CIVIL SOCIETY, ACCOUNTABILITY AND THE UN SYSTEM

Kerstin Martens
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Kerstin Martens
University of Bremen
kerstin.martens@sfb597.uni-bremen.de

Introduction[1]

The United Nations Organization (UN) is the world's largest global governance appa-ratus, encompassing almost universal state membership and responsibility in many pol-icy fields. Representatives of civil society associations (CSAs) have been integrated into its agencies, programs and institutions for more than 60 years now. In fact, CONGO – the Conference of Non-Governmental Organizations – engages with the United Nations since 1948 and has since been actively facilitating the participation of CSAs in UN de-bates and decision-making since. However, over the last decade, their involvement has become even more intense: During Kofi Annan's time as Secretary-General of the United Nations, existing relations with civil society were redefined and new tights with businesses became established in order to create partnerships with non-state actors. Since 2000 this includes, for example, the United Nations Global Compact, a voluntary partnership in which companies from regions all over the world are engaged with labor and civil society organizations to advance universal principles of human rights, labor, the environment, and anti-corruption. It also includes the United Nations Fund for Inter-national Partnership, established in 1998, which provides the interface between the United Nations System and the United Nations Foundation which is responsible for ad-ministering the US $ 1 billion contribution by Ted Turner to the UN.

However, the UN maintains the most intense relations with civil society asso-ciations which are engaged in social issues. This chapter deals with the question of how and to what extent their engagement has furthered the accountability of the UN system. Since the UN itself often applies the term 'NGO' referring to its liaisons with civil soci-ety associations, I will sometimes use it in the course of this paper.[2] By participating in

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[2] In fact, the UN even coined the term 'NGO' when in 1945 it was stipulated in Article 71 of its charter that non-governmental organizations could be accredited to the UN for consulting pur-poses: "*The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence*". Over time, the term also found widespread application outside the UN context (see Martens 2002 or

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the UN system, they contribute to the formulation and execution of global public policy: Civil society associations influence UN politics by providing information on issues of their concern, by lobbying governmental and UN representatives, and by implementing or monitoring UN policies. Because of their experience and expertise, they are sometimes involved in the UN system even at highest level, including the Security Council. In this chapter I concentrate on three aspects of civil society associations as agents of accountability in the UN forum, namely (a) the *activities they undertake at the UN to enhance the accountability* of this global regime regarding institutionalized and non-institutionalized ways, and (b) the *degree of formalized and systematic procedures* by examining the constitutional provisions and liaison operation to have relations with civil society associations, and (c) the *resources civil society associations make available for interaction* with the UN by looking at organizational provisions.

Accountability is hereby understood as a socially embedded form of participatory praxis which sheds light on the impact of social relations and on the configuration of power (Weisband and Ebrahim 2007). Through their activity, CSAs can make the UN system more *transparent* because they collect information which they deliver to the UN and enable a public awareness of UN policies. They make the system easier *justifiable,* since they can also be part of the process of developing and formulating policies and according procedures. They also make it better *enforceable,* as they monitor and evaluate the implementation of commonly agreed standards and make aware of non-compliance (Weisband and Ebrahim 2007 and Scholte in this volume). CSAs can support the UN's goals and promote its approach to the management of global governance. They can provide a variety of forms of expertise and enhance the quality of UN policy-making. They present a public voice in an intergovernmental forum, reflecting and facilitating the social engagement of people on issues of common concern (Willetts 2006; Bichsel 1996). CSAs have done many activities in the context of the UN apparatus to enhance its accountability; however, despite this range, my argument is that we should neither glorify the opportunities of CSAs in the UN system nor assume that CSAs are the answer to the many problems of UN accountability – in the last resort, it is the UN which also sets up the boundaries of CSA engagement in its regime.

Kelly 2007 for details and definitions of the term 'NGO'). However, due to its negative connotation (defining organizations by what they are *not* instead of presenting what they characterize), other expressions have increasingly been preferred, amongst them particularly prominently 'civil society associations/organizations' (see Scholte in this volume for definition). In recent years the UN, too, has begun to refer to 'civil society organizations' along with 'NGOs'.

