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Globalization and Civil Society: NGO Influence in International Decision-Making

Discussion Paper No. 83, April 1997
Riva Krut, with the assistance of Kristin Howard, Eric Howard, Harris Gleckman and Danielle Pattison

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Preface

Since the 1980s, non-governmental organizations (NGOs) have emerged as an important force on the world stage working to democratize decision-making processes, protect human rights and provide essential services to the most needy. Underpinning this expanded role in global governance has been a certain disillusionment with the role of the state in facilitating sustainable human development and the belief that more flexible, motivated and decentralized structures have the required skills and responsibility to undertake this role.

In recent years, the arena of NGO action has expanded rapidly from local and national settings to the international level. The institutional transformations that are occurring in the context of globalization have seen international actors — such as United Nations agencies, regional organizations, finance and trade institutions and transnational corporations — as well as inter-governmental "summits" assume an increasingly prominent role in global governance. NGOs have been late-comers to this evolving system of global governance but are now finding ways to influence the international decision-making process associated with development issues.

UNRISD work on the institutional and social effects of globalization has highlighted the concern that certain international economic, finance and trade organizations are enjoying greater freedom and power, but often without any commensurate increase in social responsibility. There are high hopes that the role of NGOs on the world stage will act to correct this potentially dangerous imbalance. But are NGOs sufficiently effective to perform this role? Have they been able to penetrate the dominant fora of international decision-making? And can they retain the cohesion and moral authority needed to influence the process of global governance?

These are some of the questions addressed in this paper by Riva Krut. Basing her inquiry on a rich collection of secondary sources and a survey of 500 NGOs, she examines the achievements, tensions and limits of NGO action in global governance.

Following an introduction that identifies some of the concerns that globalization poses for democracy and the potentially constructive role that civil society organizations might play in global governance, the paper consists of three main sections. The first considers the issue of NGO representation and participation: who are they, what do they stand for, and how representative are they? The second section looks at the varying degrees of access which NGOs enjoy to different international decision-making institutions. The third assesses the impact of NGOs in certain areas of international decision-making and the various strategies adopted to exert influence and pressure.

The author concludes with a dual warning. First, NGO access to global institutions of power has indeed improved — but it remains highly uneven, and in relation to certain key institutions that have tremendous power to affect our lives the door still remains firmly shut. Second, the ability of global civil society to act in a cohesive fashion may be coming under greater strain as the NGO "community" becomes increasingly differentiated and as tensions increase between Northern and Southern NGOs.

Riva Krut is a Director at Benchmark Environmental Consulting in Portland, Maine, USA. She was project director of Benchmark's work on global civil governance with the Norwegian Ministry of Foreign Affairs. This paper forms part of an ongoing UNRISD programme on **Globalization and Citizenship**. At UNRISD, production of the paper was co-ordinated by Peter Utting.

April 1997

Dharam Ghai
Director

Abbreviations and Acronyms

BAPEDAL	The Indonesian Environmental Management Agency
CSD	Commission on Sustainable Development
CSO	civil society organization
CUTS	Consumer Unity and Trust Society (India)
DAC	Development Assistance Committee (OECD)
DPI	Department of Public Information(United Nations)
ECOSOC	Economic and Social Council
ELCI	Environmental Liaison Centre International(Nairobi)
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
GEF	Global Environment Facility
IATP	Institute of Agriculture and Trade Policy
IBFAN	International Baby Foods Action Network
ICEL	Indonesian Center for Environmental Law
IDB	Inter-American Development Bank
IMF	International Monetary Fund
INGOF	International NGO Forum
ISGN	International South Group Network
ISO	International Organization for Standardization
MAI	Multilateral Agreement on Investment
NGLS	United Nations Non-Governmental Liaison Service
NGO	non-governmental organization
OECD	Organization for Economic Cooperation and Development
PAN	Pesticide Action Network
PPT	Permanent People's Tribunal
RAFI	Rural Advancement Foundation International
RIOD	Réseau international d'ONG sur la Désertification
TNC	transnational corporation
TWN	Third World Network
UK	United Kingdom
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNICEF	United Nations Children's Fund
UNRISD	United Nations Research Institute for Social Development
US	United States of America
USAID	United States Agency for International Development
WAHLI	Indonesian Environmental Forum
WEDO	Women's Environment and Development Organization
WHO	World Health Organization
WSSD	World Summit for Social Development
WTO	World Trade Organization
WWW	World Wide Web

1. Introduction

The Fate of Democracy in an Age of Globalization[1]

The late twentieth century has been accompanied by more and faster change than ever before. Military dictatorships have been overthrown in Latin America, communism has collapsed in Eastern Europe, the period of apartheid has closed in South Africa. At the same time as there has been a growth in liberal democratic régimes, outbreaks of ethnic violence have increased — 52 major conflicts were identified in 42 countries in 1993 alone. Even as medical science has reached new heights and the average age of Westerners increases steadily, nearly a third of the global population lives in hunger, malnutrition retards the physical or mental development of one child in three in the developing world, and six million children under the age of five died in 1992 from pneumonia or diarrhoea.[2]

Economically, the picture remains unsettled and inequity between rich and poor increases. Of the US$ 23 trillion global GDP in 1993, US$ 18 trillion is in the industrial countries, and US$ 5 trillion in the developing countries, which are home to 80 per cent of the world's population. The assets of the richest 358 people in the world exceed the combined annual incomes of countries with 45 per cent of the world population. In the last 30 years, the ratio of shares of global income between the richest 20 per cent and poorest 20 per cent of people has doubled — from 30:1 to 61:1.[3] Developing country debt has multiplied, and even major Western countries now find large proportions of their national debt held by foreign investors.

The global economy has been integrated by a massive increase in international economic activity, particularly in the last 15 years by the concentration of world capital among transnational corporations (TNCs). At the same time the establishment of the World Trade Organization (WTO) marks unprecedented power in a new global institution while the authority of the United Nations as an agent of global governance is diminished and its coffers are bare.

In this context, there is a view that globalization has not been accompanied by democracy but quite the opposite: globalization has put democracy at stake. In this view, the crucial role of civil society today is to advocate democracy against the rising anti-democratic tendencies of global capital concentration and a new international economic institution with a singular commitment to "free trade" as the primary basis for international economic relations.

Further, this view holds that it is the role of civil society to democratize global governance by harnessing the advantages that can come from globalization — such as new communications — while resisting its drawbacks, most specifically the centralization of economic power in the hands of TNCs and the international economic institutions — the WTO, IMF, and the World Bank.

This perspective holds that there is a deep sense of urgency about "the fate of democracy in an age of globalization" and a strong sense that its fate will be decided by the outcome of a new negotiation between representatives of international economic actors and representatives of civil society everywhere. This view lambasts "radical free market ideology"[4] and "free trade" for transnational corporations, and is critical of the establishment of the World Trade

[1] This was the title of a conference organized at Wellesley College, Wellesley, Massachusetts, USA, March 1996.
[2] UNRISD, **States of Disarray: The Social Effects of Globalization**, UNRISD, Geneva, 1995.
[3] UNDP, **Human Development Report 1996**, Oxford University Press, New York, 1996, p. 2.
[4] Cynthia Hewitt de Alcántara, UNRISD presentation to the World Summit for Social Development, Copenhagen, March 1995.

Organization. In the US, John Cavanagh of the Institute of Policy Studies has argued that this "combination of strong 21st century global rights for corporations with weak 20th century national rights for labour and the environment [will result in a] return to a brutal 19th century capitalism".[5] Ralph Nader, founder of the US organization Public Citizen, has argued that the new international trade rules "would establish world economic government dominated by giant corporations", on a completely new level, and unaccountable to the rule of law or to democratic principles.[6]

Martin Khor, Research Director of Third World Network in Penang, Malaysia, argues that the WTO has:

> expand[ed] 'the economic and political space' in the world for transnational corporations and for transnationalizing the national systems of production, distribution and trade, and consumption. This transnationalizing process has been sought to be achieved by dismantling the power of nation states to manage and intervene in their economy, and in particular diminishing the rights and powers of Third World countries in their local communities.... The raison d'être for all this...is to restrict or dampen the competitive capacity of the enterprises and productive apparatus of the South in a world economy that is being 'globalized' in the interest of the Northern transnational corporations.[7]

In contrast to representatives of the new economic globalization, who see globalization, free trade, privatization and democracy as connected, key actors in civil society frame economic globalization as an adversary of democracy. Moreover, whereas the seat of democracy was previously considered to be the nation state, many now consider its fate to be in the hands of civil society.[8] In the context of the WTO and the "unilateral liberalization forced" on the developing world through the IMF and World Bank, says the Indian Consumer Unity and Trust Society (CUTS), "it is now the burden of civil society to develop an alternative and proactive vision for a globalizing and liberalizing economy".[9]

There are two complexities that need to be added to this view. First, in the opinion of Joanne Landry of the Campaign for Peace and Democracy, the end of the Cold War came about because the Eastern European states collapsed under their own weight, not simply because of the strength of civic opposition. Civil society may be unequal to the challenge — to rebuild

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[5] John Cavanagh, keynote presentation at the Global Teach-In on **The Social, Ecological, Cultural and Political Costs of Globalization**, International Forum on Globalization, New York, 9 November 1995.

[6] Ralph Nader, "Introduction: Free trade and the decline of democracy", in Ralph Nader et al., **The Case Against Free Trade: GATT, NAFTA and the Globalization of Corporate Power**, Earth Island Press, San Francisco, 1993, pp. 1-12.

[7] Third World Network, **The World Trade Organization, Trade and Environment**, position paper of the Third World Network, Penang, Malaysia, 1994.

[8] The meeting of the International NGO Forum (INGOF) in Manila, December 1995, established facilitating groups to perform a variety of functions, including drafting codes of conduct, environmental quality reports, and creating think tanks to "change the current trend of globalization to [attain] sustainability". (INGOF, **Meeting the Challenge of the Emerging Global System**, Manila, Philippines, December 1995). The International Forum on Globalization (IFG) put on a well-attended Global Teach-In on **The Social, Ecological, Cultural and Political Costs of Globalization** in New York City in November 1995. One of the key preparatory papers for the event grappled with the local implications of the trade rules that "supersede national law, restrict the authority of governments to set national standards [or] regulate TNCs".

[9] "Raising living standards universally — the alternative agenda for UNCTAD IX", editorial in **South Asia Watch on Trade, Economics and Environment (SAWTEE)**, No. 6, March 1996, a publication of CUTS, Calcutta, India.

democracy nationally, and contribute to democratic global governance internationally.[10]

Second, it is not the function — nor usually the intention — of civil society to usurp the functions of government. Its role may be to shape and steer public issues and public officers, to monitor the implementation of public policy, to deliver humanitarian relief. Its mission may be to ensure that governance is democratic, accountable, transparent, inclusive, participatory and equitable.[11] In this sense, domestic civil society relies on a strong state and functions best under strong government. Global civil society, in parallel, would rely on strong national government and strong international governance from a reformulated United Nations.[12]

The State and Civil Society in Global Governance

The crucible of modern democracy was the birth of the nation state in Europe in the eighteenth century. "Representation" of the officers of public office was decided in an electoral process, and in most cases a more permanent civil service was also established. The civil service was accountable to parliament, but responsible for the executive functions of the state — its legal system, taxation system and public affairs. It was this concept of democracy that was transferred into the international arena with the establishment of the United Nations, except that the power of the UN was always subject to the members' need to retain national sovereignty.

In a globalizing world, it has become clear that many local problems have global origins and need solutions that are both local and global. The problems of global governance clearly exceed the mandate and possibly the competence of national governments on their own or collectively. There is increasing evidence, for example, of global crises within national and local political processes. Crime, unemployment and environmental depletion in Los Angeles, Rio de Janeiro or Johannesburg are examples of major domestic crises of governance whose origins and solutions lie at transnational or international levels — in other words, they cannot be resolved only at the national political level.[13]

Many forces of globalization create contradictory trends that are placing enormous strain on the normal institutions of political governance: the nation state and the United Nations. The political authority of the UN is clearly in a period of nemesis. Limping along in the face of crippling financial and moral abuse from the United States,[14] an almost financially bankrupt UN sees its status and role in international governance usurped by the new and ascending nexus of multilateral economic institutions. At the same time, it has never been so urgent, as it is today, that there be a strong, re-invented United Nations within a strong system of global governance.

