij et al., 2001; Scholte, 2002
		30,000 +; 4,000+ representatives of accredited NGOs	Boutros-Ghali, 1995
	3,000 accredited	30,000 + at NGO forum	Clark, Friedmann and Hochstetler, 1998
	Not mentioned	Almost 50,000	United Nations, 1997; Schechter, 2001
WCAR Durban 2001	2,000	6,000 +	CAW Human Rights Department, 2001
	Not mentioned	Approx 3,000	UN-NGLS, 2001
	Not mentioned	7,000	Sheperd, 2001a
	3,000	8,000	ICMC, 2001
WSSD Johannesburg 2002	Not mentioned	20,000 accredited officially, 60,000 participants were expected	Wesel, 2004

The figure shows the great differences of the quantity of participants, according to various sources. It is only safe to say, that many delegates from many NGOs attended the UN conferences, it is not possible to confirm the figures.

Examples of Official NGO Participation at WCHR and WCAR

What is special about world conferences is that everybody – at least in theory – can be granted access if they satisfy the regulations. Obviously, challenges like resources, networks, official attitudes, mass media, and political culture can impede participation (Scholte, 2004). The activities NGOs can pursue during a summit process depend not only on their abilities, but also on several general mechanisms influenced by resources and power, amongst other factors.

To have access to the conference process, NGOs and their delegates need to be accredited. Accreditation can be differentiated by status into organisational or individual-based access. When NGO members are invited to be part of a governmental delegation, individual access is granted. The bulk of participants, however, need to go through a multilevel accreditation process. An existing Economic and Social Council (ECOSOC) accreditation can make it easier to become accredited to a conference, based on its specific rules. In both cases, the next step is personal accreditation, which means that individuals have to obtain accreditation in the name of their organisation or with any other organisation willing to let them participate under its name. To actually attain physical access to conference rooms, it might be necessary to obtain other passes issued on location. Depending on space conditions, another option can be to allow access on a first come, first served basis. With passes, access is possible to the plenary (with observer rights or, eventually, with talking rights) or to working groups, such as those that discuss the plan of action or those that discuss the political declaration, with rights to observe or to voice an opinion. NGOs are, however, normally excluded from entering informal meetings, for example, meetings called by single states to solve critical issues. In addition, depending on the status of accreditation, written statements might be distributed as UN documents. In addition, for the parallel summit, the NGO event, accreditation can be necessary.

Figure 3 shows the countries of origin for accredited NGOs at the "World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance" (WCAR). Of the almost 1500 NGOs pre-registered, nearly the same share came from Europe, North America, and Latin America and the Caribbean. The shares from Africa and Asia were each one third lower.
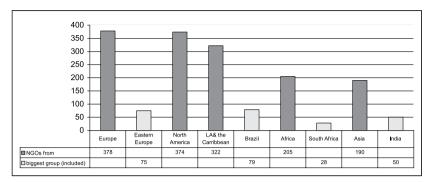
Figure 3 Accredited NGOs for WCAR 2001, South Africa, Organised by Continent

	Europe	Eastern Europe	North America	LA& the Carribbean	Brazil	Africa	South Africa	Asia	India
☐ NGOs from	378		374	322		205		190	
☐ biggest group (included)		75			79		28		50

Source: Wiseberg, 2001. NGOs not in consultative status
as well as NGOs with consultative status.

Statistics for the "World Conference on Human Rights" (WCHR, 1993, Austria) also illustrate unequal participation opportunities in regard to regional meetings. Of those eight NGOs that participated in all regional preparatory meetings, seven came from Europe and North America, while only one was based in Asia.

At the WCHR, a total of 46 plenary statements were given by NGOs. Those based in Europe, North America, and Oceania gave 26 statements, more than half. Delegates from NGOs based in Asia (14), South America (3), and Africa (3) gave the other 20. For joint plenary statements, the picture is much more equal, as all continents are represented once. During the human rights summit itself, 21 of the NGOs that gave a plenary statement did not attend any of the preparatory meetings, either regional or general. What is striking is that this does not apply to the African based NGOs, but 8 from Asia, 5 from the Americas, 6 from Europe and 2 from Oceania. If one then compares the two figures, plenary statement with or without involvement before, it appears that all African based NGOs that gave a statement were involved in the conference process beforehand. Also, more than two-thirds of the North American NGOs were able to attend other meetings before they gave a speech in the plenary. Yet, none of the Oceanian NGOs participated in advance (cf. *UN documents for WCHR).*

NGOs that participate at UN summits have different locations. The non-representative sample shows that different world regions are represented to several degrees; as one might perhaps expect, Europe and Northern America are the biggest groups. Yet, Latin America and the Caribbean follow closely

at a conference held in South Africa. When it comes to active participation, the picture of a privileged group of NGOs holds, though distinctions are not as clear as one might expect they could be.

