STRUCTURING ACCOUNTABILITY: NON-GOVERNMENTAL PARTICIPATION IN THE ASIA-EUROPE MEETING (ASEM)
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CSGR Working Paper Series 233/07
July 2007

Structuring Accountability: Non-Governmental Participation in the Asia-Europe Meeting (ASEM)

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Abstract

This paper issues from a conference on 'Civil Society and Accountable Global Governance', organised by Jan Aart Scholte in May 2007. It examines the Asia-Europe Meeting (ASEM) and the role of parallel summitry that has established itself on the margins of the official biennial gathering. Now comprising thirty five 'cooperation partners' from the regions of Europe and East Asia, ASEM summits, and the many other meetings in its name, focus on a host of issue areas for cooperation, from the further development of ICT to climate change and anti-terrorism. However, while business groups and trade unions are accommodated within the formal structures of ASEM, non-governmental organisations (NGOs) are not. Nevertheless, the Asia-Europe People's Forum (AEPF) has established itself alongside the summitry process, and the ways in which it has been able to influence government actions within ASEM to date have been contingent upon the particular structural conditions in which they have had to function. In demonstrating the tensions and opportunities inherent in the interregional space created by ASEM, this paper claims that accountability, itself a contested concept, is shaped by the structural frames of reference of agents, by their (power) relationships with one another and by both the internal and external mechanisms available to them to ensure accountability.

As ASEM has yet to allow the formal inclusion of NGOs within its framework, claims and consultation to date have been conducted on the edges of the official track. In addition, the multitude of NGO types within the AEPF make it difficult to reach consensus and to organise difference. This difference also implicates and reinforces different levels of influence by NGO participants and highlights the fact that different NGOs may approach their remit quite differently. In addition, the ASEM process embeds an Asian versus European participation that is mirrored within AEPF, with the result that at times in the civil society realm, too, there is evidence to suggest that the structure can bring into conflict Asian versus European ways of doing business. Can accountability be ensured within structures whose modes may not be conducive to transparency and scrutiny? And what claims can the NGO community make for its own accountability? The conclusion examines whether the existing paradigm of civic engagement sets up an impossible hurdle for the establishment of open and accountable policy making behaviour within ASEM.

Keywords ASEM, parallel summitry, interregionalism, accountability, NGOs

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<u>Introduction</u>

The Asia-Europe Meeting (ASEM) began in 1996 as a biennial summit of heads of state or their representatives from the two regions of East Asia and the European Union (EU). The Helsinki summit in September 2006 confirmed the accession of India, Pakistan and Mongolia on the Asian side, and of Bulgaria and Romania from Europe, in addition to the formal participation of the ASEAN Secretariat. As a result, ASEM now comprises 35 'cooperation partners' from the two regions. The 'Helsinki Declaration on the Future of ASEM', which issued from the latest summit, expressed the continued goal of ASEM to advance UN-led agendas and to focus on a host of issue areas for cooperation, from the further development of ICT to climate change. At the heart of ASEM's approach remains a commitment to 'informality, networking and flexibility' and, in an important annex to this declaration, leaders observed the need to develop immediately a 'public communication strategy'. Various groupings housed within the ASEM process - such as the Asia-Europe Business Forum and the Asia-Europe Foundation - were included within this dissemination strategy, but there was no mention at all of the growing voice of the Asia-Europe People's Forum (AEPF), which has established itself on the margins of the summitry process. In spite of an increasingly visible presence since Bangkok in 1996, the People's Forum has yet to be incorporated into the formal structures of ASEM. There are a number of reasons for this lack of inclusion: on the one hand, a number of Asian governments are reluctant to encourage a growing civic consciousness, whose roots are more often than not associated with forms of democracy to which they have not signed up; on the other, within the AEPF and its member organisations themselves, it is not entirely clear whether formal inclusion would be beneficial, or whether it would co-opt them into government-led policy consultation and dissemination strategies and thereby undermine the very rationale for civil society participation itself. At the same time, representation within the AEPF is self-selecting, raising issues regarding the accountability of the NGO forum itself.

The ways in which the AEPF has been able to influence government actions within ASEM to date have been contingent upon the particular structural conditions in which they have had to function. In the first place, ASEM has yet to allow the formal inclusion of NGOs within its framework, with the result that claims and consultation to date has been conducted on the edges of the official track. Second, there is a multitude of NGO types within the AEPF and it is therefore difficult to reach cohesion and to organise difference. This difference also implicates and reinforces different levels of influence by NGO participants and highlights the fact that different NGOs may approach their remit quite differently. In addition, the ASEM process embeds an Asian versus European participation that is mirrored within AEPF, with the result that at times in the civil society realm, too, there is evidence to suggest that the structure can bring into conflict Asian versus European

ways of doing business. Thus, while Acharya witnesses within Asia how the spread of democratisation is leading to a more relaxed government approach and a greater say for civil society actors in transnational affairs, summarised as 'participatory regionalism' (2003), this paper suggests that the very structure of ASEM may in fact reinforce difference. In essence, the conclusion of this paper proposes, in line with the findings of Saguier, that political agency 'cannot be conceived independently from the changing structures of opportunity available to political actors at a given time' (2004: 7). In so doing, it claims that accountability, itself a contested concept, is shaped by the structural frames of reference of agents, by their (power) relationships with one another and by both the internal and external mechanisms available to them to ensure accountability. Notably this paper, along the lines of Bello's questions, asks whether accountability mechanisms can be ensured within paradigmatic structures whose modes may not be conducive to transparency and scrutiny (Bello 2000). The first part of the paper examines some of the competing ideas of civil society and accountability. The second part charts the development of the AEPF alongside the ASEM summit process. Part three assesses the behaviour and impact of the AEPF on the margins of ASEM to date, as a force for accountability and as a conduit for NGO networks. The concluding section examines whether the existing paradigm of civic engagement sets up an impossible hurdle for the establishment of open and accountable policy making behaviour within ASEM.