An expanded and stronger concept of global governance is currently under development. The Commission on Global Governance concluded in its final report that:

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[10] Joanne Landry of the Campaign for Peace and Democracy, statement at the plenary on intervention and peacemaking at the conference on **The Fate of Democracy in an Age of Globalization**, Wellesley College, Wellesley, Massachusetts, 15 March 1996.

[11] Thandiwe Dodo Motsisi, **The Role of NGOs in Civil Society: Common and Opposing Interests in South and North**, paper delivered to a seminar of the same title at the WSSD, NGO Forum, Copenhagen, 6 March 1995.

[12] Martin Khor, **A Greater Need for the UN in a Liberalizing, Globalizing World**, NGO campaign flier, Third World Network, September 1995; see also the Global Policy Forum World Wide Web pages on socio-economic analysis of globalization and the crisis of the UN: http://www.globalpolicy.org; and also: **Global Structures Convocation: Human Rights, Global Governance and Strengthening the United Nations**, Washington, D.C., February 1994.

[13] UNRISD, **States of Disarray**, op. cit.

[14] Global Policy Forum, **UN Financial Crisis Chronology: August 1994-February 1996**, New York, February 1996.

> Governance is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and régimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest.... At the global level, governance has been viewed primarily as intergovernmental relationships, but it must now be understood as also involving non-governmental organizations (NGOs), citizen's movements, multinational corporations, and the global capital market. Interacting with these are global mass media of dramatically enlarged influence.[15]

The authority and competence of the state, however, is also being challenged by globalization. As national and international government declines in authority and international economic institutions leap into the space of government, civil society not only has to grapple with what a democratic system of global governance may look like, but has to do so in the absence of active players willing and able to take on the executive roles of governance. Along with the incompetence of the state to deal with global issues, some civil society activists perceive a failure of will. Criticizing the inadequacy of government responses to plant genetic resources at the FAO Leipzig Conference on Plant Genetic Resources in June of 1966, Pat Mooney of the Rural Advancement Foundation International (RAFI) commented that if governments refused to govern on this issue they might want to consider joining the non-governmental groups on the other side of the floor.[16]

With the decline of the authority of the state and increasing national and international levels of social crisis, there are loud calls from civil society for the stronger imposition of global governance (usually meaning the UN and its agencies) to balance the newly empowered economic governance to protect "free trade" of the WTO and international business. Responding to the formation of the WTO, five international development groups based in England[17] made the case for the regulation of international business through the imposition of existing multilateral agreements and the revitalization of appropriate UN institutions and initiatives. Soon after, the New York-based international women's group, the Women's Environment and Development Organization (WEDO), produced a set of six educational primers on the implications for women and local issues of the new macro-economic trends and institutions, principally TNCs, the WTO and the World Bank.[18] Apart from several specific campaign recommendations, the WEDO primers also made recommendations to strengthen the political governance institutions of the UN and its agencies, and to implement existing international agreements. Myriam Vander Stichele of the Transnational Institute has argued that "[t]he power of transnational corporations has dominated most of the discussions among NGOs during the Commission on Sustainable Development (CSD) so far".[19] And Barbara Bramble, Director of International Affairs for the National Wildlife Federation/US, at a speech to the 1996 session of the Commission on Sustainable Development, called for international controls and regulations to be established for the conduct of international trade

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[15] Commission on Global Governance, **Our Global Neighbourhood: The Report of the Commission on Global Governance**, Oxford University Press, New York, 1995, pp. 2-3.

[16] Pat Mooney of the Rural Advancement Foundation International (RAFI), quoted at the **International Technical Conference on Plant Genetic Resources**, Leipzig, Germany, 17-23 June 1996.

[17] Riva Krut and Harris Gleckman, **Business Regulation and Competition Policy: The Case for International Action**, Christian Aid, London, June 1994.

[18] WEDO, **Codes of Conduct for Transnational Corporations**, Primer No. 1 was produced for the WSSD, March 1995; a subsequent edition of this primer together with five more were produced for the Fourth World Conference on Women, Beijing, September 1995.

[19] Myriam Vander Stichele of the Transnational Institute, "TNCs run amuck", in **ECO/CSD**, 29 April 1996, p. 1. The ECO newsletter has been co-operatively produced by citizens' groups since 1972 at all major international conferences.

in order to assure that the goals of sustainable development are fostered rather than crippled by globalization.[20]

As the Commission on Global Governance has observed, some of the issues that globalization has created for global governance are quite new. There are clearly, for example, transboundary or international dimensions to environmental problems, population, women's rights, human rights, social development and food security. A good example of a completely "modern" issue of global governance is provided by trade in human cell tissue, a market with substantial commercial interests, unpredictable military consequences, complex moral implications and unknown long-term human implications. In the words of co-author Mark Harrington, "[t]his is an example of how our "enlightened" concept of development still harbors the destructive seeds of colonialism" (see box 1).[21]

Without doubt, if not for the vigilance and persistence of civil society, many of these issues would not have reached international attention. The work of the Canada-based Rural Advancement Foundation International (RAFI) on the trade in human cell tissue is a case in point. Here is a non-governmental organization systematically and creatively assembling disparate information from around the world and presenting a major new international public policy outrage where the forces of the market and the military are set to offend ethical values, circumvent binding intergovernmental agreements, and upset natural human genetic diversity, by the commercialization of indigenous peoples' genes. RAFI's resources are a small budget and the commitment of its staff. Their tools are the media and appeals for the implementation of existing international intergovernmental agreements and the creation of new ones — despite the fact that the very existence of this trade indicates that these agreements can be ignored as often as they are applied. The challenge raised by RAFI to the intergovernmental process is highly relevant: there is a job of global governance to be done, and both civil society and governments have discrete parts to play.

Box 1
New dilemmas for global governance: The trade in human cell tissue

A report by the Rural Advancement Foundation International (RAFI) describes how human tissue collected by scientists from indigenous peoples in Peru, Papua New Guinea, Colombia, the Philippines and the Solomon Islands is being used for US military research and also sold to pharmaceutical interests. Fragments of human DNA have sold for up to US$ 70 million and some human cell line patents have been valued at more than a billion dollars. The report claims that prominent individuals in the US military have commercial interests in the sales.

The report calls for:

- the Convention on Biological Diversity to establish strict regulations regarding the collection, exchange and investigation of biological diversity, in line with its legal responsibilities;
- the 4th Review Conference of the Biological Weapons Convention in Geneva in November 1996 to ensure that civilian medical research is kept separate from bio-warfare research;
- a halt to further collection or exchange of human tissues across international borders until protocols are in place;
- a halt to initiatives such as the Human Genome Diversity Project — an international effort to collect and immortalize human cell lines from indigenous communities.

While the activism of civil society has also catalyzed international UN conferences, its capacity to affect global issues depends in many cases on the strength of the international political system to act effectively, and, as the current string of international conferences ends, there are real questions about how civil society will raise global issues in the coming period.

[20] Barbara Bramble, **The Future of the CSD or Bringing Agenda 21 into the Twenty-First Century**, statement on behalf of the National Wildlife Federation/US at the High Level Segment of the Fourth Session of the Commission on Sustainable Development, United Nations, New York, 2 May 1996. Bramble suggests that national regulation, monitoring and enforcement should encourage "voluntary" corporate initiatives.

[21] Edward Hammond and Mark Harrington, "New questions about management and exchange of human tissues at NIH: Indigenous cells patented", **RAFI Communiqué**, March/April 1996.

Debate has begun about the shape, form and future authority of institutions of international political governance.[22] But there has been far less thinking on the role of civil society as an actor in global governance. The star of civil society is clearly ascendant. Civil society organizations proliferate at international and grassroots levels. They are increasingly visible at international conferences, where in many cases they were responsible for setting the agenda in the first place.[23] In many parts of the UN, they are being welcomed as legitimate contributors to global governance, as integral to the United Nations and its mission,[24] and, in many cases, as more efficient providers of social and humanitarian services than the state. For this latter reason, they are attracting ever more funding as development money is channeled away from national political entities and towards the voluntary sector. But the question of the mandate and competence of civil society in the face of this very large challenge is not clear, and Joanne Landry's cautionary note, cited above, should be heeded: civil society may not be mature enough to meet it.

Given the proliferation of NGOs involved in global issues, the new optimism for their role, and the complexities of community building, the question of the role of civil society in global governance remains crucial. This paper is structured around three related questions.

- Representation and participation: Who and what are civil society organizations? Who do they speak for? What is the agenda of civil society in global governance issues?
- Access: What access does civil society have to global governance? Broadly speaking, if the door is being opened at the United Nations, this is clearly not the case at the gates of the World Trade Organization or TNCs.
- Strategies and Impact: Given their uneven access to the institutions of global governance, what impact can civil society organizations or actors have? What can they achieve? What strategies are currently in place? Where are there new models of civil society working together, with what results?

2. Participation and Representation

What is an "NGO"?

Non-governmental organizations, as a category of organizational entities, were created at the founding of the United Nations. The category was invented in order to describe a specific relationship between civil organizations and the intergovernmental process, and since then the term has been loosely applied to any organization that is not public. Outside of the United Nations process, these NGOs might be better called civil society organizations (CSOs).[25] In fact, there is a host of names and acronyms that have been developed to separate out different types of NGOs, who often have competing interests.

The term NGO is privative: it defines groups by what they are not, rather than what they are.[26]

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[22] Commission on Global Governance, **Our Global Neighbourhood**, op. cit.

[23] James Gustave Speth, Administrator of UNDP, speech to the Women's Caucus on International Women's Day, WSSD, Copenhagen, 8 March 1995.

[24] Boutros Boutros-Ghali, speech to the DPI Annual Conference, United Nations, New York, September 1995.

[25] There is debate about the use of descriptive terms for civil society that this paper does not try to resolve. The term global CSO is used loosely to describe civil society organizations that are interested in issues of global governance, development and democracy. The term NGO is used here mainly in reference to the UN.

[26] Stephen Toulmin, **The Role of Transnational NGOs in Global Affairs**, paper presented to the conference on The UN and Japan in an Age of Globalization, Peace Research Institute, International Christian University, Tokyo, November 1994, p. 8.

As a set of entities, civil society might be considered as "a sphere of social interaction between the household and the state", characterized by "community co-operation, structures of voluntary association and networks of public communication".[27] Civil society is therefore separate from the household, the state and political parties, but a strong civil society depends on a strong state, even though it is perceived as being, and in many cases is, in opposition. Civil society can be a crucial contributor to democratization because it enables and widens participation, protecting citizens against the abuse of state power and guaranteeing the political accountability of the state.

As the pace of globalization has accelerated, issues such as population and environment have become more apparent and turned into global policy issues. Other issues, such as women's rights or farmers' rights, have also received increasing prominence. CSOs have marked out these new issues for global attention, and they can use intergovernmental fora, such as the UN, as entry points for political change. They have been able formally to get issues onto the international agenda. The most visible expression of their role has been in the growth of NGO participation in international and UN conferences.

CSOs are also playing a growing role in finding on-the-ground solutions to these issues. With the end of the Cold War, international development aid is increasingly bypassing national governments and going directly to local, national and international CSOs. In 1992 the OECD estimated that 13 per cent of all development assistance (US$ 8.3 billion) was channeled through CSOs, and this amount is increasing. The amount of US overseas development assistance passing through private groups doubled from 1993 to 1996. Whereas governments previously funded development (and state stability) first and human rights (and relief/emergency aid) second, it now tends to be human rights (that now includes privatization) first and development later.[28]

Who do NGOs Represent?

NGOs have become important actors in the national and international community over the past 50 years. The broadness of the term, however, carries with it some complications. As is frequently pointed out, it can be used quite loosely to describe any association of people, from youth groups to the Mafia, from the Roman Catholic Church to Greenpeace, from the International Chamber of Commerce to an agricultural co-operative in rural India. It includes organizations that are operational, providing services such as Oxfam, and those that are more advocacy-based, such as Third World Network. The term makes no distinction between broad membership-based organizations and small ones lead by inspired individuals. It does not distinguish between associations of citizens and organizations of capital, or between NGOs that work in co-operation with the state or those that seek to overthrow it. It fails to distinguish between the "big eight" that control half the US$ 8 billion market for NGOs[29] and the tens of thousands that struggle for funding.