For assessing the activities of civil society in the light of enhancing UN accountability, I apply a simple policy-cycle model adapted for analyses on the international level and explore how CSAs are involved in the stages of *policy setting*, *policy formulation* and *policy implementation* of political processes as they take place at UN level (see Willetts 1996: 45-6; Gordenker and Weiss 1996: 38-40; Young 1999: 33). In the section on the degree of formalized and systematic procedures for activities with CSAs, I follow a neo-institutionalist interpretation of social movement research, whereby activities depend on the 'institutional channeling' through constitutional provisions and liaison operation which regulate relations between societal actors and official institutions (McCarthy, Britt and Wolfson 1991; McCarthy and McPhail 1998; DiMaggio and Powell 1991). By using this approach, I focus on the prospects of official recognition and indirect legitimization for societal actors, which affect their ways of interacting with official actors. In the section on the resources of CSAs for activities to enhance UN accountability, I benefit from resource mobilization theory which argues that interaction between societal actors and official institutions depends on the organizational provisions societal actors are able to mobilize (McCarthy and Zald 1987; Zald and Ash 1987). It highlights factors such as professionalism and bureaucratization of societal actors that influence activities with (inter)governmental actors (See Martens 2005: ch. 2 for these theoretical issues). However, before assessing the activities of civil society associations in the UN system, let us first look at the UN itself as regards the issue of accountability.

The UN in the Orchestra of Global Governance Mechanisms

"We the peoples of the United Nations…" – these are the starting words of the UN's charter as signed on 26 June 1945 and coming into force on 24 October 1945. As the successor of the Leagues of Nations, the UN was founded after the Second World War with the goal to set up a new and encompassing international organization seeking to prevent war as a means of international politics. Against the 'perils of anarchy' it was founded to safeguard world peace and international security. However, the United Nations is not an organization of peoples, rather states are members of this intergovernmental organization. In the beginning there were 51 founding members; in the course of the decolonization processes, many more entities became sovereign states and gradually joined the UN, particularly from the African continent. At present it encompasses 192 members which makes it the largest intergovernmental organization of the world. In

addition, the International Federation of Red Cross and Red Crescent Societies, the Sovereign Military Order of Malta, the Holy See, and Palestine have permanent observer status at the UN.

Unlike other global governance apparatuses and despite its initial focus on world peace, the UN encompasses neither just this single issue to works on, nor a particular or restricted membership (taking into account that only states can become members). Adapting Rittberger and Zangl's typology of international organizations (2006: 11) the UN is basically the only global governance institution with comprehensive competence and (possible) universal membership of states – no other international organization has as many policy fields it is active in or a greater state basis. Only its predecessor, the League of Nations could be counted as a similar encompassing intergovernmental organization as the UN. Today it is a multifunctional global forum, in which basic problems of the world are discussed and solutions developed, be it in the field of environmental policy, development assistance, or nuclear power and military invasion.

Thus, as regards the question of accountability, the UN should be an organization which features a particular high degree of accountability – to states and their people, taking into account its membership basis and the broad variety of issues it is active in. This is in some respect institutionalized in the democratic principle of "one state, one vote" in the General Assembly in which all member states are represented and thus are treated the same, independent of their (economic or military) power and capacities. However, the Security Council – the world's highest institution to safeguard world peace – reflects the world after 1945 with its 5 permanent members (USA, Great Britain, France, Russia and China) which obtain veto rights and can thus stop any initiative which goes against their interests. Although rearranging the set-up of the Security Council according to today's world problems and needs (for example, including India, Brazil or an African country) has been an issue for decades now, no progress has been made so far. In brief, the UN has gone through a reform process since the early 1990s as its structure and operations were no longer compatible with the realities of the 21st century (Müller 2006; Idris and Bartolo 2000). However, this process has only been slow-moving, and at its 60th anniversary in 2005 the 'balance sheet' of the reform process was not yet satisfactory.