Civil Society & Accountability

Different definitions of 'civil society' obtain across cultures, continents and legal systems. The ASEM process in its inherent diversity reflects many of these competing interpretations and, on a crudely general level, what are viewed negatively to be Western norms are at times resisted by Asian leaderships insistent on attending to local needs and realities. What is more, the open nature of the civil society channel accompanying ASEM means that it is very hard to identify the types of agents who may – and by implication, may not - be included within such a definition. In addition, there are competing voices within the civil society spheres between those who call for inclusion of non-governmental actors within the official process and those who resist being what they regard as co-opted by neoliberal elites intent on improving their public image. The introduction to this project proposes that civil society may be viewed as a 'political space where voluntary associations of people seek, from outside political parties, to shape the rules that govern one or the other aspect of social life'. But what still needs to be clarified is who defines and shapes that space, who gains access to that space, and upon whose and what decisions do its contours come to be delineated.

This paper acknowledges Kaldor's typology of civil society groupings of social movements, non-governmental organisations (NGOs), social organisations and national or religious groups and

focuses on the role of NGOs, as they hold a particular place vis-à-vis the ASEM summit (2003: 3). Moreover, NGOs have become increasingly politicised and are now often regarded as service providers and as the *in situ* guardians of 'good governance' (Edwards and Hulme 1996: 961). The overall effect of this increased exposure has been, according to some, to initiate a possible 'rewriting of the social contract' between government and its citizens (Farrington and Bebbington 1993: 188). Envisioned possibilities go beyond the realm of the local; in the case of the EU, for example, the very integration process is seen to open up the 'possibility of transnational organizations participating in the development of transnational governance.' (Rumford 2003:32). Some analysts optimistically herald 'global civil society' as a 'domain that exists above the individual and below the state but also across national boundaries, where people voluntarily organize themselves to pursue various aims' (Wapner 1995: 313). Rumford accepts Scholte's reading that governance has become more fragmented and decentralized and that contemporary governance must therefore be regarded as multilayered (Scholte, 2000: 143; Rumford 2003: 33). Similarly, Acharya observes that 'newly empowered civil society elements' can use regional institutions to promote their agenda (2003: 377-8). Grugel, too, sees new forms of regionalism as being a 'central element in global governance. It is sometimes suggested that new regionalism represents an opportunity for transnational civil society activism' (2006: 210). Mittelman takes a slightly different route to a similar conclusion when he notes that 'transformative regionalism is partly a defensive reaction mounted by those left out of the mosaic of globalisation' (2000: 128-9). All of these cases see the potential for a distinct form of regional activism. This paper does not deny that possibility, but emphasises a need to examine the specific structural framework within which a given transnational movement operates.

Identified by Scholte as a 'collectivity's steering, coordination and control mechanisms,' contemporary governance is now disaggregated in a complex way (2001: 11). At levels above the state in particular, the making of rules and the exercise of power may not always rest in the hands of those seen to possess institutional authority. Thus, business and religious influence may affect the process of decision making and rule-setting, while international organizations and non-governmental movements may wield certain leverage in the exercise of global governance (Keohane 2002: 2). In these conditions, it is very difficult to pinpoint those responsible for ensuring that international organisations and agreements are made accountable to the constituencies they putatively serve, as there is constant competition for different kinds of accountability to be recognised, while the means to measure accountability themselves are far from straightforward. In this environment, the role of NGOs in governance has changed, as they make increasing demands for accountability of the states or institutions they monitor. At the same time, they are exposed to increased scrutiny and are called to account not only by their beneficiaries, but also by donors, partners and their staff, across the broadening range of

domains in which they now function (Kim 2004: 22). It is no simple task to find out who is accountable, to whom, for what, and by what mechanisms. Grant and Keohane summarise the complexity:

> To officials of the World Bank, it is the NGOs who seem accountable to nobody, whereas the officers of the Bank must answer to their supervisors and ultimately to the states that empowered them. To the representatives of the NGOs, it is the World Bank that lacks accountability because it does not answer to those affected by its policies, the very people for whom the NGOs claim to speak (2005:1).

For Ebrahim and Weisband the slippery term 'accountability' refers broadly to a means of control that contains within it four facets: transparency, so that information is made available for public scrutiny; justification, or making sure that institutional leaders give clear reasons for their actions; compliance, or monitoring and evaluating actions taken; and enforcement or sanctions where actions are not taken as promised or required (2007: 2-4). Moreover, the concept of accountability implies that the actors being held accountable have 'obligations to act in ways that are consistent with accepted standards of behavior and that they will be sanctioned for failures to do so' (Grant and Keohane 2005: 1). Accountability also has a fundamental relationship to power structures, and mechanisms for accountability may in fact serve to reproduce, or alter, existing configurations of power' (Ebrahim and Weisband 2007: 13). This paper focuses on the role of non-governmental groupings in demanding and obtaining accountability from a particular state-led inter-regional process and set of institutions, namely ASEM. Equally importantly, however, it assesses the significance of accountability within and among NGO groups themselves. The distinction between these two forms of accountability may be understood as vertical and horizontal dimensions, by which the former refers to power relations between the governing institution (in the form of state representation) and those citizens who come within its remit and the latter refers to institutional checks and balances within and among NGOs themselves (O'Donnell 1999).

Vertical Accountability
When non-state claimants attempt to ensure accountability by state representatives at international levels, the distribution of power between the two sides is important. The dominant role of the state within such fora suggests that international institutions are unlikely to be much more 'venues for bureaucratic bargaining between elites' (Ebrahim and Weisband 2007: 6). The very act of gathering alongside or within official institutional boundaries means that state agencies can have a strong influence on NGO behaviour. For example, state sponsors may enable NGOs to gain financial or other types of support from the state-based institutions they seek to monitor or

challenge. States also decide on inclusion, with the effect that in the case of ASEM its government organisers have been warmly inclusive of business but decidedly cool about the prospect of including NGOs.

International organisations are accountable to the states which sponsor and take part in them, and which decide whether to continue to fund them. As Keohane notes, however, there are 'significant accountability gaps' when it comes to external accountability beyond the walls of the institution itself (2002), even though its external influence may be significant (Nye 2001: 2-6). For their part, NGOs that have gained access or channels of influence on a particular institution can also become influential and thereby be as legitimately held externally accountable as other powerful entities that operate in world politics. Under these fuzzy conditions, then, it is necessary to look at the effects of accountability, by examining both how its mechanisms reinforce power relations; and how reconfigurations occur. The contemporary nature of multilevel governance leads to a constant (re)negotiation among different claimants within the process, and for this reason the role of the 'weaker' participants cannot be ignored. Moreover, today's reality means that a 'thickened' network of accountability locates formal mechanisms and their attendant sanctions alongside informal and discreet areas of input from multiple levels with different kinds of effects (Harlow and Rawlings 2006: 5). In other words, a particular form of accountability may not be written into the fabric of the institution itself, but may be claimed to be necessary by others.