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[27] Michael Bratton, **Civil Society and Political Transition in Africa**, Institute for Development Research, Working Paper No. 10, Boston, 1994.

[28] Antonio Donini, "Bureaucracy and the free spirits: Stagnation and innovation in the relationship between the UN and NGOs", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, a special issue of **Third World Quarterly**, Vol. 16, No. 3, 1995, pp. 421-439. These papers were originally produced for a conference of the same title held at York University, 10-11 April, 1995; they have also been published, under the same title, by Lynne Reinner Publishers, Boulder, 1996.

[29] The "big eight" are: CARE; World Vision International; Oxfam; MSF (Médecins Sans Frontières); Save the Children Federation; CIDSE (Coopération Internationale pour le Développement et la Solidarité), the Coalition of Catholic NGOs; APDOVE (Association of Protestant Development Organizations in Europe); and Eurostep (Secular European NGOs).

The alphabet soup

The difficulty of distinguishing between NGOs has generated a lexicon of descriptors, reflecting some of the debates that characterize attempts to delimit this community (see box 2). It also creates confusions. CONGO, for example, refers not to the country or even to Africa, but to the Congress of NGOs, a group of ECOSOC-accredited NGOs. The box captures some of the acronyms current in a fast-changing NGO-speak.

Various attempts have been made within the CSO community to replace the term NGO with something more positive than privative, and which makes some distinctions between NGO groups, particularly on the grounds of money and power. The 1995 Mohonk Declaration made a distinction between organizations created for the public good (that are included in its definition of a CSO) and those created for the pursuit of profit (that it excludes).[30] Among grassroots groups, the term CBOs, for Community-Based Organizations, is popular. The Council for a Strong United Nations suggests the positive Dutch term *maatschappelijke organisaties*,[31] a term suggesting community or friendly or mutual society. John Hontelez of Friends of the Earth-International proposed ECOs: Ecological Citizens Organizations. Jan Wiklund of Friends of the Earth Sweden suggested *folksrörelser*, based on the traditional Swedish concept of a people's movement, which gets around complexities of ECOs, which contains three limiting concepts — citizens, organizations, and ecology. Friends of the Earth has noted that acronym ECO could also stand for Environmental Community Organizations, and that it is a legitimate answer to a complex issue: "We were looking for a better description of what are nowadays referred to as NGOs, predominantly in international fora, but also increasingly on the national level".[32]

Box 2
Acronyms that distinguish between different kinds of NGOs and related organizations

PINGOs	Public Interest NGOs
BINGOs	Business and Industry NGOs
INGOs	Individual-based OR International NGOs
QuNGOs	Quasi-government NGOs
ENGOs	Environmental NGOs
GONGOs	Government-organized NGOs
GRINGOs	Government-run NGOs
DONGOs	Donor-organized NGOs
CONGO	Congress of NGOs — a group of NGOs with consultative status with ECOSOC
ANGOs	Advocacy NGOs
NNGOs	National NGOs
ONGOs	Operational NGOs
DINGOs	Australian NGOs
CBOs	Community-based organizations
CSOs	Civil Society NGOs
POs	Private organizations or peoples' organizations
PVOs	Private voluntary organizations
SHOs	Self-help organizations
GROs	Grass roots organizations
GRSOs	Grassroots support organizations that incite and support GROs
SHPOs	Self-help support organizations
GSCOs	Global social change organizations
ECOs	Ecological citizens organizations or

[30] UN, **Report of the Seminar on the Involvement of Civil Society in the Follow-up to the Social Summit**, Mohonk Mountain House, New York, 22-23 June 1995.

[31] UN General Assembly, Economic and Social Council, Forty-ninth session, Substantive Session of 1994, Agenda item 10, **Report of the Economic and Social Council**, (report of the open-ended working group on the review of arrangements for consultations with non-governmental organizations), A/49/215 E/1994/99, 5 July 1994.

[32] Jan Wiklund and John Hontelez, "Of NGOs, ECOs and SMOs", **LINK 71**, March/April 1996, p. 21.

	environmental community organizations
SMOs	Social movement organizations

NGOs in Global Governance: The UN Experience

> Accordingly, our respective Governments...have agreed to the present Charter of the United Nations and do hereby establish an organization to be known as the United Nations.
>
> *UN Charter*

The opening words of the UN Charter reads: "We, the peoples...." The earlier attempt to establish a global organization, the League of Nations, began with the less interesting phrase, "The High Contracting Parties..." Despite its retrospective appeal, the phrase, "We, the peoples", was added as an afterthought — the people are rarely mentioned in the remainder of the document.[33]

The UN Charter refers to people again in Article 71, providing for the Economic and Social Council (ECOSOC) to arrange consultation with NGOs concerned with matters within the competence of ECOSOC. Fifty years after the formation of the UN, there are now just over a thousand NGOs with consultative status. The Charter, however, gave NGOs no means of consultation with the General Assembly, the Security Council or the International Court of Justice, even though NGOs have long demonstrated an interest in issues such as peace and security.

In the 1990s, this picture is changing dramatically. NGOs are now involved at levels previously unimaginable within the UN process, from the delivery of humanitarian relief to policy advice on global environmental management. International conferences have catalyzed a spectacular growth in sheer numbers of organizations interested in playing a part in global decision-making. Apart from the UN system, civil society organizations (CSOs) have proliferated at national and local levels, and new opportunities have emerged for their involvement in the international arena. There are several reasons why NGOs have been increasingly active at the UN. First, the NGO Forum at international UN conferences has become an active site of NGO organizing. Second, the UN needs support from civil society and has welcomed NGO participation at a higher level than before.

The State of Civil Society in Global Governance

Chorus or cacophony of voices?

Any assumptions that global civil society is homogenous will not withstand even the most superficial scrutiny. Like any community of people, its members and organizations vary enormously in terms of age, experience, gender, access to various resources, and basic interests. There are very little data or basic descriptive material on international civil society.[34] One attempt has been made to establish data about the international NGO community in relation to the UN system. In 1994, the Royal Ministry of Foreign Affairs of Norway commissioned a study of international civil society access to global governance. This study surveyed 500 NGOs that go to, or wish to go to, international UN conferences, over the period from late 1994 to March 1995, and was published as a report, **Democratic Global**

[33] Erskine Childers with Brian Urquart, **Renewing the United Nations System**, Dag Hammerskjold Foundation, Sweden, 1994, p. 171.

[34] This is one of the major concluding comments of Leon Gordenker and Thomas Weiss in their article entitled "NGO Participation in the international policy process", the summary essay in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit., pp. 543-555.

Governance: Report of the 1995 Benchmark Survey of NGOs.[35] The **Benchmark Survey** provides the best snapshot of the demographics and perceptions of the international NGO community that exists at this time.

The size of the international NGO community changes daily. A full accounting would include those that are formally connected to the process of intergovernmental debate, principally those with consultative status with ECOSOC or other UN Agencies. But it would also have to include a plethora of other NGOs that are unaccredited and find a way to come to these meetings; and unaccredited and accredited NGOs that do not come to these meetings but feel they have an international mandate. Accredited international NGOs that do not come to intergovernmental meetings include, for example, the Union of International Associations, based in Brussels: "over many years our own position is basically now one of avoiding any attempt at being heard at such [international intergovernmental] events".[36]

In other cases, particularly for poorer grassroots organizations, non-attendance at international events may be caused by lack of funds, not lack of interest. An Indian secretary of a grassroots organization, with 9 years experience with his NGO, got the survey from his donor organization, an ECOSOC-accredited large international NGO based in the UK. He commented: "Ours is a grassroots organization. We would love to attend official inter-governmental conferences though we did not have the opportunity so far". Later, he comments: "Money is the major constraint for small and grassroots NGOs, though they are very active". This perspective recurs frequently in other responses from grassroots NGOs. Many of their most talented members leave to seek higher paying jobs in other sectors.

Despite the appearance of tremendous instability in the NGO population as a whole, it was interesting that a third of respondents of the **Benchmark Survey** were in their forties. Fifteen per cent had international experience from before the 1980s. A quarter had international experience from 1980-1989, and another quarter from 1990-1993. This was true of respondents from both developed and developing countries.[37]

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[35] Some 350 responses came from NGOs at the NGO Forum at the World Summit for Social Development, Copenhagen, March 1995. See Benchmark Environmental Consulting and Royal Ministry of Foreign Affairs, **Democratic Global Governance: Report of the 1995 Benchmark Survey of NGOs**, Oslo, Norway, September 1996, referred to in this paper as the **Benchmark Survey**.

[36] Anthony Judge, Assistant Secretary General, Union of International Associations, letter to Riva Krut/Benchmark Consulting, 25 October 1994.

[37] In the **Benchmark Survey**, demographics of the respondents were sorted against six indicators, three for the individual and three for the individual's organization. These six independent variables were based on (1) gender, (2) age, (3) years of personal experience in the international arena (year of first international conference), (4) location of the organization (developed country, developing country, or country in transition), (5) organizational accreditation status (consultative status with ECOSOC, accredited to another UN system agency but not ECOSOC, not accredited), and (6) organizational size (see **Benchmark Survey**, pp. 7-10).

Within the male and female respondent population, the age range was similar. 40 per cent were over 50 years of age, 33 per cent in their 40s, 25 per cent in their 30s, 12-13 per cent under 30. The ages of respondents did not differ much between Northern and Southern countries, although there were more older respondents (over 60) within the Northern than the Southern respondent population.

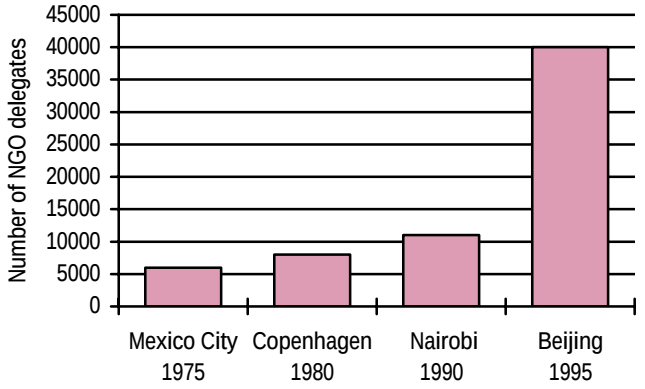
Respondents from developed and developing countries both had a large degree of recent experience in participation at international conferences, though respondents with more prolonged experience (active since before 1980) come predominantly from Northern countries. Respondents represented organizations of all sizes, from those smaller than 99 members to those over 10,000 members. A high proportion (43 per cent) of the non-accredited NGOs had large memberships (over 10,000 members).

Respondents came from some 100 countries and all major regions. Using the UN geographic definitions, of the 440 respondents to this question, 54 per cent were from developed countries, 43 per cent from the developing countries, and 2 per cent from countries in transition. Survey data provide a

UN global conferences

Some women's groups have been involved with the UN system for decades. At the first World Conference on Women in Mexico City in 1975, 2,000 government delegates and 6,000 NGO delegates attended. Five years later, 8,000 NGO delegates went to the 1980 women's conference in Copenhagen. In Nairobi in 1990 there were 11,000. In 1995, Beijing hosted the Fourth World Conference on Women; 40,000 NGO delegates attended, along with 6,000 governmental delegates. Over the course of four conferences in 20 years, the number of government delegates to the international conferences had merely tripled while the number of NGOs had increased more than sixfold (see figure 1).

Figure 1
NGO delegates at international women's conferences



Since 1990, the UN has hosted a number of international conferences, covering issues such as environment, human health and urban development. Each conference adopted and applied rules for NGO participation. Within the UN system this has caused some confusion. NGO consultations are allowed under UN Resolution 1296, which governs ECOSOC-mandated meetings. The UN Commission on Sustainable Development, for example, defines nine major groups of NGOs, which include youth, women, industry, labour, and environment groups, and each has representative status at the CSD. This resolution does not apply to conferences called by the General Assembly, hence the variety of accreditation programmes for the global conferences. To compound the problem, arrangements for accreditation are different in other UN-affiliated bodies as well, such as the World Health Organization and the International Labour Organization.

Despite the complexity of rules for access, the CSOs have high hopes for their role in the process. (Otherwise, why would 40,000 women go to Beijing?) After decades of antipathy towards the UN, there is a renewed interest from CSOs to get involved. Human rights groups, for example, have asserted themselves in the UN bodies, most conspicuously at the 1993 UN Conference on Human Rights in Geneva.