Is the Time of Big Conferences Over? What Comes Next?

Figure 4 Overview of Selected UN Summits In the 1990s Until Today

1992	*United Nations Conference on Environment and Development* UNCED, Rio
1993	*World Conference on Human Rights* WCHR, Vienna
1994	*International Conference on Population and Development* ICPD, Cairo
1995	*World Summit for Social Development* Copenhagen
	The Fourth World Conference on Women: Action for Equality, Development and Peace 4WCW, Beijing
1996	**ECOSOC ACCREDITATION REFORM**
1997	
1998	
1999	
2000	*Millennium Summit* New York
2001	*World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance* WCAR, Durban
2002	*World Summit on Sustainable Development* WSSD, Johannesburg
	International Conference on Financing for Development Monterrey
2003	*World Summit on the Information Society* WSIS I, Geneva
2004	SECRETARY-GENERAL'S PANEL of EMINENT PERSONS on CIVIL SOCIETY and UN RELATIONSHIPS
2005	*Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields; Follow-up to the outcome of the Millennium Summit* MDG+5, New York
	World Summit on the Information Society WSIS II, Tunis

Looking back at the time when world conferences were popular events, it is be possible to distinguish three distinct periods in which these events were integrated differently into UN policy. First, UN conferences in the early 1990s and their predecessors in the 1970s can be seen as events in an experimental phase. With the fall of the Berlin Wall in 1989 and the collapse of the Soviet Union, new possibilities for non-state actors opened up in international politics. Increasing democratisation give more relevance and space to societal actors within states; as well, changing economic developments led to lively activities of various actors within and across national borders, sometimes trying to cope with limited state activities in the areas of social security. In the mid-1990s, following several conferences with a huge participation of NGOs (such as the "United Nations Conference on Environment and Development" [UNCED in Rio de Janeiro, 1992], the "World Conference on Human Rights" [WCHR in Vienna, 1993], "The International Conference on Population and Development" [ICPD in Cairo, 1994] or the "United Nations Fourth World Conference on Women" [FWCW in Beijing, 1995]), the mechanisms by which the UN related to NGO entities were transformed. ECOSOC mechanisms to accredit NGOs (based on Article 71 of the UN Charter) were extended, so that smaller NGOs were also able to gain ECOSOC status. Kofi Annan's appointment as Secretary-General (SG) in 1997 initiated various administrative reforms. Substantial reforms are currently under discussion, such as the reform of the Security Council, and the relationship of the UN to civil society is under scrutiny as well.

In 1996, ECOSOC recommended that the GA examine the question of participation of NGOs in all areas of the UN. A first report was published in 1998 (UN: A/53/170) and a comprehensive report by the SG followed in 1999 (UN: A/54/329). On the basis of these stocktaking documents, the SG announced in 2002 that he would establish a panel to review the relationship between the UN and civil society (UN: A/57/387 and Corr.1). Kofi Annan appointed the so-called "Panel of Eminent Persons on United Nations-Civil Society Relations" in February 2003 under the chair of Fernando Henrique Cardoso. The eleven panellists joined various consultations and presented the outcome of these and their meetings to the public on 11 June 2004 (UN: A/58/817). In the 2004 GA meeting, the SG published his response to the report (UN: A/59/354).

The panel's comprehensive report lists 30 proposals for reform and elaborates on these at length. The focus of the panel's treatise is the reform of the UN. It bases its ideas on four so-called paradigm shifts. In the executive

summary, the report explains why United Nations–civil society engagement should be strengthened. It is expected to increase the organisation's effectiveness, to improve its performance, to further its global goals by becoming more attuned and responsive to citizens' concerns, and to enlist greater public support.

The "unique role of the United Nations as an intergovernmental forum" is stressed and seen as worth being "protected at all costs." At the same time, the panel demands to "engage others too." The report (UN: A/58/817) is quite pragmatic throughout. For example, it reads that the engagement of others "risks putting more pressure on the Organization's meeting rooms and agendas, which are becoming ever more crowded," and continues to state that because of this a more selective and not just increased engagement is necessary.

Centring its arguments on the fact that accreditation decisions are taken by member states, the panel emphasises several principles that will help to broaden and deepen civil society participation and foster its contributions to a coherent global development effort. To achieve cost- and time-effectiveness, it suggests focusing on technical rather than political considerations, increasing the overall transparency, accountability, and predictability of the process and encouraging the effective use of information technology. It suggests merging all current parallel accreditation processes into one. The review of applications should be directed to the Secretariat, and a GA committee would then decide on approval (proposals 19, 20). "Major networks of civil society and other constituencies" shall play a stronger role in the planning of future conferences with regard to the establishment of rules for participation, accountability, and responsibility.