The need for external accountability – the perceived need to be accountable to those whose lives are affected by the decisions made – cannot in and of itself legitimise either a claim to accountability or the claimant (Keohane 2002). There are, then, competing claims for accountability. Nevertheless, non-state groups can make public demands for the four areas of transparency outlined by Ebrahim and Weisband above: they can expose publicly areas in which transparency is not forthcoming; they can appeal directly to state leaders or their representatives to explain the reasons for their actions; they are able to publish – now in a wide variety of communication channels – and disseminate information regarding areas where compliance has not been met; and although their enforcement actions may not include institutional sanctions, these may be achieved through gaining public support for petitions, boycotts and other forms of popular action against state decisions. Moreover, civil society groups have a (potential and real) normative power and increasingly expanding arsenal of ideas, symbols and leverage alongside the growing weapon of accountability (Keck and Sikkink 1998). The following section examines how the constitution of the NGO sector (its horizontal accountability) can affect its performance in terms of vertical accountability.

Horizontal Accountability

One of the main problems in establishing the validity of accountability mechanisms regards the relative institutional weakness of NGOs. To begin with, NGOs may vary tremendously in their composition: from large-scale groups organised both on corporate lines and on bureaucratic lines, to small-scale local *ad hoc* groups; from those addressing a plethora of issues in the name of, say, environmentalism or anti-globalisation, to others focused on very localised and specific targets. They may lobby and even become influential through persuasion, but have no direct control of resources and are frequently not very transparent themselves. In addition is the problem of inexperience, a dearth of resources and a lack of coordination. As a result, such differentially constituted NGOs are often unable to come together to formulate 'strategic approaches' in the development of accountability mechanisms (Kim 2004: 25). What is more, as NGOs increasingly ally with one another in order to maximise advantage and resources, the dominant norms of behaviour of western NGOs can be unduly influential. NGOs often have a complex relationship with those multiple levels to whom they must be accountable: while representing the disenfranchised and giving a voice to those who have none, NGOs are often directly accountable to wealthy (often western) donors and must tailor their functions according to the demands not of the needy but of the rich; while in providing welfare services (often in lieu of the state) they may be bound tightly to the reins of a particular state. In certain Asian societies their linkage to the state may form the very basis of their existence, as they need government approval in order to function as NGOs. Much of the literature on civil society groups tends to take them as coherent entities (Armstrong et al 2004), while EU discourses of civil society embody a particular notion of NGOs, which have come to be viewed as the link in the chain between democracy and legitimacy, even making civil society's existence 'benchmark of EU democracy' (Rumford 2003: 27). Moreover, these discourses tend to assume that NGOs established within a democratic framework are somehow inherently 'more' legitimate. For Fisher, accountability mechanisms cannot function outside liberal democracies at all (2004: 495). Moreover, NGOs from within societies that do not have a vibrant and independent civil society sector can find it difficult to perform on an international level, and they may have few mechanisms for internal scrutiny; and may encounter increasingly systematised demands to 'validate their participation in the democratic governance in an accountable and effective manner' (Kim 2004: 22). Even those NGOs from non-democratic backgrounds are therefore expected to show their democratic credentials and in this context NGOs have to prioritise the establishment of coherent and professional mechanisms for their own organisation to be able to play the game. However, given the national legal conditions within which NGOs form themselves as such, their involvement in a formal democratic process can at time be dubious (Edwards and Hulme 1996: 966). Grant and Keohane contest this trend towards accepting the liberal interpretation of NGO and accountability: 'Recognizing new possibilities for accountability requires abandoning the belief that global accountability, to be genuine, must conform to abstract, maximal principles of democratic

participation. Such a belief prevents us from recognizing specific opportunities for limiting abuses of power' (2005: 15). This liberal tendency to idealise the role of NGOs is also cautioned against by Godsäter, who looks more closely at the competitive relations among different civil society groups in Africa (2006: 2). With a similar critique in mind, this paper does not assume that mechanisms of accountability can only derive from democratic structures.

The North-South divide may also affect issues of accountability as, for example, Northern NGOs may raise the profile of Southern issues but often dominate decision making in advocacy and thus show little accountability to Southern workers in practice (Ebrahim and Weisband 2007: 8). Northern NGOs are often seen to be closer to policy-making elites, more closely linked to sources of finance and the dominant discourses of good governance, and holding governmental elites to account (Grant and Keohane 2005: 7); while their Southern counterparts are often (seen to be) rooted more closely into their home environments (Kaldor 2003). Similarly, the institutional framework for action and a need for inclusion may mean that southern issues are largely ignored by southern NGOs anyway: 'NGOs aim to help the poorest people but their methods are more determined by donors than poor people themselves; they cannot represent the 'voice' of the poor' (Kaldor 2003: 23). Furthermore, questions of access to decision makers can mean that Northern NGOs have important channels of access to key decision makers, which are not paralleled in the South. Similarly, in states where NGOs may be significantly influenced by external donor bodies, national governments may feel that their own influence is being eroded. Moreover, as legitimacy often derives from capabilities, Northern NGOs appear to garner greater legitimacy than their Southern counterparts, having, for example, charters or written principles and voting procedures, as well as invaluable channels of communication to the perceived powerful elites of the governments they seek to monitor. These distinctions are potentially implicit within the inter-regional context of ASEM, as its structure locates European ideas of civil society alongside Asian contexts in which there is not a uniform goal of liberal democracy, even among NGOs (Acharya 2003: 375). Acharya himself is optimistic that change is underway, as he observes a growth of 'participatory regionalism' through the 'development of a close nexus between governments and civil society in managing regional and transnational issues' (2003: 382). The very nature of the relationship in the (broadly) Asian context, however, is complex and for this reason it is necessary to interrogate that grey space linking state and NGO within its specific politico-cultural context, as well as the nature of the space generated through the ASEM process itself. This North-South divide may also manifest itself in terms of cultural distinctions, through different philosophical and legal roots, which, for Clarke *et al.* suggests that 'the globality of global civil society is still somewhat tentative, even when states are left out of the equation' (1998: 23). As shown below, the inchoate nature of Asian NGO participation at regional level is rendered still more difficult to disentangle at the *inter*-regional level, where transnational coalitions of interest groups come face to face or have the opportunity to work together. The impact of the Western-Asian linkages in

NGO fora such as the AEPF has the potential both to bridge any conceptual divides or indeed to reinforce them.