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sufficiently large sample and geographic distribution from developed and developing country NGOs to analyse possible differences between their political behaviour and perceptions.

Thirty-eight per cent of respondents had consultative status with ECOSOC or another UN agency, and 62 per cent were non-accredited NGOs. Of those surveyed who work for accredited organizations, just under two thirds have consultative status with ECOSOC, and just over one third with other UN agencies. The actual proportions of accredited to non-accredited NGOs operating in the international arena is unknown. Survey data provide a sufficiently large sample and geographic distribution from both populations to analyse the differences in political behaviour and perceptions between accredited and non-accredited NGOs. Data also make clear the new demographics of civil society active at international UN conferences, and the challenge to the hegemonic position of ECOSOC NGOs there.

New UN needs from CSOs

In its current form, the UN is unable to carry out all the tasks given to it by an unstable world. Urbanization, migration, poverty, displacement, the breakdown of the family and ethnic identity, civil war: these are now endemic in many parts of the world.[38] Economic and communications globalization can bring about major and enduring social fractures. In addition, the relative authority of the UN has declined dramatically in relation to finance and trade institutions, such as the World Bank and the World Trade Organization, and these institutions often do not collaborate closely with the UN. The UN's financial crisis has exacerbated its problems. The UN is thus in need of allies both to perform its operational tasks and to increase its legitimacy and status in the new global power-play. CSOs and NGOs can be those allies.

In this context, it is not surprising to see new relationships being brokered by the UN and international civil society that can give the UN more moral authority and political relevance. Former UN Secretary General Boutros Boutros-Ghali acknowledged this relationship in ways that many received with astonishment because they are so new:

> Non-governmental organizations are a basic form of popular representation in the present-day world. Their participation in international relations is, in a way, a guarantee of the political legitimacy of those international organizations. It is therefore not surprising that in a short space of time we have witnessed the emergence of many new non-governmental organizations.[39]

This collaboration, however, is changing the roles that organizations and governments play, such as in the area of humanitarian relief. National and international humanitarian relief passes with increasing frequency through NGOs. UN officials acknowledge that they cannot supply relief and undertake peace-keeping operations without help from outside groups. This is creating a set of complex issues for all parties: What are the implications of this new relationship between the UN and service-providing or "operational" NGOs? Are we witnessing a takeover of national social service functions by NGOs in countries where the state has collapsed? What are the implications for reconstruction, for democracy and for national sovereignty?[40]

At the same time that the UN is welcoming NGO access, some global CSOs increasingly see the relevance of their work in relation to the new international economic agenda and its institutions. In many places the political decisions of the state are strongly influenced by economic actors, be they transnational corporations or international financial institutions — and in these areas, CSOs have little access and very few procedures for participation and influence.

While the UN is the international governance institution where NGOs have the longest history, the relationship has only blossomed in recent years. Although the arrangements are still in flux, there is access with active participation and representation. This history, particularly the recent relationships between the UN and NGOs, holds lessons for broader questions of how best to integrate NGOs and the interests they represent into global governance.

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[38] UNRISD, **States of Disarray**, op. cit.

[39] Boutros Boutros-Ghali, speech to the DPI Annual Conference, United Nations, New York, September 1995.

[40] Antonio Donini, statement at the conference on **The Fate of Democracy in an Age of Globalization**, Wellesley College, Wellesley, Massachusetts, 15 March 1996; see also "New tasks for the aiders", **The Economist**, 22 June 1996, p. 44.

Power relations within the NGO community

Within the global NGO or CSO "community" there are vast discrepancies of power between NGOs, frequently reflecting a North-South split, and there are strong differences in perception between Northern and Southern groups about the role of civil society. Naturally the flow of funds to the largest international NGOs, all of which are headquartered in North America or Western Europe, create structural problems for CSOs elsewhere. Access to these NGOs in itself becomes a strategic issue (see section 3), but it also creates a major problem for the question of representation.

Further, prejudices of racism, sexism and colonialism still endure. At the World Summit for Social Development in Copenhagen in March 1995, The Norwegian FORUM sponsored a seminar on **NGO's Role in Civil Society — Common and Opposing Interests?** The workshop was so crowded that the room had to be changed and even then, people had to be turned away. In the end, some 300 people crowded in to hear a structural critique of fractures in the NGO community caused by Northern NGO attitudes of racism, patriarchy and colonialism.

The view from the South presented at this seminar was clear: that Northern attitudes to the South and to Southern development issues and Southern civil society organizations are characterized by a mixture of sensationalism and romanticism designed to provoke feelings of guilt and charity. Neither the image nor the reaction are based on any understanding of the conditions of the South, and Northern interventions therefore simply perpetuate structural Southern underdevelopment and dependency.

Thandiwe Motsisi, a South African and member of the International South Group Network (ISGN), has outlined two paradigms of civil society work: the charitable model and the transformative model. The charitable model fails to recognize the capacity of communities for transformation, and works within the "neo-liberal paradigm of global development [that] continuously undermine[s] the activities of those NGOs which struggle against racism, gender-based oppression and marginalization of people with disabilities, children and elderly in society".[41] As an example, she cited the donation by World Vision of bibles valued at US$ 1.5 million to the Mozambique people at the height of the Frelimo/Renamo conflict in 1984-85, when the Frelimo government had asked for food aid.

The transformative model is collectivist at its roots. It often starts with a local focus group and the building of community assets, and may gradually extend its links to a wider community and potentially also to wider issues, without losing its original *raison d'être*. Motsisi calls for more transparency from Northern NGOs to their Southern counterparts, more accountability, and more appropriate support. In this view, Southern NGOs and NGOs that work within the transformative model that is participatory and empowering have more to teach the dominant NGOs that function from the charitable paradigm.[42]

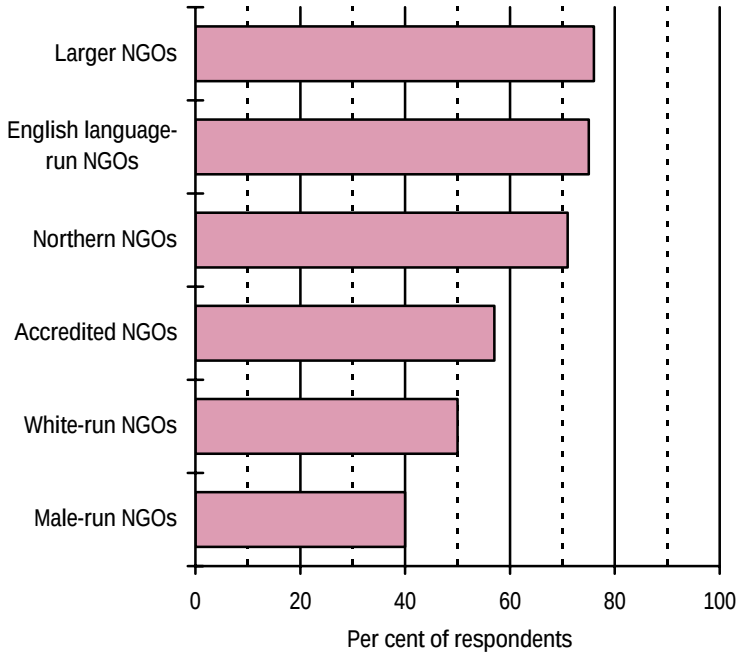
The **1995 Benchmark Survey of NGOs** asked NGOs whether they felt restricted by any of the following: larger NGOs, English-language run NGOs, Northern NGOs, accredited NGOs, white-run NGOs, or male-run NGOs. The range of "yes" responses was consistently between 40 and 76 per cent — even staff from these types of organizations recognized this as a problem. The organizations of greatest concern to the respondents were the larger NGOs, English-language run NGOs and Northern NGOs: identified as dominating by 76 per cent, 75

[41] Thandiwe Dodo Motsisi, **The Role of NGOs in Civil Society: Common and Opposing Interests in South and North**, op. cit.

[42] Also see Peter Uvin, "Scaling up the grassroots and scaling down the Summit: The relations between Third World non-governmental organizations and the United Nations", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit., pp. 495-512.

per cent and 71 per cent of respondents respectively. Less problematic but still "dominating" were the other possible options — accredited NGOs (57 per cent), white-run NGOs (50 per cent) and male-run NGOs (40 per cent)[43] (see figure 2).

Figure 2
NGO perceptions of dominance within the NGO community



Within this picture of inequity and frustration, several points should be made. First, there were no statistically significant variations in these perceptions within the key sub-communities surveyed. In other words, Northern and Southern NGOs, large and small, whatever racial origin or gender, the majority of NGOs share this perception. Second, the key issues appear to be North-South concerns (larger NGOs, English language NGOs and Northern NGOs and accredited NGOs) and other forms of dominance (English language NGOs, white NGOs). Sexism was a relatively less significant feature, but with 40 per cent of respondents still a significantly high proportion of NGOs — and there were no significant differences between male and female perceptions on this point.

Equity of representation is a key issue in the movement towards a democratic civil society. Survey results such as these could subject the NGO community to criticism on the grounds that its own house is not in order. Since inequality at all levels is an issue that civil society feels is important, it should receive greater attention within the CSO community.

While creating links between civil society organizations, globalization also creates different economic realities that are fraying relationships between Northern and Southern NGOs. Martin Khor has noted that, at the final meetings of the GATT ministers in the first half of 1994, questions emerged on international labour standards. At issue was whether lower labour standards and costs in the developing world provided an incentive for foreign investment, and whether this would result in unemployment in the North as jobs flowed to the South. Khor argues that these questions were raised by Northern governments (the US and France) and unions, and appeals made for support to Northern NGOs, on the grounds of minimum labour standards. Khor's position is that the intention was "to prevent or reduce the inflow of cheaper

[43] **Benchmark Survey of NGOs** op. cit., pp. 26-28.

Third World products into their markets, and thus protect their jobs" — a tactic that needs to be understood in light of deep problems of structural unemployment in the North and attendant concerns about social stability and economic welfare there.[44] In consequence, some views are very pessimistic about the possibility of building enduring links between Northern and Southern civil society at all.[45]

The transformative model does not exclude Northern civil society organizations or Northern funders, but does set terms for their use. In one case, a Zimbabwean women's organization refused outside funding completely until it was sure it could overcome the dependency such aid could bring.[46] The "trickle up" effect of building from the local to the global can be effective. Wangari Maathai, a Kenyan former university professor, began organizing a tree planting initiative to halt the desertification that threatens food and water supplies in her country. The resulting Kenya Green Belt Movement has grown to over 1,500 nurseries and 50,000 members, who have planted over 10 million trees.[47] Maathai notes the role of the local in addressing global issues, including desertification, resource depletion and in challenging foreign investment practices and their connection to a corrupt political élite:

> The philosophy behind the movement was to try to make people plant trees because they saw the need for it. We started with helping people plant trees for their own needs.... It is like starting with a very local concern, and then moving to the community level, national level, and then global level. There are many of us who plant trees because we are concerned about the global changes, but it has to start from personal needs. And we are still very much at the personal level.[48]

There are also disagreements on what constitutes democratic and/or effective participation in international decision-making, not only on Northern vs. Southern lines. Historically, for example, Greenpeace has not favored coalitions and networks with other NGOs, is highly campaign-driven, and highly effective at different times at all points along the decision-making spectrum. The organization's perspective is illuminated in the discussion about the formation of an Environmental Advisory Council of NGOs (EAC) to the OECD (see section 4). Greenpeace argued against its creation on the grounds that such a body was exclusive, and that any interested party should be allowed to attend. However, it is also the case that the perspective of Greenpeace comes from its position as, in its own words, a "large" NGO — and a relatively powerful one. While its model of participatory democracy may in theory allow more people to fill up the "back of the room" in international decision-making, it may not allow new and weaker NGOs entry at all. Nevertheless, direct and participatory democracy remains a strong model for smaller, developing country NGOs.