The interaction with of the UN with NGOs/CSAs was also part of the reform process (Taylor, Daws and Adamczick-Gerteis 1997). Recognizing that CSAs could support the UN in its tasks and improve its accountability, UN institutions offered

greater possibilities for interaction with non-state actors since the end of the Cold War. In fact, the IGO sought "to be open to and work closely with civil society organizations that are active in their respective sectors, and to facilitate increased consultation and co-operation between the United Nations and such organizations" (UN Doc. A/51/950 §59). Today, civil society associations have manifold possibilities for activities in order to enhance the accountability of the UN system. They assist UN institutions and provide them with information on issues of concern to them, they regularly advise UN commissions and committees, and they collaborate with UN operational bodies and implement joint projects.

Activities of Civil Society to Enhance UN Accountability

As expressed in a recent report on NGO accountability, "[t]he benefits of NGO engagement with IGOs [*intergovernmental organizations, such as the UN*, KM] are generally seen in terms of participation and deliberation, pluralizing power beyond governments, and addressing the failure of intergovernmental representation. … NGOs are seen to both reflect and facilitate the social engagement of people on issues of common concern, and thus even at local levels, stimulate political awareness and expression" (Bendell 2006: 33). CSAs have been carrying out many of these activities since the foundation of the UN. However, during the last decade the range and intensity of these activities has broadened and new studies, like the so-called Cardoso report (UN Doc. A/58/817), have been initiated to review existing practices that affect access and participation of civil society organizations in UN processes (see Willetts 2006; Martens 2006).

There are, however, limits to what extent NGOs can contribute to the UN. As regards the General Assembly and the Security Council, thus the highest organs of the UN, CSAs find their boundaries: they have no formal access to them. At the General Assembly of the UN, representatives of CSAs can take a seat at the visitors' stand but they are not allowed to officially intervene in the proceedings. At special sessions of the General Assembly, however, CSAs are allowed to participate, like the Copenhagen+5 session, were they had also the right to give oral statements. Also, to the recently established General Assembly subsidiary bodies of the Human Rights Council and of the Peacebuilding Commission, CSAs have access through formalized procedures.

What is striking about CSA-UN relations as regards the Security Council, is the intensity of *informal and semi-formal mechanisms for cooperation* which have been developed since the mid-1990s. The 'Arria Formula', for example, is one of these arrangements which makes it possible for CSAs to work with high-level decision-making officials of the UN system. It allows the Security Council to be briefed informally on international peace and security issues by non-Council members. Today, Arria meetings usually take place at least once a month and some also include CSAs as briefing participants. Between 1997 and 2005, at least 34 meetings occurred in which representatives of civil society briefed Security Council members on issues of concern to them (Global Policy Forum 2007). Although Arria meetings have become a recognized means of communication between CSAs and the Security Council of the UN, their status remains semi-formal (UN Doc. A/58/817 §V 97). On the one hand, meetings are typically held at a very high level: usually all Security Council members participate, delegations even send their permanent representative or deputy, and such meetings are in fact announced by the Security Council's president at the beginning of each month as part of the regular schedule. No other Security Council meetings are scheduled at the time when Arria Formula meetings take place, and the UN Secretariat provides full language translation. On the other hand, no codified rules exist yet concerning the way an Arria Formula briefing should take place (Paul 2003). So far, engagement between CSAs and the UN on the basis of the Arria Formula has been observed largely in the areas of humanitarian intervention and human rights with the big internationally operating organizations (UN Doc. A/58/817 §V 97). CARE International, Médecins sans Frontières, and Oxfam International were the first humanitarian CSAs to brief the Security Council on the Great Lakes Crisis (Willetts 2000: 200); Amnesty International often is an invitee when human rights issues are discussed.[3]

Despite limits to their institutionalized role within the UN, NGOs participate intensely. One of the main aims of civil society engagement in the UN context is to *influence the political debate by using the diverse channels of communication*. In many of

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[3] Another example of such semi-formal modes of interaction between CSAs and the UN is the 'NGO Working Group on the Security Council' (WGSC) which was founded in 1995. Encompassing organizations from different issue-areas, such as human rights, humanitarian relief, disarmament, faith, global governance, and development, the WGSC presents a network of about thirty large CSAs which have special interest in the matters and issues of the Security Council. Thus, similar to the Arria Formula, the WGSC allows CSAs to gain astonishingly close access to high-ranking UN officials and government delegates despite the fact that these set-ups have no official status in the UN system. Access to the working group is limited to NGOs that have a direct link to Security Council matters or, as stated in the WGSC's information statement: "NGOs that wish to join must apply and must prove the seriousness of their purpose and their organization's special program concern with the Security Council" (Global Policy Forum 2000).