NGOs, particularly those active beyond national boundaries, are very aware of the need to demonstrate legitimacy and accountability and constantly improvise to build networked accountability (Smillie, cited in Ebrahim and Weisband 2007: 8). But many of them continue to trade on the image of being inherently legitimately and coherent when they do not have transparent and open structures of their own (Cooper and Hocking 2000: 368). What is needed, then, are transparent mechanisms for selection, in an active bottom-up process of representation (Kaldor 2003: 24). There are therefore important issues of internal management to be addressed, most especially as NGO groups increasingly come together in coalitions over key issues or institutions. Keohane labels as 'principal' those seeking accountability, and notes that much of the 'politics of accountability involves struggles over who should be accepted as a principal' (Keohane 2002). Linked to this, Sikkink argues that 'the agency of transnational actors is defined by their attempts to restructure world politics by creating and publicizing new norms and discourses' (Sikkink, 2002: 306). This paper agrees that in order to understand NGO coalitions – and the potential for the development of a dominant (western) discourse – it is important to examine the nature of inter-NGO relations in a given context. The following section examines how the impact of parallel summitry and interregionalism in particular can affect NGO behaviour and accountability.

Parallel Summitry

It is undeniable that 'transborder social relations' have become a contemporary reality of advocacy campaigning and that the possibility of instant communication has redefined the understandings of locality (Saguier 2004: 9). Cohen and Rai note that even when people are rooted in specific local realities, communication technologies permit a form of transnationalism that has created 'social fields' which bring disparate actors together (2000: 14). Thus, technology has provided the ground for the creation of 'imagined commonalties among challengers across social groups and national states' (Meyer and Tarrow 1998: 5), which are central to the possibility of establishing new forms of solidarity and participation across transnational spaces in the formation of 'transnational communities of resistance' (Drainville 1995). It is against the background of this rise of transnational activity and growing transnational networking of NGOs that we need to situate the relevance of contemporary institutional frameworks.

Originating from the 1972 Stockholm Conference on Environment and Development and subsequent engagements throughout the world since then, parallel summits became a framework in which NGOs were increasingly regarded as partners in an multi-headed dialogue (Kaldor

2003). Within the UN system it has taken decades to witness the incremental evolution of NGO groupings, and to see NGO attendance figures soar from fewer than 300 in Stockholm to 18000 at the parallel forum in Rio in 1992 (Clarke *et al.* 1998: 9).[1] This lengthy period has witnessed the growing inclusion of the NGO sector as part of official summits, which in turn has served to legitimise both the NGO sector taking part and the governments there to be monitored. By the 1990s NGOs had developed from their role as 'sideshow of international politics' to garner a coordinated and legitimised collective voice with access to greater conference participation (Clarke *et al.* 1998: 2). The Rio Declaration even concluded that transparency and access to information, accountability in environmental issues and participation in decision-making are fundamental for change and for addressing serious social problems (Woods 2003: 18). Through these processes, NGOs have achieved closer coordination with one another, become more experienced at lobbying and advocacy and gained access to many stages of conference deliberation.[2] Clarke *et al.* note the continued significance of parallel summitry as loci for inter-NGO networking, but also a widening gap between those NGOs seeking to liaise with other NGOs and those trying to lobby governments for change (1998: 9). This distinction is important for understanding accountability: active lobbyist and advocacy campaigns seek explanation, justification and redress; network-oriented NGOs have as their primary goal to develop relations with like-minded groups and to make their purpose and structures more professional. While these goals may not be mutually exclusive, the focus of NGOs within a given institutional forum may vary. At the same time, where institutional frameworks are lacking, it is difficult for NGOs to define a point of organization. In other words, without institutions, 'there are no real entry points into policy-making circles other than through states' (Grugel 2006: 231).

The modernisation and professionalisation of NGOs has led to a number of issues. One area regards expansion and NGOs relationship to the summit itself: how does a given forum incorporate an increasing number of NGOs?; who defines their status and decides upon their right to participate or not? These questions involve state representatives where NGOs seek accreditation and access to formal channels of summitry, and relate to the geographical placement of parallel summits, too. Host governments often cite the need for increased security as a reason for locating NGO summits at quite a geographical distance from their official counterpart. This in itself can inhibit access at times, as certain cities can be difficult to traverse in rush-hour prior to the start of official meetings. Linked to this point, of course, is the reality that the political leanings of the host government and its own interpretation of civil society and the role of

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[1] For an excellent example of the East African case, see Ochwada 2004: 55.

[2] 'One observer characterized the Stockholm NGOs as "a colourful collection of Woodstock grads, former Merry Pranksters and other assorted acid-heads, eco-freaks, save-the-whalers, doomsday mystics, poets and hangers-on", cited in Clarke *et al.* 1998: 11.

NGOs within it can also affect the potential for the smooth running of a parallel summit. These questions also reflect changes in the NGO-to-NGO repertoire. Do NGOs engaged in parallel summitry hold regular briefings for all members? Which NGOs dominate both the terms and substance of engagement, and why? In addition, larger NGOs are often closely involved in lobbying their own governments on the edges of summitry, in order to influence one state response to a given issue. In this way, the role of the state remains important for transnationally active NGOs.

Another important concern revolves around the issues debated. Issue-specific UN conferences have come over the years to incorporate linked issue areas, at least to a limited degree. The ASEM structure reflects a wide range of contemporary issues drawn from other fora, which makes it difficult at times for NGOs to come to agreement over all issues and to adopt joint actions across the board. For these reasons, Clarke et al. are right to observe that a significant increase in the number of NGOs participating in UN conferences (for example) does not necessary equate with more systematic participation or greater influence over government member states (1998: 3). It may also exacerbate the difficulties in trying to present a common action plan to the governments involved in the official track of summitry (Godsäter 2006:3). The nature of the summit itself, however, has been shown to be important, as the 'meanings, and thus the substance, of a particular issue are actively created and dynamically reinforced by the frames participants use' (Clarke et al. 1998: 5). In a field in which an array of disparate and differently constituted NGOs come together, the summit to which their shadows cling offers the central point of reference for all participants. When this reference point is regularised, moreover, the summit itself offers a forum for networking and socialisation among NGO agents.