Alliances

Several initiatives are in progress to create alliances that overcome such problems in form and in substance. The International NGO Forum (INGOF) conference is one example of a process to facilitate North-South dialogue. In March 1995, INGOF called a meeting in Manila of 77 representatives from NGO networks to continue discussion of effective co-operation. **Meeting the Challenge of the Emerging Global System**, a document outlining networking strategies

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[44] Martin Khor, "The World Trade Organization, labour standards and trade protectionism", in **Third World Resurgence**, No. 45, reprinted as **Third World Network Briefings for the Social Summit**, No. 2, TWN, Penang, March 1995.

[45] Yash Tandon, presentation to the seminar on **The Role of NGOs in Civil Society: Common and Opposing Interests in South and North**, WSSD NGO Forum, Copenhagen, 6 March 1995.

[46] ORAP, the Organization of Rural Association in Progress in Zimbabwe, cited in Motsisi, op. cit.

[47] Jennifer Mitchell, "Women and natural resource management in Sub-Saharan Africa", **Courier**, No. 154, November-December 1995, pp. 58-59.

[48] Steve Lerner, "The Green Belt Movement in Kenya - Interview with Wangari Maathai" **Beyond the Earth Summit: Conversations with Advocates of Sustainable Development**, Common Knowledge Press, Bolinas, California, 1992.

for international action, was drafted. This document suggests three areas of concentration: enhancing the capacity of regional and national NGOs to work together; identifying gaps where there is no strong international network dealing with a specific issue; and building alliances through creating a co-operative structure.[49]

Similar sentiments were expressed by an informal working group of Southern environmental NGOs discussing global civil governance. A key recommendation was that Northern NGOs working in the South first take stock of the existing capacity there, and build on that, to achieve mutually agreed objectives, rather than simply establishing new structures and personnel that either duplicate existing services or functions, or disempower the local capacity to provide these in the short- or the longer term.[50] This model could be extremely powerful. Friends of the Earth International, for example, has affiliate organizations in over fifty countries. In Indonesia, its affiliate is WAHLI: Wahana Lingkungan Hidup Indonesia, the Indonesian Forum for the Environment. WAHLI in turn is a network of some 300 NGOs who are active in a range of environment-related activities in Indonesia as well as regionally and internationally.[51] Such a network could, in principle, allow NGOs to network quickly and effectively and make links between local and global principles and campaigns.

The revolution of power

The desire of people to be involved in the management of their affairs, the need to be active in areas where government is unable or unwilling to act, and the development of new communication technologies that convey information broadly and help people interact across national borders are encouraging what some have called a global associational revolution. This is fueled by the realization that so many issues requiring attention are global in scope.[52]

Despite its complexity and contradictions, the international CSO community sees itself — and is increasingly seen by governments — as representative of embryonic institutional structures that could define a different form of global governance, a model in which citizen action occurs both at local and global levels. In 1995, the independent Commission on Global Governance, comprised of 28 respected global leaders, came out with a report that explored the relationship between the declining role of the state and the emergence of civil society.

The Commission's thinking is replicated in many voices sharing a vision that civil society offers creative and appropriate new models for governance at all levels. There are, nevertheless, two quite different strands of thinking to this position. One set of players, including free market advocates, argue that CSOs are more effective at public service delivery than the state or the intergovernmental apparatus. They view CSOs as "operational" service providers. A quite different view, and one that spurs the energies of many CSOs, is an advocacy position, often coming from an anti-free market ideological position.

The "efficiency" view is expounded by management guru Peter Druker. In a 1994 essay, "It profits us to strengthen nonprofits", he comments that governments have proved incompetent at solving social problems. Virtually every success, he says, has been achieved by nonprofits, who spend far less for their positive results than governments spend for failures (see box 3). This has become the dominant conservative ideology of state disengagement, privatization, competition, individualism and market liberalization, and it is expressed at many levels in international organizations and rich country donor institutions. It is quite interesting to note, as Peter Uvin does, that "one of the main reasons for the prominence of a discourse of

[49] INGOF, **Meeting the Challenge of the Emerging Global System**, Report of the International NGO Forum Networks Meeting, December 1995, Manila, Philippines.
[50] **Benchmark Survey of NGOs**, op. cit., p. 24.
[51] Martha Belcher and Angela Genning (eds.), **Southeast Asia Rainforests**. A Resource Guide and Directory, Rainforest Action Network, San Francisco, 1993.
[52] Commission on Global Governance, **Our Global Neighbourhood**, op. cit.

participation, empowerment and self-help [which is quite radical in nature] since the 1960s is the neo-conservative forces behind structural adjustment and privatization".[53]

Box 3
A free-market argument: "It profits us to strengthen nonprofits"

The nonprofits have the potential to become America's social sector — equal in importance to the public sector of government and the private sector of business. The delivery system is already in place: There are some 900,000 nonprofits, the great majority close to the problems of their communities. And about 30,000 of them came into being in 1990 (the latest year for which figures are available) — practically all dedicated to local action on one problem: tutoring minority children; furnishing ombudsmen for patients in the local hospital; helping immigrants through government red tape.... We now need to learn that "nonprofitization" may for modern societies be the way out of mismanagement by welfare bureaucracies.[54]

Harnessing the operational capacity of civil society is now big business. International CSOs are being brought into service delivery work in humanitarian relief work in war zones, reconstruction programmes and economic development programmes. Grants from the 21 country members in the OECD Development Assistance Committee (DAC) to DAC-country CSOs grew from 0.2 per cent of development assistance in 1970 to over 10 per cent in the 1990s. The UN Development Programme (UNDP) has changed its policy of granting funds for development assistance to include CSOs, not just governments, and the World Bank now routinely integrates CSOs into its development planning.[55] Much of the development assistance money flowing to CSOs goes through a small group of international CSOs to help carry out projects on the ground in developing countries.

It is also the case that funds for development activity are now flowing at an accelerated rate to large private companies. According to the US Treasury, between 1993 and 1995, the multilateral development banks channeled nearly US$ 5 billion to private US firms, including General Electric, General Motors, IBM, AT&T, Cargill and Westinghouse. In the view of Nicholas Hildyard, editor of **The Ecologist** in London, the multilateral development banks are using the private sector and multinational corporations, ostensibly to deliver development and social welfare, while really providing corporate subsidies.[56]

When used for operational purposes, international CSOs are often brought in because they may deliver services more creatively, more inexpensively and more effectively than the state or the intergovernmental apparatus — not to work on governance and policy arenas because of their claim to represent global issues. The overuse of operational international CSOs can be antithetical to democracy and development. In Mozambique, for example, some international NGOs have supplanted the local state apparatus in the provision of social services. This may inhibit the state's potential for reconstruction.[57] Based on observations like this, Joanne Landry of the Campaign for Peace and Democracy has taken the view that humanitarian

[53] Peter Uvin, "Scaling up the bottom and scaling down the top: The relations between grassroots organizations, governments, and the United Nations", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit.

[54] Peter Druker, **Managing in a Time of Great Change**, Truman Valley Books/Dutton, New York, 1995, pp. 273-278.

[55] Leon Gordenker and Thomas Weiss, "Pluralising global governance: Analytical approaches and dimensions", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit., pp. 371-372. Also see **Making Development Sustainable: The World Bank Group and the Environment, Fiscal 1994 Report**, The World Bank, Washington, D.C., p. 174.

[56] Nicholas Hildyard, "Public risk, private profit. The World Bank and the private sector", **The Ecologist**, Vol. 26, No. 4, pp. 176-178.

[57] Antonio Donini, statement on NGOs and global governance at the conference on **The Fate of Democracy in an Age of Globalization**, Wellesley College, Wellesley, Massachusetts, 15 March 1996.

intervention in national sovereignty, even in cases of severe human rights abuses, can impede the growth of local democracy and is justified only in the rarest of cases.[58] Landry also feels that using international CSOs to deliver humanitarian relief over long periods of time is undesirable because it reduces the capacity for local CSOs or CBOs to develop, and takes pressure off the state to take on the job of national governance.

Box 4
A Working Balance

NGOs should find a balance between providing services like health care, legal education, etc., and activities which enable people to lay claims for themselves in terms of rights, organization and space. If we concentrate on services, we assume people only need information and technical assistance. People must be involved in the deliberation of issues, because poverty makes people feel helpless.... it is important to revitalize their critical faculties.... Work with the grassroots must be re-invented and re-analysed.... ultimately we are accountable to the grassroots.[59]

A distinction needs to be made between the welcoming of international CSOs into global governance because they represent more effective service delivery capacity; and their welcoming on the grounds of democracy and participation, which could include service delivery work. Can international project-driven groups with purely operational functions and working almost entirely on public funds really be called NGOs or CSOs?[60] The basic model for global civil governance insists that there is a dialectic relation between service activities, lobbying work and civil governance (see box 4).

Business groups as CSOs/NGOs

Accountability is a key element of democracy, and it covers a range of expectations. Representatives of an issue or an institution need to be legitimately and authoritatively able to "represent" it to others. The question of what is a "legitimate" NGO, however, is variable. One of the biggest questions in this area relates to the representativeness of private business and industry groups (BINGOs), particularly trade associations. These groups technically are NGOs and are increasingly visible at international political events, but their credibility as representatives of civil society is frequently challenged.

Given the enormous economic disparities between big business and the global poor, the lack of distinction between groups associated for profit (BINGOs) and those associated for public interest (PINGOs) rankles NGOs struggling to put development issues on the international agenda. This problem was addressed, for example, at a preparatory committee meeting for NGOs in March 1995 for the Fourth World Conference on Women. The women's health organizations from the public interest sector adopted a resolution banning the participation of transnational corporations from their caucus meetings and asked that those organizations representing the infant formula, pharmaceutical, tobacco, pesticides and other industries meet in their own caucus in order to ensure that public interest NGOs were free to meet, reach consensus, set policy, plan and strategize without the presence and influence of organizations formed to protect the financial and business interests of their members. One NGO stated "it is unconscionable that people-centered groups should have to share their one channel to policy makers with profit-making concerns".[61]

[58] Joanne Landry of the Campaign for Peace and Democracy, statement at the conference on **The Fate of Democracy in an Age of Globalization**, Wellesley College, Wellesley, Massachusetts, 15 March 1996.

[59] Dina Abad, Executive Director, Philippines-Canada Human Resources Development Program, comment at the **InterAction Conference on Democracy**, Washington, D.C., 1995.

[60] Antonio Donini, "Bureaucracy and the free spirits: Stagnation and innovation in the relationship between the UN and NGOs", op. cit.

[61] WEDO, **Transnational Corporations in the United Nations: Using or Abusing their Access?**, Primer No. 2, New York, 1995.

The current loose rules of participation allow such a broad definition of NGOs that these can be abused by business groups. Noting the proliferation of representatives of transnational corporations (TNCs) at the UN as NGOs, WEDO produced a special education primer, **Transnational Corporations in the United Nations: Preventing Global Civil Governance**. It describes how the rules allow TNCs to masquerade as NGOs. Their disproportionate financial power gives their legitimate lobbying activity far more efficacy than that of other NGO groups. For example, once a business association has official NGO status, such as the International Chamber of Commerce, it can decide which business members participate on its behalf. This results in waste traders participating as ICC members in negotiations on follow-up strategies to the Basle Convention on the Transboundary Movement of Hazardous Wastes, and producers of ozone-depleting substances presenting the ICC position on issues related to the Montreal Protocol. More troublingly, some TNCs can use their disproportionate power and influence to shape UN opinion (see box 5).

Even the BINGO-PINGO distinction, however, is not always useful. There are as many varieties of size, political perspective and power within the BINGO community as in the PINGO community. Arguing that international corporations were exercising too much power and influence at the United Nations, the WEDO Primer was careful to distinguish between the reality that large firms have more resources to lobby effectively than small and medium-sized enterprises, which is one problem; and quite another problem of the illegitimate use of corporate power and influence at the UN — the abuse of their access as NGOs to intergovernmental decision-making.[62]

Box 5
Codex Alimentarius — International Standards for Food Quality

In 1963, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) jointly set up the Codex Alimentarius Commission (Codex), to establish food safety and quality standards, including standards for additives, pesticide residues, contaminants and labeling. Standards were originally meant to help developing countries improve health and environmental safety. Over the years, however, it has become apparent that Codex's decision-making processes were dominated by TNCs using Codex to legitimize standards, definitions and the composition of their own products. CSO research has brought to light the overwhelming degree of corporate involvement in setting standards to meet their own needs. The Uruguay Round trade negotiations elevated the Codex from a relatively minor body that recommended standards to governments to a critically important body that works for standards to be globally "harmonized" (made the same).[63]

Representing issues and/or constituents

> NGOs/CBOs expressing a desire to participate in the network should be able to do so without any exclusion for whatever reason. This will ensure as broad a perspective as possible.[64]

How do individual organizations or umbrella groups determine their issues and constituents? Groups that claim the right to exclude some organizations from the NGO community may define themselves with no reference to their UN status, but rather to the issue they "represent". An ELCI Survey of key member organizations asked respondents on what basis they felt they acquired their representative status as NGOs. Respondents were offered choices such as their ECOSOC or other UN status, the issue they represented, or self-definition. The overwhelming majority saw self-definition as their source of legitimacy. The other options received hardly any attention.[65] The debate among CSOs about rights to "representation" tends not to make distinctions between CSOs in the basis of differential power and money.