the UN mechanisms or modes of work, such as annual sessions, committees, meetings, conferences and so on, contributions by non-state actors like CSAs are included at some stage. These could include research reports, short oral statements, written comments or alike. Moreover, recognition by the UN allows representatives of CSAs to enter UN buildings where they can meet with governmental representatives or UN personnel and lobby them for their issues of concern. In the human rights area, for example, CSAs often have contributed to the political debate at the UN level by providing reports on human rights violations in order to place a country with a particular bad record on the agenda of the Commission on Human Rights. CSAs also seek to advance new international standards through the UN system and promote according institutional backing to push them. Amnesty International's campaign and activism on banning torture in the 1970s has been repeatedly interpreted as "one of the most successful initiatives ever undertaken by an NGO" (Korey 1998: 171; similarly Cook 1996: 189; see also Rodley 1986: 130-3, and Clark 2001). A more recent example of CSA activities in standard-setting is their effort to establish the International Criminal Court (ICC) which started work in 2002 (Törnquist-Chesnier 2007).

CSAs are also involved in UN processes and procedures as *policy advisors and policy formulators*. UN officials sometimes invite representatives to provide advice on a particular issue because they have the necessary legal expertise or the technical know-how needed. In the human rights sector, representatives of CSAs have, for example, participated in committees or working groups during the preparation of drafts (the so-called *travaux préparatoires)* which later became UN final documents. Since the Human Rights Conference in Vienna in 1993, CSAs in this field have become particularly valued for their expertise and their provision of technical assistance in the development of human rights standards. This means that CSAs have been "offered the prospect of becoming 'insiders' working through and with the UN to achieve what had not been possible or desirable for them in the past – the delivery of legal services' (Gaer 1996: 60). While UN officials often lack the necessary knowledge, as their profession involves rotating between posts, locations, and tasks, representatives of CSAs are not changed on a routine basis (Clark 2001: 35; Clapham 2000: 188).

CSAs also work together with UN institutions in order to guarantee *the implementation and monitoring* of policies. In the field of humanitarian aid, for example, CSAs and the UN often coordinate their activities and divide up the tasks. CSAs often fulfill supplementary or complementary roles by taking over one of the duties such as

the distribution of food or clothes. CSAs can also be subcontracted for specific purposes and implement UN programs under an agreement with the UN. This puts them in an executive role, carrying out and implementing projects on behalf of the relevant UN body (Gordenker and Weiss 1998: 44). As Hill (2004) reports: "UN funding for non-governmental actors is also significant in humanitarian crises and refugee-related work … with between 33% and 50% of UNHCR's operational budget disbursed through NGOs, both national and international, with efforts to give to the former". Cooperation with the CSAs supports the UN to fulfill its mandate because their advantages "lie in the proximity to their members or clients, their flexibility and the high degree of people's involvement and participation in their activities, which leads to strong commitments, appropriateness of solutions and high acceptance of decisions implemented" (UN Doc. A/53/170 §III 33). Moreover, they often have more resources at their disposal than the UN. In fact, some of the budgets of single organizations in the field of humanitarian assistance like, for example, CARE International are higher than the budget of the entire UNHCR.

In sum, CSAs have various possibilities to interact with the UN in order to enhance accountability. They are part of the full policy cycle at UN level: they can initiate policies, contribute to the development of new policy proposals, and participate in the implementing process. Since the 1990s new and additional opportunities have been established to bring CSAs into the UN system. New modes for interaction as provided by the Arria Formula enable them to have intense and continuous interaction with high-ranking UN institutions. As a result, CSAs can contribute to enhance the UN's accountability in that the IGO is better able to fulfill its mandate.