In the context of inter-regional participation, there are additional factors to consider. First, the very summitry of region-to-region encounters may embed specific ideas of civil society. Second, the organisation of the whole process has to be managed both within and across regions. There are also many practical issues to be faced by local groups designed to address local constituencies when they attempt to scale up to regional activism. This, too, often marks out many regionally active European NGOs from their generally more disparate and localised Asian counterparts. In addition are the often lacking resources needed to mobilise groups to work across countries and even continents. Conversely, those groups successful in obtaining privileged access to decision-making elites risk becoming co-opted by the authorities they seek to shadow (Grugel 2006: 213). Third, the very fact of engaging at a transnational level may change the balance of power between civil society and its targets, as well as among civil society groups themselves. Finally, state intervention may also alter NGO behaviour; for example, NGOs often benefit more from transnational networking than grassroots membership organisations, in part because NGOs are

less focused on short-term survival or self-defense and therefore are freer to make the open-ended investment required. Local groups may also come to behave differently and even make different claims if they view their chances of success as being altered by framing claims in a new way for their transnational arenas. As Fox notes: 'This can raise challenges for accountability within social movements or NGO networks, once a few interlocutors gain access to international circuits and speak in the name of many who do not' (2000: 15). The following section will raise these issues with regard to the Asia Europe People's Forum, to show in particular how the structures of representation and accountability determine much of the behaviour and outcomes, and to examine the roles adopted by particular NGOs within it.

The Development of the Asia-Europe People's Forum (AEPF)
The development of the Asia-Europe People's Forum (AEPF) on the margins of the Asia-Europe Meeting (ASEM) must be appreciated in the context of a burgeoning expansion of the NGO sector from the 1980s and the growing presence of 'civil society' representatives at, or at least pressed up against the fences of, a number of major government-level summits and conferences. The first Asia-Europe Conference of non-governmental groups was organised in Bangkok in February 1996 and concluded with the launch of the Asia-Europe People's Forum (AEPF) in 1997. Since then the AEPF has organised conferences alongside the summit meetings in London (1998), Seoul (2002), Copenhagen (2002), Hanoi (2004) and Helsinki (2006). These parallel summits aim to provide a 'space for social actors in each region' to build networks and to develop inter-regional initiatives. Centrally, the AEPF's aim has been to 'provide people's organizations and networks with a channel for *critical engagement* with official ASEM' (italics added). The AEPF states the following in its Charter, endorsed at the ASEM 2000 People's Forum:

> The AEPF is an open space for reflective thinking, democratic debate of ideas, formulation of proposals and networking for effective actions by groups and movements of civil society that are opposed to neo-liberalism and to domination of the world by corporate power and any form of imperialism.

Created in 1996, the AEPF was established as a monitoring forum for the summit-level ASEM process. Its aims, declared at its inception, are to organise parallel meetings to those of the government level and to make the ASEM process 'more accountable, transparent and open to civil society'. It has consistently pushed for ASEM to integrate socio-political and cultural factors within its economic-led agenda and has sought to create alternatives to its ASEM's neoliberal agenda. Its first conference in Bangkok was themed 'Beyond Geo-politics and Geo-economics: Towards a New Relationship Between Asia and Europe' and took place in February 1996 in Bangkok with about 400 participants. Significantly, the Thai government was not enamoured at

the idea of the civil society conference, but it proved to be the locus of limelight for grassroots organisations and for placing on the debating tables many issues that government representatives sought to avoid. Fundamentally, its aim was to reject the 'geo-economics' of ASEM and to assert a 'people centred agenda for signposting the future of relations between the two continents.' The types of issues highlighted in Bangkok were human rights, child prostitution, the rights of migrant workers, ethical investment, protection of the environment and the inequitable nature of current world trade agreements. There was also overwhelming support for a total ban on the production, sale and use of land mines and the negotiation of a new comprehensive nuclear test ban treaty (www.aepf.net). In London in March/April 1998 the AEPF held a conference entitled 'ASEM and Crisis: Peoples Realities and Peoples Responses'. It also placed squarely on the agenda the aim to make ASEM more participatory, transparent and accountable and reiterated the need for people-centred development. Hilary Coulby of the Catholic Institute for International Relations stated:

> It is unacceptable to divorce discussions on economic co-operation and democracy and human rights. We fear that the economic agreements struck at ASEM 2 are at the expense of the immediate and long-term welfare and rights of ordinary people.

Particular concern was expressed about the lack of attention to social issues and welfare in discussions about IMF loan packages in response to the Asian Financial Crisis from 1997. Importantly for the AEPF's own profile, European Commission President Jacques Santer expressed his support for the greater involvement of civil society in the ASEM process. Seoul saw AEPF 3 held in October 2000 under the banner of 'People's Action and Solidarity Challenging Globalisation', bringing together over 800 people from 33 countries. In addition, an AEPF strategy document, 'Proposal for a Social Forum' was widely circulated across the growing network and presented to the ASEM Senior Officials Meeting (SOM) in July and to the ASEM Summit. Moreover, 'A People's Vision' was reviewed and adopted as a declaration during the Forum in Seoul and a research study on the European arms trade to Korea was also presented at the Forum. The Copenhagen AEPF in September 2002 was organised by the AEPF and a Platform of Danish civil society organisations and was named asem4people. It focused principally on the civil rights of citizens, in the context of a changing environment after 11 September 2001, as well as on the continuing lack of political and democratic institutions to control and regulate global companies and to balance the inequalities created by globalisation. AEPF 4 took place against the background of the convening of the Social Forum in Porto Alegre in 2001 and 2002, the mobilisation around the WTO Ministerial in Seattle, World Bank meetings and UN events such as World Summit on Sustainable Development in Johannesburg are events at the global level. In that context, the asem4people in Copenhagen focused on interregional relations between civil society in Asia and Europe. Helsinki AEPF in 2006 called for a new, just and equitable Asia-