The "big global conferences of the 1990s" are cited as examples of promoting participation at the UN. The panel talks about an "issue's life cycle in the global debate," which influences the nature of the forum, as well as the forum's size and selection of participants. However, it suggests that the global conference mechanism be retained "to address major emerging policy issues that need concerted global action, enhanced public understanding and resonance with global public opinion."

What does the practice look like today? At the WSIS, new experiments were practised, but within the original spirit of the UN conferences of the 1990s. On the one hand, the conference was split into two phases. The notion of non-governmental actors was explicitly extended to include market entities. In addition to the general preparatory committees, a Group of Friends

of the Chair, a Task Force on Financial Mechanisms, and a Working Group on Internet Governance were established to deal with critical issues. On the other hand, the flexible accreditation processes (known from other conferences) have been kept. NGO participation at the actual main event and in the preparatory meetings of different kinds was possible and remains a matter of accreditation.

Yet, several key elements have been left behind in both the mega event of the "integrated and co-ordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields" and the "follow-up to the outcome of the Millennium Summit," to be held in September 2005 in New York. First, the accumulation of various big events runs the risk of loosing depth. The extremely short preparation phase, with the decision of the date taken only eight months in advance, hardly gives sufficient time for regional and thematic meetings to allow adequate participation by various stakeholders. For NGOs and other non-state actors, so-called interactive hearings are planned for June 2005 (UN: A/C.5/59/25). "For security reasons and the space limitations in the United Nations building, the broader participation of civil society is unfortunately not possible" (UN: A/59/545).

Conclusion

What was heard from so many voices? Despite the fact that NGOs have worked as one player within civil society both with and for the UN for considerable time, their presence at various world conferences was impressive. Conferences offered a moment where the quantity (and perhaps the quality) of civil society participation in policy making became noticeable. Nonetheless, the format of world conferences lost popularity with the +5 conferences, follow-ups convened five years after the conference.

In the 1990s, NGOs from all over the world wanted to be involved in the UN conference process. A wide range of NGOs gained an opportunity to speak out. This was true not only for the bigger events, the summits themselves, but even more for the preparatory meetings. The regional meetings especially allowed a considerable number of non-ECOSOC NGOs, that is, those that were not previously involved in UN processes, to participate. The preparatory meetings are closer events with the majority of attending NGOs registered by ECOSOC. Therefore, the (limited) data might sug-

gest that UN summits indeed influenced NGOs to become active on the international level.

In spite of this overall impression, however, it is important to highlight one other outcome. When one assumes that it is important to participate in the preparatory process of a conference, where real decisions are taken and where the greatest influence is possible, it becomes clear that the extent to which NGOs can take part and build that process is a question of power. Those NGOs that attended all preparatory meetings or regional conferences, thereby becoming deeply involved in a UN summit process, were mainly based in North America and Europe. It appears, from the figures collected, that only certain kinds of NGOs can afford to be active throughout the process. These indicators lead to the assumption that though a great mass of NGOs from all over the world participate in the UN *ad hoc* conference process, only a few (an elite?) can do so continuously.

World conferences are no longer planned for the coming years (except the WSIS). Instead, GA sessions will replace the +10 conference, as is happening with the women's conference, which has a relatively long history. A latecomer, if one wants, is the WSIS. Various possibilities still exist for NGOs to participate in both the preparatory processes and the summit, to raise their voices or to observe.

In contrast, the mega MDG follow-up summit bundles together various topics of otherwise separate thematic areas. It arranges for NGO consultations to be held three months in advance. During the actual event, NGO delegates will not be able to attend. The inclusion of non-state actors becomes a theoretical aim, prevented by practical reasons – or political will.

NGOs need to ask whether it is worth spending energy, time, and resources in supporting UN policy events that put them in a side role, keep them at a distance, and overrule standards previously reached. Yet, the UN has a need for civil society organisations, in order to upgrade the organisation's legitimacy. This should encourage NGOs and other civil society organisations to actively take part in the discussions about participatory conditions. Becoming more effective from the UN's point of view could endanger participatory standards that were reached in the last decade of world summits. It might also present the opportunity for NGOs to better organise themselves, to find mechanisms to enable those without financial means to make their voices heard, and to come up with alternatives. The possibility to speak out is the fundamental condition, to make one's voice heard in order to influence political decisions.

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