Constitutional Provisions and Liaison Operation with Civil Society in the UN System

Within the UN apparatus there are *three main institutional procedures to associate CSAs*: Consultative status with the Economic and Social Council (ECOSOC), associate status with the Department of Public Information (DPI), and affiliation with the Nongovernmental Liaison Service (NGLS). In addition, individual UN special agencies apply their own mode of associating CSAs, and in many cases there are specific temporary accreditation schemes for UN conferences as well. Of these, ECOSOC status is the

most formalized status at UN level which gives most possibilities to CSAs to interact with the UN and will be dealt with in this chapter.

What the relationship between CSAs and the UN should look like and who is eligible has been laid down in Resolution 1996/31. This resolution was introduced in 1996 after CSAs had participated unexpectedly intensely and in great numbers during the series of UN conferences in the first half of the 1990s to allow for more participation (Hill 2004). The main difference to previous resolutions is that organizations operating in the national sphere only are also eligible to apply for accreditation to the UN now. However, not all associations of civil society are invited to participate; the UN only interacts with those associations of civil society which have an organizational structure including an established headquarters, an executive organ and officer, a democratically adopted constitution (providing for the determination of policy by a representative body), an authority to speak for the members, and financial independence from governmental bodies. That excludes, for example, social movements which do not have organizational provisions.[4] Moreover, associations which want to have contact with the UN need to be concerned with issues which fall under the competence of the Economic and Social Council (ECOSOC) or its subsidiary bodies and they need to represent large sections of the population. This may exclude, for example, community groups which are concerned with local issues only.

The UN grants *three different statuses* to CSAs (the UN speaks of 'NGOs' in this respect): general consultative status, special consultative status, and roster status – each with different rights and duties for accredited NGOs. NGOs in general consultative status must represent major segments of society in a large number of countries of different regions of the world (UN Resolution 1996/31 §22). In return, the rights and privileges pertaining to this status are the most far-reaching of the three categories. Organizations with this status have the right to attend meetings of the ECOSOC and its subsidiary bodies and speak and circulate statements of 2000 words. They are also allowed to make proposals to the provisional agenda of ECOSOC or its exercising bodies (UN Resolution 1996/31 §28-31). For organizations with a smaller scope of activity special consultative status applies. It is similar to general consultative status, except that these organizations can neither submit proposals to the agenda nor speak at meetings of

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[4]   See also Bendell (2006: 50) who reports that the contact between the counter-globalization or "global social justice" movement and UN agencies, for example, is minimal at present: "At the 2003 European Social Forum in Paris, only one of the 266 sessions on the programme included panellists from any UN agency, with the agenda for the World Social Forum (WSF) the following January also showing little UN engagement."

ECOSOC. Written statements by organizations of this status may circulate but they are limited to 1500 words (UN Resolution 1996/31 §23, 29-31). Other organizations which do not fulfill the criteria for either general or special status are put on a 'roster'. Roster NGOs are limited to attend meetings only within their field of competence. Moreover, they need an invitation by the Secretary-General to make a written contribution, which may not exceed 500 words (UN Resolution 1996/31 §24, 31).

The *number of CSAs* maintaining official relations with the UN has risen tremendously since the establishment of the ECOSOC accreditation scheme. When consultative status was introduced in the 1940s, 40 organizations were accredited. In the late 1960s, this number grew to 377 and by the early 1990s the figure of accredited organizations had gradually increased to 744. It was in the mid-1990, however, that the number of accredited CSAs exploded. Whereas in 1996, 1226 CSAs were enrolled on the consultative status, only five years later the number had almost doubled and by October 2007, 3051 CSAs had official relations with the UN. Of these, 136 maintained general consultative status, 1955 special consultative status, and 960 roster status. The large majority of them sees itself as working in human rights issues (28,5 %), education (13%) and social issues (12%). The most dramatic growth in numbers occurred in 1999 when more than 400 new organizations received consultative status at once. There are two main reasons for this exponential growth. First, in the aftermath of the UN conferences in the first half of the 1990s, many CSAs, which before had only maintained informal relations with the UN, applied for consultative status in order to formalize their relations. Other organizations became aware of the benefits of working with the UN and therefore also applied for the status, particularly many national CSAs. Secondly, the various UN bodies and agencies, some of which maintain own mechanisms for accreditation, were asked to provide lists of associated organizations which then automatically became enrolled on the consultative status scheme (Martens 2005: ch. 5). However, the UN's accrediting capabilities have by now reached their limits: applications have risen from 300 to 400 a year, but the NGO Committee can only deal with around 100 applications at each annual session (UN Doc. E/1998/43). For this reason, CSAs now have to wait several years for their application to be processed.