Europe partnership, one based on an equitable social dimension in the ASEM process. It urged that people's rights—including the right to decent work, to socialised and decent essential services such water, energy, housing, education and health—be made the cornerstone of a fairer ASEM. In addition, it advocated the creation and protection of democratic societies with popular participation, respect for human rights and equality. It also sought to institutionalise this dialogue, through the establishment of a Social Forum within ASEM, but which would not simply be located within ASEM's social pillar. The final declaration of AEPF 6 (entitled 'People's Vision Building Solidarity across Asia and Europe: Towards a Just, Equal and Sustainable World') demanded that the 'ASEM process recognize and respond to people's needs and rights and become more transparent and accountable to national parliaments.' The agenda of the AEPF is wide, but its message remains consistent and closely rooted to a broader involvement in a movement of anti-globalisation. The activity of the AEPF over the past ten years has focused in particular on increasing civil society visibility and inclusion. The following section will broadly address the criteria set out by Ebrahim and Weisband's, but by examining the extent to which the AEPF has utilised ASEM as a means of lobbying on the one hand, and networking, on the other.

Lobbying for Change

Since 1996 the AEPF has been consistent, growing and increasingly well organised in its lobbying of the national parliaments represented by ASEM and on the fringes of the summits themselves. This lobbying has forced ASEM leaders to be increasingly transparent in their decision making and to acknowledge the value of non-state actors, even in the face of hostile host views on civil society, even in non-democratic domains, and even when the NGO conference has been moved to a hindering geographical distance from the summit proceedings at the last moment. Not only can the AEPF not be easily ignored, but the very fact that it has been held should not be underestimated. The media spotlight achieved by the AEPF has meant, for example, that even in 1996 reluctant governments had little choice but to allow the NGO summit to proceed, in spite of threats of non-participation by officials from certain non-democratic states. In addition, many European and Asian embassies in Bangkok sent representatives to that first the NGO conference. Such lobbying has led to a number of policy successes, especially in Finland in 2006. That year's Forum demonstrated how the NGO group could penetrate the official channels: the dialogue with the Prime Minister was covered by the international media; the Foreign Minister participated in the plenary session of the AEPF; and there were opportunities for AEPF representatives to lobby a number of national governments. ASEM 6 heralded another success, by focusing on an issue-specific agenda that reflected a commonality of interests among NGOs; namely, labour issues. At the first meeting of ASEM labour ministers, there was a push for the inclusion of a social dimension to globalisation, finally realising the long-held demands of NGOs. In particular, NGOs had lobbied for the promotion of workers' rights as well as a focus on the

environment within frameworks such as ASEM's Trade Facilitation Action Plan and Investment Promotion Action Plan. A joint memorandum was issued calling for the strengthening of the social dimension of globalisation and policies to promote human and social rights, particularly those established in the ILO Decent Work Agenda. With the strong support of the Friedrich Ebert Stiftung, the AEPF had been advocating the creation of a relevant Social Pillar for years. And finally at ASEM 6, state leaders acknowledged at least the desirability of establishing such a pillar within ASEM. This is the outcome of consistent efforts by Trade Unions and networks such as the AEPF over the last ten years. As AEPF International Organizing Committee Member Charles Santiago noted:

> If my memory serves me right, I think that this is the first time that AEPF and trade union recommendations reached the Ministers consciousness and transformed into a joint memorandum (www.aepf.net/news/aepf-address-to-asem-10).

He went on to note, however, that the implementation of such a plan would not be easy, and therefore it would be one task of the AEPF to monitor its realisation. However, the lack of available mechanisms for sanction or redress limits the efficacy of the AEPF in seeing through their claims. What is more, it is no coincidence that this relative success was achieved under the auspices of Finnish hosts, as much of the organisation rests on groups within the host country of the ASEM summit and the degree of access afforded to the parallel summit.

There have been very specific calls for improved transparency around the European Commission's relations with the Asia-Europe Business Forum (AEBF). The AEBF's privileged position within ASEM is regarded by the AEPF as undemocratic and lacking transparency, particularly as it has closed-door involvement in senior level official meetings on trade and investment (SOMTI), and with WTO officials. In this way, the AEBF is seen as a fully co-opted partner of ASEM, used to promote trade and investment liberalisation. In contrast, one key aim of the AEPF is to create 'alternatives' to the 'neoliberalistic agenda' of ASEM, and therefore it cannot align itself with the corporate partners located within ASEM, seen to be part of the 'domination of the world by corporate power.' Other issues have also been successfully highlighted by the AEPF, such as the social and human costs of the Asian financial crisis, which were brought to the attention of the ASEM official track through the coordinated lobbying of national parliaments. Similarly, the AEPF has been successful in eliciting more public declarations and disseminating information very widely about ASEM and the intentions of its member states. The AEPF has also used demands to ASEM as a vehicle for attempting to garner greater EU influence in other fora (such as the IMF) and in preparing coordinated responses to particular issues. Moreover, these relative modest achievements have highlighted the growing institutional recognition of protests around summits, with the result that leaders come prepared to

show their transparency credentials and demonstrate at least a rhetorical willingness to include civil society in their deliberations. This is even the case among Asian states, which now recognise the need to acknowledge, and even engage, civil society representatives (Acharya 2003: 386). And yet groups like the AEPF also need to be regarded as a part of a more general trend towards a growth in 'cross-border relationships and interactions for future "cooperation and interdependence",' with the result that civil society actors come pre-programmed to demand and inform social dialogue (Blackett 2004: 904 and 909). Notwithstanding these achievements, however, it seems fair to suggest that ASEM itself remains a shadowy forum and that it is very difficult for NGOs to gain public support to counter ASEM-derived policies. This lack of media attention and public recognition makes it harder for NGO groups to force leaders to address deficits in their accountability mechanisms. Santiago reflects on ten years of ASEM, noting that equitable trade and investment benefits are still far from being achieved and that ASEM's programmes continue to lack justification by their leaders (www.aepf.net).