[62] ibid.
[63] ibid.
[64] ELCI, **Code of Practice for NGO Networks**, ELCI, Nairobi, 1996.
[65] Sheila Aggarwal-Kahn, ELCI Survey of their members prior to the Nairobi meeting, 7-8 March, 1996.

However, as has been noted, these disequilibria clearly are very strongly felt within the CSO community.

The inclusiveness and broadness of such notions of "representation" are shared by many CSOs. Many NGOs make broad claims to speak on behalf of a human or natural "constituency". Although the constituencies claimed are often marginalized groups, the very generalized claims are difficult to substantiate. Asked "who does your organization represent?", respondents to the **Benchmark Survey of NGOs**, for example, claimed very broad representivity, from "children" to "the excluded"[66] (see box 6).

Box 6
Broad Claims to Represent Human Constituencies

poor women	ordinary citizens	peasants
the old	unemployed people	youth and nature
workers	the oppressed	immigrant workers
the excluded	rural population	people of the world
students	children	
tenants	civil society	

From a procedural point of view, even the most supportive of governments and businesses, as well as established CSOs, may find it difficult to engage in direct negotiation with groups who make such broad claims. These groups cannot refer back to their membership for guidance, cannot agree or disagree with certain specific language on behalf of their constituency; and cannot commit their constituency to take any follow-up action. More importantly, there is no clear way to resolve differences in views between two NGOs that each claim to "represent" an equally broad constituency.

It is understandable that so many CSOs characterize themselves as having a broad purview. They claim to represent constituencies that are generally under-represented in national political fora and even more under-represented at global conferences. At the same time, such claims are probably the source of the greatest difficulty for governments and international organizations in working out a procedure for effective consultation.

In contrast, some CSO representatives define their groups precisely, representing clearly articulated constituencies, such as the World Federalist Union or the Ecuatoria Committee on Human Rights. Such organizations represent a specific issue or a common concern among its members. Because international agreements drafted by intergovernmental bodies are generally written as a set of prescriptions or recommendations by and for governments, it can be difficult to incorporate in the final document the interests of these non-governmental groups, even when they claim to represent specific constituencies.

Given the difficulty of unraveling who speaks for whom and for what, the procedural improvements for NGO access, such as the ECOSOC Review of NGO relations, are complex and fraught with difficulties. Any procedures will create some limitations on access. This creates a tension between NGOs claiming "representative" status and the right to participate in international decision-making on the one hand, and institutional bureaucratic requirements on the other. Inevitably, NGOs caught in this dynamic feel that they are being pigeonholed. In turn, they feel that governments stereotype them as anti-democratic, left-wing and communist, or as merely creating anarchy and disorder.[67]

[66] "Examples of overly vague claims to represent a human constituency by respondents", in **Benchmark Survey of NGOs**, op. cit., Box 1, p. 51.
[67] **Benchmark Survey of NGOs**, op. cit., p. 54.

Changes in the CSO Community

Although the broadness of the term CSO has always created some complexity, the problem now has new dimensions. The CSO community has grown exponentially, and it has also changed in character. In the early days of their involvement in the UN, the largest categories of NGOs that were accredited were religious groups, professional, trade, hobby and specialized organizations with active international programmes or affiliates. When the UN Charter was drafted, the US government sought advice from groups such as the American Bar Association, the Farmers Union, the American Association of University Women, the American Jewish Committee, the Lions Association, the Carnegie Endowment for International Peace, Rotary International and the National Education Association.[68] Most of these organizations are still active in domestic and international issues, attesting to their strong institutional histories and entrenched positions as players in global governance issues, particularly at the UN.

At the 50th Anniversary of the San Francisco Conference where the Charter of the United Nations was signed, the participation of American groups was quite different. In addition to older organizations came a variety of NGOs representing issues that were not on the agenda in 1945: feminism, the environment, world trade. These were represented by organizations such as Earth Action, WEDO, the Institute of Agriculture and Trade Policy (IATP), the Citizens' Network for Sustainable Development, Worldwatch, the Pesticide Action Network (PAN), and the Sierra Club.[69]

Not only active in the UN, these newer organizations are also active in education and lobbying at the portals of other institutions of global governance. WEDO, IATP, the Sierra Club and PAN, for example, are very active contributors to education and lobbying against the "free trade" agenda. They lobby against the World Bank's structural adjustment programmes and against the usurpation of power from national governments and from the UN by the Bretton Woods institutions and by TNCs. For the most part, this type of agenda is not shared with the older NGOs — although there are some exceptions.

For these CSOs, new forms of participatory democracy and civil governance are crucial not only within the UN context, but also within economic, financial and military institutions. Now that CSO networks have a degree of international political power, global civil society needs to understand more about these other systems of global governance.

NGOs and the New International Economic Agenda

While the UN-NGO dynamic is an active arena for global governance, in some areas it has been superseded in significance by a new combination of actors in global governance. Dominant now are the Bretton Woods institutions (the World Bank and the International Monetary Fund), the World Trade Organization and transnational corporations. These international economic organizations already overshadow the UN General Assembly in terms of capacity to manage international affairs. They have reframed economic rules and rule-making and are sketching out a new phase of global governance quite different in spirit from that of the UN Charter.

Their operating methodologies and options for access by CSOs also differ. In addition, new international trade laws are increasing the status and strength of other business-oriented organizations. International economic institutions have generally not welcomed CSO participation. Although the door to CSOs has been opened somewhat at the World Bank, it

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[68] Dorothy B. Robins, **Experiment in Democracy**, The Parkside Press, New York, 1971, pp. 200-201.
[69] UN50 Committee of San Francisco, **We the Peoples: The Role of Civil Society in the History and Future of the United Nations**, a conference exploring the past, present, and future of UN-NGO relations, attendee list, San Francisco, 21-24 June 1995.

was done largely in order to use these groups for specific Bank project needs. Advocacy groups still have limited access to decision-making in the Bank. The doors to the WTO and most TNCs are essentially closed; access is more firmly denied. The result is that advocacy groups are excluded from crucial debates and decisions that structure globalization and its effects.

Conclusion

Whereas the status of CSOs at the UN in the early days derived from their membership base, the credibility of CSOs has always come from their moral authority as well. A hundred years ago, the capacity of the suffragists to claim that they spoke on behalf of all women in their country did not come from a tallying of formal membership lists, dues and democratic procedures, but from a conviction that women have a right to political representation. More recently, environmental groups have argued that neither local nor global environmental issues are well represented in governmental decision-making — but that these and other crucial issues — ranging from local issues like crustaceans in the Philippines to regional issues like hardwood forests in North America or global issues such as water rights — need human advocates.

While some CSOs may not be "representative", many national governments are not fully "representative" either, although the right of a government to speak on behalf of its citizens at the United Nations assumes that it is the legitimate representative. There are some exceptions: apartheid South Africa was denied participation for some years. But for the most part, the UN does not distinguish between the "representativeness" of the governments of Suriname, Saudi Arabia or Somalia. The argument is that the UN should not generally intervene in sovereign issues. If there is any distinction made by the UN system among nations, it is on the basis of economic, military and other forms of power and on historical participation. Undemocratic régimes that control their citizens by military force are admitted alongside democratic governments. The Security Council gives extraordinary powers to a small group powerful nations, and unlike the UN as a whole, the Security Council is impervious to CSO input.[70]

While it may be fair to criticize some CSOs as "unrepresentative", as with national governments, this complaint may not be an appropriate basis for deciding on their rights of access to global governance or to the UN. It would certainly be unreasonable to require that CSOs demonstrate greater representativeness than governments.

3. Access

> I want you to consider this [the United Nations] your home.
>
> *Former UN Secretary General Boutros Boutros-Ghali, speaking to NGOs at the 1994 DPI Annual Conference*

A Fast Track or a Slow Roll?

In an increasingly interconnected world with accelerating communication technologies, some global decisions are made very quickly. The movement of news and financial transactions is nearly instantaneous. Consensual decision-making, in contrast, is rarely fast or easy. Intergovernmental decision-making rolls along like an old-fashioned freight train. It is laborious to operate and slow, and the quality of access along the line may be quite variable. Global decisions that derive from this are generally the outcome of a long cycle that begins with the identification of the problem, followed by a period of analysis and fixing on solutions and commitments, and only then does the period of action or implementation begin. In many cases, CSOs point out that governmental implementation of intergovernmental agreements is incomplete or inadequate

[70] James Paul, **Security Council Reform, Arguments about the Future of the UN System**, http://www.globalpolicy.org/secref.html, 1995.

This cycle, of course, begins at home. Some national groups can, in the traditional sense, lobby their own governments and foreign offices on the policy issues. This conventional means of access is frequently brushed aside in the current discussion of evolving global civil society. It should not be. CSOs can act in their own national political arena in addition to asserting a new role in global civil governance.

Access to the numerous international organizations and decision-making processes that have an influence on global governance has certainly improved in recent years but, as the following discussion illustrates, it is still highly uneven.

NGO Access to UN Decision-Making and Global Conferences

Several leading United Nations organizations have hailed the ascendancy of civil society as a guarantor of international and national democracy, and it is common to hear that the door is now open to NGO participation. Is this rhetoric or reality? It is difficult for the UN to accomplish these ambitions in institutional terms, although it does have a pragmatic self-interest to do so. A strong civil society provides a strong voice at the national and international level for sustaining the UN and its programmes. Messages about NGO access to the UN, however, remain mixed.

NGOs have clearly played an important role in setting the agenda. Issue identification often is initiated within civil society. Some of the issues selected for discussion at recent international conferences — the conferences on women, on environment, on social development, on population, on cities, on food security — became a legitimate focus for international attention in large part because of efforts by civil society to frame the issues in a way that required government action.

Once on the international agenda, decision-making processes begin that are, in one form or another, followed by a range of regional and international organizations. Briefing papers are produced by a secretariat and/or other intergovernmental bodies. These are circulated to national governments for comments. Countries may choose to respond on paper before the conference, so that their comments may be absorbed in advance; or they may choose to take their issues directly to the conference table instead. The issue often evolves as it is being reviewed at the national level, so this is the opportune time for CSOs to make their views known to their national representatives. Of course, in nations with poor relations between civil society and national governments, this opportunity may not exist.

After the period of national review, conference papers are redrafted by the secretariat and typically presented at a series of preparatory committees or “prepcoms”. The prepcoms are designed to allow consensus to be reached by all governments through open debate. At the UN, these debates at prepcoms and at international conferences have, with increasing frequency, included opportunities for NGOs to present their views. This process results in conference resolutions, a set of recommendations to national governments. Their fate then lies with national governments, as they are the primary agents of implementation for inter-governmental agreements. Once again, here is a role for NGOs in monitoring and follow-up.

Some groups have been able to operate with remarkable success; the UN discussions relating to women provide an excellent example. With conscientious attention, the Women’s Environment and Development Organization (WEDO) has followed the rules of procedures for NGO access. WEDO’s strategy has been extraordinarily successful, providing a strong and practical route for NGOs to lobby within the UN system, empowering women and integrating a gender perspective into global issues from economics to reproductive health.

