

Response on Advisors' Report to the President of the 60th General Assembly on the Relationship between Member States and Non-Governmental Organizations

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Welcoming the Process

We warmly thank General Assembly President Jan Eliasson for his initiative on NGO participation at the United Nations. We welcome the appointment of Ambassadors Rezland Ishar Jenie of Indonesia and Johan L. Løvold of Norway to consult and advise the President on this issue and we thank the ambassadors for their recent, thoughtful report. We also thank Shamina De Gonzaga of the President's office for her work to promote consultation among the parties concerned.

We are submitting this paper to comment on the report's findings and to clarify NGO views.

Past and Potential Future NGO Contribution

NGOs are not newcomers at the UN. NGOs have been making a serious contribution to the United Nations since 1945, including a very active early role in the decolonization process. Over the years, they have served as UN partners in a wide variety of program areas and they have brought valuable information and expertise to many UN bodies. The UN General Assembly has on many occasions invited NGOs to participate in the work of its committees and some NGO leaders have been invited to address plenary sessions.

NGOs have been active in the First Committee on disarmament issues, in the Third Committee on human rights matters, and in the GA High Level Dialogue on Financing for Development (FfD) for the follow-up to the Monterrey Conference. NGOs are also very active in a number of commissions, including the Commission on Sustainable Development, the Commission on Social Development, and the Commission on the Status of Women. The constructive and vital NGO role in the creation and support for the International Criminal Court is evident to all.

Within the broader reform process, as the General Assembly searches for greater institutional relevance and effectiveness, it could draw strength by involving NGOs more closely in its work. Far from diminishing or interfering with Member States' capacity, greater NGO participation in the work of the GA could reinforce states' efforts to tackle and solve the great global problems.

Uneven Progress in Recent Years

NGOs have made many advances in their work at the UN, but there have been disappointing setbacks as well. Greatly tightened security measures since 1993 have reduced the potential for contact between NGOs and delegations in the UN headquarters

complex, even though the number of professionally-staffed NGO representative offices in New York has grown substantially. The revised ECOSOC process for NGOs in 1996 provided improved means for NGO work, but a series of consultations by the Secretary General beginning in 1998 on NGO-UN relations did not result in meaningful progress. The global UN conferences that provided so much opportunity for NGO input in the 1990s have now been curtailed. Since the departure of Assistant Secretary General Gillian Martin Sorensen, there is no longer a contact person for NGOs in the Executive Office. And while the Secretary General has promoted a major new program directed at multi-national companies, very little institutional effort has been directed at strengthening NGO access and participation.

Seeking a Meaningful and Sustained Dialogue between NGOs and the UNGA

The General Assembly should develop methods of NGO consultation that would ensure sustained and effective dialogue between member states and NGOs. This approach would build on the best practices of the past, notably the global and treaty conference preparatory committee meetings (Prep Coms), and other similar settings. In these cases, NGOs have had the opportunity to engage in a serious dialogue with delegates, ensuring full mutual understanding. Neither hearings and nor meetings with co-chairs or facilitators provide opportunities for such substantive and sustained dialogue.

The GA should reflect on how the NGO-UN relations have developed over the last 60 years and particularly how relations between NGOs and the GA have evolved. Consideration of “best practices” would suggest many avenues for strengthening and deepening NGO relations with the GA apart from “hearings” or “briefings.”

We suggest that the GA should develop a formal role for NGOs, in particular with the GA’s standing committees. We suggest regularizing some of the many informal relations that have built up over the years, relations built on dialogue and exchange, not sporadic and carefully-orchestrated events. Some advance over existing informal arrangements would also be welcome.

Observer Status and Distribution of Documents

NGOs have made repeated requests for some kind of regular status with the General Assembly, allowing ECOSOC-accredited NGOs to attend meetings as observers and to circulate documents and written statements. Such status changes could proceed on a step-by-step basis, if Member States wish to take a cautious approach, or by building on paragraph 67 (f) of ECOSOC Resolution 1996/31 which grants accredited NGOs the right to observe and obtain documents during meetings of the GA dealing with matters in the economic, social and related fields.