NGOs have also gained expertise in the process of cooperating within the AEPF and have a focal point for action and mutually understood terms of reference. As the remit of ASEM, although trade-based, is very wide, the AEPF has gained experience and lobbied on a broad range of concerns, from terrorism to the privatisation of water, from bilateral and regional free trade agreements to democratisation. This has resulted in a growth of expertise within the AEPF, whose members have gathered and collated data, compiled and written reports and charted carefully the effects and consequences of ASEM decisions and the conditions of existence within Asia and Europe. Since 1996, the AEPF has consistently asserted that development issues need to be included on the official ASEM agenda and expressed consistently the need for an explicit linkage to be acknowledged between development and democracy. In particular, the AEPF has monitored the continued democratic deficit within ASEM, whose work programme has had only limited possibilities for regular democratic scrutiny in parliaments in Asia and Europe. It has also monitored the record of ASEM member states in the pursuit of ASEM's own goals, particularly in areas such as the lack of human rights and continued human trafficking on their own territories. In Ebrahim and Weisband's terms, the AEPF has gained from ASEM a degree of greater transparency and justification on specific issues and increased its knowledge base and monitoring capabilities. The ability to impose sanctions or gain redress, however, remains constrained by the very nature of the structures of ASEM and the AEPF. The following section looks at the other side of NGO activity and focuses on network building.

Effective Networking
The AEPF has had a number of modest achievements in spite of the difficulties inherent in its own organisation and in the structure of the parallel summitry it mirrors. In particular, it has

highlighted the significance of civil society voices, especially in Asian states where autonomous civic action is often discouraged or even forbidden. By way of example, the 1998 'People's Vision towards a more just, equal and sustainable world' was elaborated and widely endorsed by hundreds of people's organisations and networks, thereby illustrating the importance of the network *per se* as a means of dissemination and information, and as a channel for networking among NGOs across Europe and Asia. To this end, one achievement of the Helsinki Forum were the resolutions and proposals from a number of workshops to continue to work together on a Europe-Asia bi-regional basis. In response to this, a first AEPF Meeting post-Helsinki was set in the Philippines in December, with the agenda of redefining and re-energising the direction and work of AEPF in Asia, and for bi-regional platforms in-between the biennial conferences to be activated as valuable strategies to generate common actions and campaigns. Indeed, this form of networking may be regarded as a precursor to the 'participatory regionalism' identified by Acharya and it shows signs of development of his two key features. First, governments have become more attuned to the presence of civil society actors, more willing – if not always eager – to engage in open discussion. Second, there has developed a closer link between governments and civil society in the management of regional and transnational issues. This means not just greater cooperation among the social movements leading to the emergence of a regional civil society, but also closer and positive interaction between the latter and the official regionalism of states (Acharya 2003: 381). Similarly for Blackett, this developing form of cooperation can be viewed as 'social regionalism' (2004). The inter-regional structure of ASEM, and the AEPF, also has some interesting implications. On the one hand, it can serve to highlight specific concerns within sub-regional locales and emphasise the need for addressing different problems in distinct ways, depending on the particular environment from which they issue. On the other, the AEPF has to face up to the reality of the cultural divide it seeks to cross. As shown below, European agendas and experience tend to dominate and there is a risk – although some may regard it as an opportunity – that Asian NGOs become co-opted into a discourse of liberal democracy to which they do not relate. These (broadly speaking) two cultures may simply juxtapose mismatched understandings of civil society, and their coming together does not automatically signify a growing global consciousness. Moreover, it might be noted that the 'emergence of hemispheric or sub-regional networks of civil society collaboration does not in any way signify the end of conflicts within and between civil society groups.' (Grugel 2006: 226).

This focus on network building has tended to obscure debate about the levels of accountability among and within NGOs in the AEPF themselves. A number of commentators have noted the failure by many NGOs to 'develop participatory mechanisms for internal debate and decision making, despite their stated values and principles (Bebbington and Thiele, 1993)' and the very broad remit of the AEPF – needed to shadow the agenda of ASEM – has led to participation by groups and organisations keen to counter the negative consequences of globalisation. And yet

this aim may mean different things to different people, as the constituents of the AEPF come from disparate and varied backgrounds, with a range of aims and motivations and with different demands from those who fund them. At the same time, it is questionable as to whether those NGOs most closely associated with the target communities of ASEM policies are in fact represented among the number at the AEPF. In terms of representation, moreover, it is unsurprising that AEPF organisers issue from environments in which they focus on regional and global issues *per se*. Smaller NGOs simply do not have the expertise and wherewithal to govern the process of civil response. By way of example, the International Organising Committee (IOC) comprises internationally active and well resourced NGOs with broad remits. For example, the Transnational Institute (TNI, 1974) has a far-reaching remit within the 'anti-globalisation' camp and which includes its own 'alternative regionalisms' programme, to address the question of alternative development from the perspective of social movements and regional coalitions of civil society organisations in Africa, Asia and Latin America. The Institute for Popular Democracy (IPD, 1986) is non-profit research and advocacy institute, and a self-styled 'agent for democratization in the Philippines', emphasizing key areas of democratisation as its remit. Also on the IOC is the group Monitoring Sustainability of Globalisation (MSN), whose remit focuses on the domestic and regional effects of globalisation (and whose own website does not even mention ASEM (www.monitoringglobalisation.org). The remit of Focus on the Global South (1995) according to its website is to 'dismantle oppressive economic and political structures,' and Era Consumer based in Malaysia campaigns for consumer empowerment and increasing human and consumer rights awareness among people from all walks of life. Thus, loosely 'anti-globalisation' in their outlook, these various groups seek to offer and provide alternative paradigms for economic, political and social exchange today. These groups have wide-ranging interests which match the broad agenda of ASEM, are generally well resourced and well endowed with expertise and media exposure.