ECOSOC status is like the hurdle which CSAs have to take before starting activities with the UN. Consultative status facilitates access to the work of the regional and special committees and entitles CSAs to receive official documents. They may also be invited to attend conferences and meetings or to make statements on a particu-

lar issue. Representatives of organizations with official status receive a pass and a badge which allows them to enter official UN buildings, thus granting them the chance to get in direct contact with governmental delegates and other representatives. The composition of the NGO Committee is an important aspect in respect to accreditation for consultative status. It consists of 19 members all of which are government representatives at the UN and are chosen according to a geographic ratio that allows the various regions of the world to be represented. Some states are particularly keen on having a representative on the committee in order to make sure that CSAs which seek to undermine their authority will not succeed with their application process. China and Cuba have been members for decades and successfully stopped the applications of anti-Cuban and anti-Chinese CSAs. Religious organizations, CSAs engaged in minority rights, and human rights advocates are the most discussed group of organizations. The organization Human Rights in China, for example, has tried for years to receive status but was turned down several times. Even Human Rights Watch was denied ECOSOC status when it first applied in the early 1990s.[5] Consultative status can also be withdrawn and single country delegates sometimes search for reasons to expel particular CSAs disliked by their government. Thus, committee decisions can be highly political.

In sum, consultative status serves as the entrance key for CSAs to participate in international policymaking processes as agents of accountability. It enables them to gain access, obtain information, and provide statements. Consultative status with the UN also implies international recognition by governmental authorities. However, even when fulfilling all the criteria set by the UN, CSAs have no legal claim to be admitted to consultative status. CSAs have to play by the rules of the game; consultative status is an imposed status defined by the UN which can also be withdrawn again.

Resources of CSAs to Enable Activities with the UN

For a long time, CSA representation at the UN was predominantly conducted by volunteers who had little professional affiliation with their organization. In early studies on relations to the UN, representatives of CSAs are describes as "volunteers, retired, or

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[5] Other cases of CSAs whose status has been under discussion are, for example, Freedom House, Christian Solidarity International and Transnational Radical Party, see for example UN Doc. E/2000/88 (Part II) §70-124 and UN Doc. E/2001/8; for a good analysis of some of these cases, see Aston (2001). For a detailed account on the non-awarding of consultative status to Human Rights in China, see Martens (2004).

representing their organizations in their spare time" (Archer 1983: 303) and they were associated with the image of "idle women in search of celebrity" (in Chiang 1981: 235). The representation of CSAs at the UN therefore had little impact because it "seemed confined to collecting documents and attending meetings" (Chiang 1981: 235). Only few UN officials or governmental delegates attended meetings or sessions when their representatives gave oral presentations, while others read newspapers (Chiang 1981: 235). Many CSA representatives simply enjoyed having access to international diplomats, UN officials, and governmental representatives and met them in the lounges, chat with them, and had coffee or lunch in the UN cafeteria. Accordingly, they interacted at levels "rarely rising above the purely social kaffee klatsch level" (Chiang 1981: 236). Because of this low caliber, relations with CSAs were often regarded as ineffective and many secretariat and governmental delegates did not take their representation at the UN seriously (Chiang 1981: 328).

Over the years, this picture of CSA representatives has changed tremendously. CSAs have increasingly recognized the potential of activities with the UN and gradually invested in their international representation. Many shifted from voluntary representation at the UN to employing highly skilled, full time professional personnel for this purpose. Such shifts led to a greater recognition of the capacities of CSAs, and they grew to be perceived as serious actors in international relations. Particularly since the 1990s, CSAs have tremendously become valued for their contributions, and their advice and expert opinions have been taken into account increasingly at UN level. In fact, the growing professionalism of representatives of CSAs working at UN level also led to increasing job exchanges between both types of organizations. CSA staff shifted to UN jobs and vice-versa. As Weschler (1998: 154) reports for the human rights sector: "owing to their long existence, non-governmental organizations have by now created a sizable group of human rights professionals. When at the beginning of the 1990s, the United Nations for the first time needed within a fairly short period of time a relatively large number of properly prepared staff to fill many human rights posts in peacekeeping operations, and then in human rights field operations, NGOs became the main source of experts, both at the rank-and-file and the managerial levels."