Hearings

While hearings may have a value from time to time, they should not be the standard mode of NGO-GA relations because (1)they provide only a single moment rather than a sustained dialogue, (2)they are often not well-attended by delegations and therefore do not succeed in conveying NGO ideas to the negotiators, and (3)there is pre-selection and limitation of the NGO voices present.

We dislike the “task force” approach to NGO selection, because NGO task force members are themselves selected by the Secretariat or the GA President. We think that NGOs should set up their own process for this purpose. NGOs can themselves decide on their representatives, based on relevance, expertise and equitable representation.

Hearings can occasionally complement rather than replace more extensive and effective forms of NGO participation.

Periodic Meetings between NGOs and Co-Chairs, Facilitators, Committee Chairs and the GA President before/during Informal Consultations

We have reservations about the proposal for periodic meetings between NGOs on the one hand and co-chairs, facilitators or committee chairs on the other, as a way to avoid “infringing on the space of Member States.” NGOs have had opportunities for meetings of this kind on several occasions, including during negotiations of the Outcome Document of the Millennium+5 Summit. Although such meetings proved useful to NGOs, enabling them to share their views with the facilitators and learn about the progress of the negotiations, NGOs felt that this process fell well short of meaningful interaction and effective, sustained dialogue.

NGO Consultation at the National vs. International Level

NGO consultation with governments at the national level are indispensable, and some UN Member States have included NGO representatives in their delegations to special UN conferences and commissions. But it should be remembered that NGOs on official delegations do not speak freely and in their own name. Such processes do not replace or reduce the need for engagement of independent NGOs at the international level. Indeed, global issues increasingly require global policy discussions that can greatly benefit from sustained NGO input.

Use of Technology “as a Mean of Bringing in the Voice of Developing Countries”

While the use of internet, video-conferencing and other communication technologies may provide a means for input from NGOs based at a distance from UN headquarters, this means should be used only alongside direct representation. NGOs from the Global South should be assisted to come to the UN for important negotiations and conferences. We thus reiterate our call for a Trust Fund as a concrete step forward that will help ensure greater participation of civil society representatives from developing countries.

Clarification of views attributed to NGOs in the Report

- Reservations concerning the Cardoso Report:

The report has under-estimated many NGOs’ reservations, indeed strong disagreements, with the Cardoso Report. We have said on many occasions in the past, including these consultations, that we do not find the Cardoso Report to be a sound basis for policy and we urge that it be set aside.

- High Level Person in the EOSG:

We have requested that the Secretary General name a high-level person in his office to strengthen relations with NGOs. The report states that NGOs want a position of

Under Secretary General or Assistant Secretary General for “Civil Society Affairs.” We do not favor such a position, which would have too broad a mandate (including parliamentarians, business, and others). It would also require substantial resources that might be difficult to find. A post at a lower level devoted entirely to NGOs would be preferable in our view. Instead, we propose that the Secretary General assign or appoint a member of the Executive Office as a focal point for NGOs, to profile civil society involvement and to give NGOs an entry point at the highest level of the organization.

Attention to this Process

We urge that this process reviewing NGO-GA relations be organized according to the methods we have suggested in this paper – that is, a formal and open process, undertaken by the General Assembly, that would give NGOs opportunities to have discussions directly and on a sustained basis with Member States and not only through the mediation of advisors, facilitators or the Office of the General Assembly President.

Looking Ahead

We again thank all those involved in this initiative. We especially encourage the next President of the General Assembly, Haya Rashed Al Khalifa, to build on the progress that has been made in the present consultation, to increase direct NGO-Member State dialogue, and to translate constructive ideas into meaningful action. We look forward to working with her in the year ahead.