The IOC and AEPF more generally also uses the structure of ASEM to divide itself into Asian and European groups and to date the main driving force for the organisation of the AEPF has to a large extent rested on European shoulders. It also tends to be associated with a small group of individuals. This is unsurprising, given that European NGOs tend to be more established, better equipped, staffed and funded and have better access to decision makers in their own countries. This is not to suggest, however, that Asian NGOs are inactive. By way of example, preparation for the ASEM 2000 People's Forum was undertaken from mid-1999 until October 2000 by the International Organising Committee of the AEPF, working together with the Korea People's Forum. They jointly organised an 'Information and Advocacy Initiative' in Europe and Asia in May and August 2000, held briefings and meetings with officials from the European Commission and foreign ministries, as well as various NGOs in Korea, China, Malaysia, Vietnam, Belgium, Denmark, France, Germany, and the Netherlands. This initiative responded in part to concerns

that 'too few ordinary people' know about the workings of ASEM (*The Bangkok Post*, 17 September 2004). The AEPF has also facilitated space for the promotion and further development of regional fora in Asia, and for the emergence of some coalitions of East Asian NGOs (Lizee 2000; Acharya 2003: 383). One notable example is Forum Asia, which has co-organised several events during the AEPF, including a human rights conference and detailed focus on ASEM-AEPF linkages in September 2006. SAPA (Solidarity for Asian's People Advocacy), too, was busy on the sidelines of ASEM 6, and provides a platform for sharing information and resources among those groups engaged in inter-governmental processes across a number of sectors (http://asiasapa.org). In March 2007 in Quezon City in the Philippines, the AEPF and the Stop the New Round! Coalition organised a country-level strategy meeting on the proposed free trade agreement between the EU and ASEAN. This meeting was also designed to lobby for change and for state representatives to take note of the strong concerns about the proposed FTA and its social consequences (www.ipd.org.ph). It was also designed to enable capacity building among NGOs and to develop mechanisms for inter-NGO cooperation and coordination campaigns across governance institutions. Interestingly, this forum saw the gelling of NGO groups – bringing together social movements from trade unions and popular organisations to small groups, all 'resisting the policies of globalisation or practising alternatives to mainstream development' (www.aepf.net). This kind of activity, then, links disparate groups to an international network of NGO activity. In many ways, such linkages are beneficial to the aims of the AEPF, but in accepting the legitimacy of civil society *per se*, it risks putting a uniformly positive spin on civil society representation, and leaves the discursive framework of AEPF unaffected by the need for self-interrogation. As Ebrahim and Weisband note in a different context, it risks bringing with it, without need of reflection, the 'magic wand of accountability,' and it is seen to bring 'transparency, benchmarked standards, and enforcement' (Ebrahim and Weisband 2007: 2). Tian Chua, director of the Labour Resource Centre in Malaysia observed that 'NGOs have to be much more critical, not just of government *but of ourselves*' (Bangkok Post, 17 September 2004). Indeed participants routinely advance their cause as to 'articulate the current concerns of civil society in Asia and Europe' and yet there remains to be a full and frank discussion over what this actually means, even while stating that it is 'open for everybody.' While government representatives may use a lack of internal NGO accountability as a justification for continued non-inclusion of civil society representatives within ASEM, there is also a dearth of debate within the NGO community about its own understanding of the very nature of that accountability.

Conclusion

The ASEM process lacks external accountability, and so too do the agents who are trying to obtain it. The main reasons for this lack, however, lies not in intentions and motivations of key agents, but in the structural constraints within which they must work. Like Bello, this paper

questions whether the existing paradigm of transnational advocacy can create a legitimate basis for accountability, especially as civil society and governmental meetings are two parallel processes with little interaction (Armstrong *et al.* 2004). In contrast, however, parallel summitry is important for the networking opportunities it affords NGOs, for the deepening of civil society legitimacy *per se*, which process may, in turn, lead to the eventual development of greater mechanisms of accountability. This concluding section examines the impact of NGOs on ASEM from three perspectives: power and influence; structural challenges; and lobbying versus networking.

First, NGO coalitions can gain a voice and elicit influence and change, even where mechanisms of accountability are lacking. Within ASEM, as elsewhere, the rhetorical need to include and consult with civil society has become a *sine qua non* of summit agendas. This requirement to acknowledge the existence of NGOs alongside official channels of international governance has led to issues being put on the agenda even where they may discomfort some or all government participants. The prevailing view, however, continues to be that international organisations are weak in relation to states, in terms of accountability. As a result, it is also unclear as to whether the 'increase in the number of NGOs with shared transnational goals can be equated with an emerging global civil society' (Clark *et al.* 1998: 2). While a 'fluid framework sows the seeds for a different kind of integration,' it is not yet clear what form that is taking (Blackett 2004: 910). Ten years after its inception, moreover, Andy Rutherford of *One World Action* observes: 'Our realities and visions for a more just and equal economic and social development have been largely excluded from ASEM since 1996' (www.aepf.net). Second, the structural challenges faced by those involved in parallel summitry should not be under-estimated. The very existence of the official summit means that NGOs have to respond to an established agenda, seeking to alter or deflect it, rather than to shape it. States involved in agenda setting can also claim that debates are reducible to trade and economic policy and restrict the possibility for a widening of discussion to include, for example, human rights or sustainable development within their own contexts. For this reason, calls for a Social Pillar to transcend a narrowly conceived social domain are imperative. Given the contemporary reality of international institutions, moreover, the normative framework tends to assume accepted liberal beliefs about rights, democracy and inclusion. In responding to these, NGOs are expected to engage in the same normative frames of reference (Keck and Sikkink 1998; Khagram *et al.* 2002). Just as the AEPF is governed by the discourse of anti-globalisation, it is also dominated by western, liberal understandings of the role of NGOs and led predominantly by European NGOs. The inter-regional level accommodates both the tensions issuing from different understandings of civil society, as well as the underlying assumption that this level of governance remains rooted in nation-state management. As a result, 'it is not clear how far collective action at the regionalist level has, in practice, entered the repertoire of civil

society groups' (Grugel 2006: 210). Where the institution in question holds little external interest or influence, as is the case of ASEM, it is difficult to see where the forces for change might derive, so that while inter-regionalism offers a new space for action, the nature and extent of that space is contested. Third, the main advantage of this new space is in distinguishing lobbying and networking activities of NGOs and in advancing the latter in particular. At an organizational level, the AEPF offers many lessons for a variety of NGOs, in terms of pooling resources, expertise and communication channels, and in terms of uniting in the face of overarching threats. Moreover, the liberal discourse of the civil society agenda means that there is in fact a 'how to' manual for new NGOs, and NGOs from non-democratic societies, to follow. The focus on networking, however, does not address the problem of making those NGOs accountable. Finally, the question of accountability needs to be addressed at two levels: at the level of international governance responses to non-state concerns; and also at the level of the internal legitimacy of those NGOs responsible for making accountability claims. It cannot be assumed that the fragmentation of governance causes civil society actors to coalesce; rather, those fragmenting structures may causes them to do the same. The structure of ASEM needs to be contested and its official space not only claimed by non-governmental organizations, but also reshaped by them as they shape themselves.

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