At the same time, it became increasingly acceptable for CSAs to recruit former government or UN employees for positions similar to their past positions, for instance as researchers on a particular specialized topic or in the field. Whereas in the 1980s, the organizations feared to question their integrity and independence when recruiting for-

mer UN officials, in the 1990s, it became commonly accepted to hire governmental or UN staff for positions in CSAs. Many professionals took office in the early 1990s when the UN increased its field presence and left it by the mid-1990s to start working for CSAs. Part of the change in perception was also due to the fact that CSAs needed specialists for complex issue matters with very specific skills. This expertise could sometimes only be found in other organizations, such as intergovernmental organizations or governmental institutions.

Many CSAs thus nominated or recruited a staff member to conduct all the UN-related affairs of the organization. Others divided up their representation in a way that staff members took over the representation of the organization when their issue area or subject of expertise was on the agenda of the UN. Some CSAs even decided to establish independent offices in major UN locations and devoted professional full-time personnel to their representation. Many have also developed a system of division of labor among headquarters and the different UN offices. The total number of NGO representatives and their position within the organization they are representing and the intensity with which they make use of their representational functions, however, is not statistically reported. For administrative reasons, the UN requires accredited NGOs to nominate at least one 'liaison person' of their organization, who can be contacted by the UN for all administrative purposes; the status of those persons within the NGOs, however, is not officially registered in any UN document and may vary from volunteers to regular NGO staff members to full-time professional NGO representatives.[6]

Being "present" at the UN allows representatives of CSAs to lobby governmental representatives and UN officials. Through lobbying, they get in touch with UN bodies, UN officials, and government representatives outside the official channels. UN recognition allows their representatives to enter UN buildings and to meet official governmental representatives and intergovernmental personnel. Particularly for advocacy organizations, lobbying is an important activity at the UN level. Human rights organizations seek contact with governmental representatives in order to convince them to address an issue of concern to them. When lobbying them, they provide thoroughly re-

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[6]   According to UN guidelines, CSAs may nominate up to 15 different representatives, five in each of the three UN locations where NGO liaison offices are maintained (New York City, Geneva, and Vienna). For special events like international conferences they are allowed to nominate additional representatives, sometimes even without any upper limit. CSAs often use up their allotment of representatives so that different people can enter the UN without the bureaucratic hurdles, even if they do not represent the CSA on a regular basis. One or two positions are often reserved for top positions within the organization (president, secretary-general or vice-president) though they actually make rarely use of it (often for special occasions like conferences only).

searched data on human rights violations in a particular country for use in official forums.

Take the example of Amnesty International: Its representation in New York was first led by local members from the city. They started the 'office' in a personal home in the early 1970s and represented the organization at the UN in their spare time. Fairly early on, however, Amnesty International recognized that its interaction with the UN bodies in charge of human rights required more work than it could be handled by volunteer members or staff flying in from London for special occasions only. In 1977 its representation in New York changed from being led voluntarily to becoming fully equipped with professional staff members. Over time, the number of professional representatives was increased, and today three full-time staff members represent Amnesty International in New York. Amnesty International also maintains staff members in its international headquarters in London who are working almost entirely on relations with the UN. For instance, its program on 'Legal and International Organizations' provides legal advice for the organization, originates and supervises the design of documents, and also leads and guides Amnesty's work with intergovernmental organizations. As part of this program, one staff member works on the special mechanisms of the UN and another two staff members deal with questions concerning the treaty bodies. Amnesty recruits representatives on the basis of professional criteria and seeks highly qualified people. Most of them have studied law as a first degree, others a subject or course with an international focus, such as international relations or development studies. An increasing number is even specialized in international human rights studies. Although such a legal background is not formally required, it is desirable because of the nature of the work as Amnesty's UN representative.