On substance, the Women's Linkage meticulously produced, as an advocacy aid, a list of previous commitments made by the UN in a range of themes relevant to women's issues: economics, reproductive and sexual health and rights, race and ethnicity, human rights, equity and environment.[71] On process, the WEDO Women's Caucus at the NGO Forum in Beijing became the *de facto* communications point between governments and NGOs, allowing NGOs unprecedented access to relevant delegations and leading to success at influencing the texts.[72]

While the door at the UN may now be open wider than before, there are more NGOs clamoring to get in and with higher expectations of access. The doorway is too narrow to allow everyone in. The UN still allows only partial integration of these interest groups, and on strict terms of entry. NGOs that take up new initiatives may therefore have their activities and influence constrained in various ways. NGOs might be designated as official, accredited NGOs; or invited to participate in expert meetings; or funded to support UN activities; or used to deliver UN system technical assistance services. While these initiatives are no doubt integrating NGOs into the UN process, they may also create power struggles within the NGO community between those with access and those without.

Ironically, the integration of NGOs into the UN helps define elements of the structure within the global NGO "community". Some NGOs are already able to attend international meetings. When the UN integrates NGOs into its delivery of services, particularly in conjunction with its technical assistance programmes in developing countries, these NGOs may also be able to work on broader tasks. The formal ECOSOC definition of "accredited NGO" itself generates a hierarchy within the NGO community. In short, there still are divisions: NGOs associated with UN activities that have access to power, influence and funding; and those that do not. These power structures are likely to carry over into activities not associated with the UN, influencing relations among NGOs and the status of NGOs with funders and with national governments.

NGO access to the UN has always been uneven. This originally reflected those who were able to conform with the existing rules of access and those who were not. Northern NGOs also may have been favored because they were located closer to the seats of power and could attend international meetings. Today, the number of Southern and grassroots organizations that want to participate in international governance has grown, and more groups worldwide are optimistic about the role of the UN in human security and development. The significance of exclusivity in access was different in 1950 than it is now.

Some obstructions to the UN system can be removed quickly and effectively by the home country government. Government policy in the host country, however, also plays a role. This was quite visible at the Beijing Women's conference when the Chinese government sought to deny visas to some participants for domestic political reasons. But even when a meeting is at the UN Headquarters in New York, this can occur. In a statement circulated at the Commission on Sustainable Development session in New York in May 1996, NGO participants deplored the fact that the US government had denied entry visas to

[71] Women's Linkage Caucus, **Take the Brackets Off Women's Lives! Women's Linkage Caucus Advocacy Chart**, WEDO, New York, 1 July 1995. This document complemented previous work and documents by the Women's Caucus and the Women's Linkage Caucus at the 1994 and 1995 Commissions on the Status of Women (CSW), comprised of some 1,320 NGO representatives from 73 countries covering all regions of the world and focusing on advancing gains made by women at prior UN conferences.

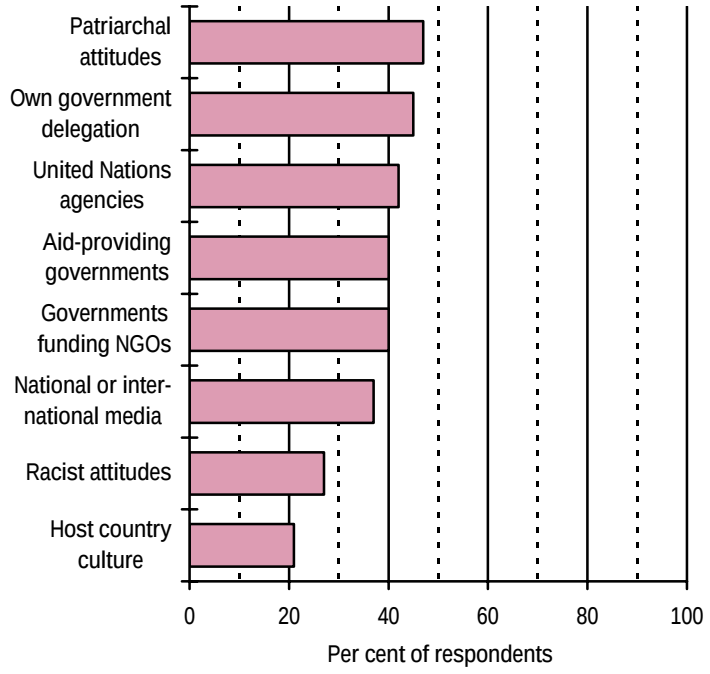
[72] Martha Alter Chen, "Engendering world conferences: The international women's movement and the United Nations", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit., pp. 477-493.

representatives of some NGOs that wanted to attend the session.[73]

Access to UN conferences remains a chimera for those potential participants who are poorer, further away and less experienced in the procedures of international bureaucracy. For many of them, just getting to the conference is a major achievement. They may have to work with unsympathetic national governments who can and do refuse entry or exit visas, tie up conference applications in miles of red tape, and sometimes put them in prison. Even if political circumstances do not constrain their departure from their home country, finances often do, particularly for NGO representatives from developing countries.[74]

The reality is that in many respects, the rules for each international conference are designed afresh and the decision to build on or reverse decisions made in previous conferences lies with the prepcom leadership and with individual governments. These often are the very people whom CSOs view as restrictive.[75] Some 45 per cent of respondents to the **Benchmark Survey** felt that access to their "own government delegation" was restricted. UN agencies were considered restrictive by 42 per cent of respondents; and aid-providing governments and governments funding NGOs were both perceived as restrictive by 40 per cent of respondents (see figure 3).

Figure 3
Perceived restrictions on NGO access to intergovernmental conferences



At the conference itself, quite apart from the formal meeting rules and procedures that are for the most part understood, NGOs feel "restricted" from access by a range of actors and institutions. Almost half (47 per cent) of the respondents to the **Benchmark Survey** identified "patriarchal attitudes" as restrictive. There was no significant difference in this perception

[73] **Appeal to the United States to Grant Visas to NGOs Seeking to Attend the CSD**, pamphlet, CSD, New York, May 1996.
[74] **Benchmark Survey of NGOs**, op. cit., pp. 17-19.
[75] **Benchmark Survey of NGOs**, op. cit., pp. 27-28.

between men and women. As one Kenyan man commented, "The whole UN process is rigid, formal, hierarchical and paper-driven — everything is patriarchal!"[76]

New Experiments with Access to International Political Governance

Several models of access to international organizations have developed in recent years. Much of the action has been in the environment and development arenas. UNEP and UNDP have strong commitments to the integration of CSOs in their policy and programme activities.[77] The UN Commission on Sustainable Development (CSD), as noted earlier, has provided access to CSOs that belong to any of nine major groups, not just ECOSOC accredited NGOs.[78] The Organization for Economic Cooperation and Development (OECD) has increased participation from environmental NGOs and invited suggestions on how to formalize the means of access. The World Bank has recently made radical changes in its NGO policy.

Organization for Economic Cooperation and Development

The OECD, in its own literature, recognizes that it is referred to as "a think tank, a monitoring agency, a rich man's club, an unacademic university, and a talking shop".[79] OECD members are the G-7 economic superpowers and some 20 other industrialized or more developed countries in Europe, North America, Latin America and Asia. Historically, the OECD has been advised by permanent advisory committees from the trade union and business sectors. In 1995, for the first time, environmental groups were invited to present a joint environmental statement to Heads of Environmental Agencies and Ministers of the Environment, who meet every five years. Co-ordinated by the European Environment Bureau, environmental groups developed several recommendations on substance, for example a critique of the WTO and the trade-driven terms of environmental discussions. The statement also commented on the unfinished agenda (implementation of existing agreements), new areas on the global environmental agenda, linking social justice and the environment, and improving the public process for a sustainable world, including greater access by environmental NGOs to decision-making bodies.[80]

The Ministers have now recommended to the OECD Council that a permanent Environmental Non-governmental Advisory Committee be established.[81] While strengthening the role of CSOs within the OECD, this body would also increase the status of environmental issues in an organization more dedicated to trade, finance and economic development. This would be a significant victory. The challenge now is for environmental groups to come up with recommendations about how this committee should be created and function.

A door ajar at the World Bank?

Both civil society and elected political leaders have limited direct influence on the decision-making of the global financial system. But certain institutions, notably the World Bank and

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[76] Strike Mkandla, observation at ELCI meeting to discuss the relationships between ELCI and UNEP, UNEP, Nairobi, 9 March 1995.

[77] ELCI/UNEP, **UNEP's Policy Statement on Non-Governmental Organizations and Other Major Groups**, draft, 25 February 1996; UNDP, **UNDP and Organizations of Civil Society**, San Francisco, June 1995.

[78] The nine major groups are: women, youth, indigenous peoples, non-governmental organizations, local authorities, workers and trade unions, business and industry, scientific and technological community, and farmers.

[79] OECD, **The OECD**, OECD Press Division, Paris, 1996, p. 3.

[80] International Environmental NGO Statement to the February 1996 Environmental Policy Committee at Ministerial Level, **OECD Document ENV/EPOC/MIN(96)13**, Paris, 1996.

[81] Meeting of OECD Environment Policy Committee at Ministerial Level, Paris, 19-20 February 1996, **OECD Document SG/COM/NEWS(96)15**, Paris, 1996.

the Inter-American Development Bank (IDB) are cultivating improved relations with the CSO community.

NGO access to information on the World Bank has been improved through a public information centre and the availability of some documents on the Internet. The appointment of two leaders, James Wolfenson to the Presidency of the World Bank, and Maurice Strong[82] as his senior advisor, has already heralded significant changes in relationships between the Bank and NGOs around the world. The Bank is involving operational NGOs more fully in Bank projects and project evaluations, and it has opened a number of policy dialogues with NGOs.

This new era of World Bank work with civil society stems largely from the need to deliver projects more efficiently, but it also goes beyond that. John Clark, working on NGO issues for the World Bank, has distinguished between conventional uses of NGOs as suppliers of services or development projects and a newer — and in his view — more desirable support of NGOs with a "demand" emphasis. According to this perspective, the role of NGOs is to be active participants in the development process, and it is the role of the World Bank to facilitate this in its broadest sense.[83] In its **Participation Sourcebook**, the World Bank envisions a continuum of empowering the poor: "On one end of this continuum, the poor are viewed as "beneficiaries" who are the recipients of services, resources and development intervention.... As the capacity of poor people is strengthened and their voices begin to be heard, they become "clients" who are capable of demanding and paying for goods and services from government and private sector agencies.... We reach the far end of the continuum when these clients ultimately become the owners and managers of their assets and activities".[84]

As a consequence of the gradually increasing integration of NGOs into World Bank projects, almost half of all Bank projects in 1994 involved NGOs.[85] The Bank now recognizes NGOs not only as service providers where the state has been seriously weakened or has little authority, but as integral to the effective achievement of development aims. In the Sabah Land Settlement and Environmental Project in Malaysia, for example, World Wide Fund for Nature (Malaysia) and other local NGOs worked together with the Federal Land Development Authority to lay the groundwork for future natural resource planning and conservation efforts. In the Philippines, a national NGO, PANLIPI, was contracted to identify the tribal groups likely to be affected by a project to help preserve forest lands.

The implications of these changes at the World Bank are not clear, but they are receiving attention from CSOs — as illustrated by "Women's Eyes on the Bank", a WEDO project. WEDO intends to keep pressure on the Bank to democratize development assistance and prevent the creation of an élite group of CSOs that receive these funds, as well as to reform

[82] Previously Secretary-General of the United Nations Conference on Environment and Development (UNCED), he oversaw the increased integration of "major groups" of NGOs into the UNCED process. Later, Strong was CEO of Ontario Hydro, one of the largest utility companies in the world, and President of the Earth Council in Costa Rica, whose mandate is to monitor the implementation of Agenda 21.

[83] John Clark, "The state, popular participation and the voluntary sector", **World Development**, Vol. 23, No. 4, 1995, pp. 593-601.

[84] World Bank, World Bank Participation Sourcebook, Washington, D.C., June 1995, p. 7.

[85] World Bank, Operations Policy Department, **Co-operation Between the World Bank and NGOs: 1994 Progress Report**, Washington, D.C., February 1995. Note that in many cases, NGOs were involved in the design, appraisal or implementation of projects, particularly in Africa (62 per cent) and South Asia (78 per cent).

World Bank development practices.[86]

Changing perspectives at the World Bank have also trickled down to subsidiary bodies. Created to provide funding for initiatives that address global environmental issues, the Global Environmental Facility (GEF) is governed by three international organizations: the World Bank, UNDP and UNEP: all entities that are increasingly aware of their NGO partners. Because of this background, the GEF has involved NGOs in many projects. In addition, to assist NGOs in their operative, on-the-ground activities, a small grants programme channels money directly to responsible NGOs in developing countries for projects such as global climate change and ozone, international waters and loss of biodiversity.