In brief, representation of CSAs at the UN has shifted over the years from voluntary to professional. Today, CSAs increasingly allot resources to their international presence. Moreover, professional criteria increasingly play an important role when representing a CSA at UN level rather than affiliation with causes and goals of the organization. However, such permanent representation at UN level is also highly cost intensive, as the example of Amnesty International shows, and thus only possible to afford for a small number of CSAs.

Which Constituencies Have or Have Not Been Served by These Civil Society Initiatives? – Some Concluding Policy Suggestions

CSA-UN relations have been intensified progressively, particularly over the last decade. As one observer expressed it, it seems as if a new generation of relations has started to evolve during recent years in which like-minded coalitions of governments and civil society groups work together in a cooperative partnership; Hill (2004) states that "[a]t the political level, the UN has shifted from an organization in which only governments spoke only to themselves, to one that now brings together the political power of governments, the economic power of the corporate sector, and the 'public opinion' power of civil society … as participants in the global policy dialogue." CSAs have multiple possibilities to enhance the accountability of the UN regime: They are basically involved in all stages of the policy process – they shape the policy agenda and international standards developed at UN level as the examples of the Arria Formula has shown, they participate as experts when new resolutions are drafted as seen in the field of human rights, and they support the UN system in fulfilling its mandate when implementing such policies at country level as observed in the case of humanitarian organizations which cooperate with the UN in the field.

Clearly, since the revision of the ECOSOC accreditation scheme in 1996, a greater number of CSAs has received access to the UN system. This status enables them to pursue activities with and within the UN system: Accreditation presents the entrance key which provides for physical access to UN buildings and gives the opportunity to meet with UN officials and attend meetings, a prerequisite for lobbying and information exchange. Some observers have acknowledged such opening by expressing that civil society-UN relations have moved from a consultative relationship to a partnership (Willetts 2000). However despite these developments, provisions for CSA participation in the UN system should not be overestimated: So far CSAs have neither direct access to the General Assembly of the UN, nor any *formal* status with the Security Council, the two major principal bodies in the UN system. Moreover, states reacted reluctantly to the most significant initiative on Civil Society-UN Relations in recent years, the so-called Cardoso report (UN Doc. A/58/817) and it did not have significant impact on opening the UN system for CSAs any further. In fact, many CSAs criticized the report as well or were disappointed about its vague suggestions on participation in the General Assembly. Constitutional provisions and liaison operation to have relations with civil society associations are not continuously opening up, the access to the UN rather seems to have come to a standstill; looking at the 'Milleniums+5 meeting' in which CSAs had to face

more-restricted access during the preparatory meetings as well as during the actual meeting, one could even start talking about a drawback in access to the UN.

CSAs on their part have invested in their representation at UN level in order to take advantage of the opportunities for interaction. However, these developments also split the community of CSAs into those which are 'insiders' and those which are formally accredited but cannot take up the opportunities for interaction with the UN. CSAs with less means and possibilities of having staff representing them at the UN end up having fewer abilities to work with and through the UN system in order to enhance accountability. Considering that a huge number of CSAs – especially those from the developing world – have very limited means at their disposal, they are left with little influence as a consequence. Thus, increased opportunities for activities with the UN and the correlating greater participation of CSAs does not necessarily lead to a balanced representation of civil society in international affairs but may rather reproduce the North-South divide of the governmental world (see also Friedman et al. 2005; O'Brien et al. 2000). First attempts to correct this imbalance however have been made: As a reaction to the Cardoso report, Kofi Annan had aimed at installing a trustee fund for supporting CSAs from the South in order to enable them to participate at UN conferences. Northern CSAs with the means of interacting with the UN have to be accountable for the whole community of CSAs. As Bichsel (1996: 239) expressed it: "[N]orthern NGOs have a double constituency: those supporting them at home and stakeholders in the South." More collaboration with organizations from the South would be one way to improve CSA-UN accountability.

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Centre for the Study of Globalisation and Regionalisation
University of Warwick
Coventry CV4 7AL, UK

Tel: +44 (0)24 7657 2533
Fax: +44 (0)24 7657 2548
Email: csgr@warwick.ac.uk
Web address: http://www.csgr.org