Closed Doors in Other International Fora

Many other international economic actors are less open to NGO involvement in the decision-making process or in the operative aspects of their organizations — NGO access is still highly restricted or the door is firmly shut. These include intergovernmental entities such as the World Trade Organization (WTO), international bodies such as the International Organization for Standardization (ISO), transnational corporations and industry associations. So far, such institutions have been less open to participation by civil society. International industry associations, for example, use decision-making models designed to produce consensus among members, but not necessarily with the objectives of transparency or the integration of other stakeholder interests who will be influenced by the outcomes.

The World Trade Organization

All WTO members are national governments, and each member has one vote. With one member-one vote, all government members theoretically have equal influence on decisions, but countries with very large market shares are often able to sway rules and decisions. Membership dues for WTO operations and administration are assessed at a rate based on their relative level of trade activity, so the outcome may be similar to the UN where major financial contributors in the UN system have influenced international policy by withholding and releasing funds or threatening to do so. This could reduce the influence of other national governments and the constituents they represent. In addition, all WTO members are obliged to "ensure conformity" in their national and sub-national jurisdictions, so these smaller and, generally, more democratic and participatory forms of government also must become accountable to WTO decisions.

This development has substantial implications for global decision-making. In national and international arenas, citizens, governments and scientific bodies have typically identified the problems that require public attention. These problems and concerns have gone through various decision-making fora — parliaments, UN agencies, international agreements — where measures have been agreed and implemented that have set national regulations and international conventions and agreements and standards. Under its operating rules, the WTO will be able to intervene at the crucial point between the recognition of a need and the process for implementing a solution, circumventing public input into the global economic policy process.

The processes of participation and review that operate in a national democratic environment are absent in the WTO. Outlines for new trade agendas typically are discussed at informal and exclusive meetings between small groups of Northern ministers, academics and consultants.[87]

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[86] Bella Abzug, President and Co-Chair of WEDO, **Rural Well Being: From Vision to Action**, presentation to the World Bank Conference on Environmentally Sustainable Development, 26 September 1996.

[87] Martin Kohr, **Countering the North's New Trade Agenda**, Third World Network Report 78, November 1995. Also see his briefings for the CSD session, No. 2, TWN, Penang, March 1996.

The setting of trade standards is discussed in "green room consultations", a deliberation process to which participants must be formally invited. The invitee must be of ambassadorial level — and since developed countries have a greater number of officials at this level, the North is allowed greater representation.[88] Standards are set based on trade impact and scientific evidence alone. Participants in these consultations are not required to consider social values, larger economic and community development objectives, women or Third World concerns, or public policy, even though these issues have historically been the driving force behind the development of international standards.[89] These issues are exactly the areas where many CSOs have their greatest interest.

This has presented new challenges for NGOs. For example, current discussions in the WTO of a new Multilateral Agreement on Investment (MAI) would significantly increase the rights and privileges of economic entities. The WTO would extend its province from being a trade organization to being an organization that regulates investment as well. The agreement may free corporations from many national regulatory constraints, thereby reducing the ability of governments and civil society to legitimately represent their own interests. In response, various models being proposed by NGOs in Australia, Costa Rica, England, France, India, Kenya, and the US attempt to integrate sustainable development principles into the language of international trade.

Some NGOs are actively questioning the level of democracy within the WTO system, in particular with respect to the negotiating process for terms of trade.[90] The organization exists as the permanent body to host negotiations on diverse aspects of international trade and "communicates" with intergovernmental and non-governmental organizations "as appropriate". The trade agreements direct the institution to co-operate with the International Monetary Fund and the World Bank to ensure coherence in global economic policy-making. The agreements also recognize international standard setting bodies, like the ISO, for the development of appropriate technical regulations. NGOs are not recognized as observers or consultant organizations to the WTO General Council or to its subsidiary bodies.

In July 1996, the WTO presented its **Guidelines for Arrangements on Relations with NGOs**, stating that while NGOs were a "valuable resource" in regard to trade negotiations, "it would not be possible for NGOs to be directly involved in the work of the WTO or its meetings".[91] This was presumably due to the politically sensitive nature of multilateral trade negotiations.[92] While proposing more exchange of information and informal dialogue between NGOs and the WTO secretariat, the WTO **Guidelines** conclude that "...primary responsibility for taking into account the different elements of public interest which are brought to bear on trade policy-making [lies at the national level]".[93]

Many NGOs working on trade and development issues will undoubtedly refuse to confine their activities to the national level. Just two months after the WTO decision, a group of NGOs established the International Centre for Trade and Sustainable Development. Based in Geneva, this organization will monitor the work of the WTO, UNCTAD and certain other

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[88] WEDO, **Transnational Corporations in the United Nations: Using or Abusing their Access?**, Primer No. 2, New York, 1995.

[89] WEDO, **Who Makes the Rules? Decision-Making & Structure of the New World Trade Organization**, Primer No. 3, New York, 1995.

[90] The exception is the Committee on Trade and Environment of the WTO.

[91] WTO, **Guidelines for Arrangements on Relations with Non-Governmental Organizations**, Geneva, July 1996, WT/L/162.

[92] NGLS, **Go-Between**, No. 60, Geneva, October-November 1996, p. 5.

[93] WTO, **Guidelines for Arrangements on Relations with Non-Governmental Organizations**, op. cit.

international organizations, and aims to enhance the transparency of international trade negotiations by informing NGOs and other groups about the negotiations.

The International Organization for Standardization

When the decisions of international organizations have global implications for governance, there should be opportunities for participation and full representation. If individual CSOs are unable to represent their constituents, governments or other umbrella organizations should be representing those interests. Such representation is not always present, as evidenced in the case of the international standards process used by the ISO.

The ISO is an international federation of national standards bodies which was set up in 1947 to promote worldwide standardization of products, processes and services in order to facilitate international exchange. In the new trade régime established under the WTO such initiatives will have standing in international trade law, and this has significant public policy consequences.[94] These standards may even have greater standing than international agreements achieved through the UN process with strong public sector input.

The ISO process restricts NGO participation because of both economics and negotiating procedures — through the cost of travel to the numerous negotiating meetings, and because the voting members are accountable primarily to business interests and not to governments that have public constituents. This was evident in the case of the ISO 14000 series related to global environmental management standards, where the decision-making process was fairly closed. Furthermore, the process did not integrate international environmental standards created in the intergovernmental process, such as the Montreal Protocol, the Basle Convention or Agenda 21, each of which involved substantive NGO participation.

The ISO process restricts not only NGO access but also that of many developing countries. Early discussions related to the ISO 14000 series did not encourage input from developing countries, although this changed with time. Most of the developing countries that participated only did so after the drafting was essentially complete. Even at that point, 80 per cent of the delegates to the meeting to ratify the key ISO 14001 Draft International Standard on environmental management systems (EMS) were from developed countries. Only 6 per cent of African countries, 13 per cent of Latin American or Caribbean, and 20 per cent of Asian countries were represented. Developing countries and NGOs had minimal impact on the drafting of the final text. None of the Steering Committee and Working Group Chairs for the ISO 14000 series negotiations came from developing countries.[95]

Transnational corporations

There is new optimism about civil society as an agent of democratic global change. Forward-thinking positions being taken by some leaders in the UN, the World Bank and the corporate world need to be understood in the broader context: most global business and financial institutions are not adequately accountable to democratic processes, and in many cases they are impervious to pressures from civil society.

TNCs are in frequent conflict with CSOs. Because of their size and their practices, some become obvious targets for CSO action. Citizens can make, for example, an easy link between a corporate action in a developing country and the responsibilities of the parent in their home

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[94] Benchmark Environmental Consulting, **ISO 14001: An Uncommon Perspective. Five Public Policy Questions for Proponents of the ISO 14001 Series**, European Environmental Bureau, Brussels, November 1995 and April 1996.

[95] The numbers omit a small percentage from Central and Eastern Europe. Details from UNCTAD, **ISO 14000: International Environmental Management Systems. Five Key Questions for Developing Country Officials**, draft for comments, UNCTAD, Geneva, 1996.

country. There are many calls for global standards of practice and demands that TNCs should follow the same standards abroad as at home.

Many international NGO conferences adopt positions that oppose a group of TNCs or the practices of a certain sector of international business. The Copenhagen Alternative Declaration attacked the "concentration of economic, political, technological and institutional power and control over food and other critical resources in the hands of a relatively few transnational corporations and financial institutions".[96] The NGO statement to the OECD had a section on corporate behaviour, calling for sectoral approaches to corporate regulation and for an International Code of Corporate Environmental Conduct and Civil Liability.[97] NGOs bitterly criticized the closing of the UN Centre on Transnational Corporations in 1993 and have frequently called for the rejuvenation of a Code of Conduct on TNCs and serious scrutiny of their global dominance.

In the environmental arena alone, civil society is fighting the international business community on a myriad of activities, such as practices that influence climate change, deplete the ozone layer, and reduce the quality and quantity of tropical timber forests. A report published by the Australian Conservation Foundation on the deplorable environmental record of Broken Hill Proprietary Company Ltd. at the Ok Tedi Mine in Papua New Guinea lists numerous international agreements, international industry association charters, corporate and intergovernmental codes of conduct and international treaties and conventions that are routinely flouted by the company without penalty.[98] Parallel conflicts are being fought by consumers, workers and local communities.

Conclusion

Given their powerful sense of moral authority, CSOs confronted with a closed door to the new and crucial institutions of global governance are likely to knock harder, not to walk away. If the door is open, they want to make certain that the gatekeeper does not restrict entry on unilateral terms.

The lack of formal access to key global decision-making bodies does create impediments for CSOs. In response, the conventional tools of education and persuasion are still dominant. Print and electronic media, conferences and networking are now actively being used to further their agenda. If these are not effective in changing the minds of the decision-makers, more creative and/ or confrontational campaigning may ensue. One British observer of the global NGO scene predicts an increase in "uncivil" behaviour from workers and communities directed at TNCs. In this light, it is interesting that an **Economist** review of an NGO conference on Globalization that drew over 1,000 people in New York in November 1995 referred to participants as "neo-Luddites".[99]

CSO responses to problems of access and related concerns are in their infancy. They draw on the lessons learned in gaining access to the UN and on the possibilities of new technologies as communication and organizing tools. The phenomenon of CSOs seeking access to global governance is showing that they have found responsibility without power; moral but not fiduciary authority. It is ironic that this unprecedented growth and influence of global civil society is occurring at exactly the point when the UN's power and role are declining. There is

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[96] **The Copenhagen Alternative Declaration**, Copenhagen, 8 March 1995.

[97] International Environmental NGO Statement to the February 1996 Environmental Policy Committee at Ministerial Level, **OECD Document ENV/EPOC/MIN(96)13**, op. cit., paragraphs 20 and 21.

[98] Helen Rosenbaum and Michael Krockenberger, **Report on the Impacts of the OK Tedi Mine in Papua New Guinea**, Australian Conservation Foundation, November 1993. Also see Helen Rosenbaum, **Principles for the Environmental Management of Australian Mining Companies operating in Papua New Guinea**, Australian Conservation Foundation, 1995.

[99] "Cranks and proud of it", **The Economist**, 20 January 1996, pp. 86-87.

a basis for this development, including the fact that the UN and its agencies are struggling to survive. Civil society and CSOs give it moral authority for action. But it must be frustrating for NGOs, having spent so long working to get onto the playing field of global governance, to find that the goal-posts have moved to a new economic arena.

4. Strategies and Impact

It is indisputable that civil society has been successful at bringing new issues to global attention. The UN and the international conferences of the past decade have been an effective venue for this. Environment, sustainable development, population, food security, urbanization, women's rights and human rights: these complex and substantive global issues are not only on the international policy horizon, they have been integrated into public policy thinking, university education, media attention and intergovernmental negotiations.

More direct methods have also been adopted, such as campaigns and boycotts, which are intended to have a more direct impact. The boycott of Nestlé because of its marketing of breastmilk substitutes has resulted in a change in the way international corporations understand and manage public policy.[100] The boycott of international companies with investments in South Africa was a major factor in the external pressures that resulted in the collapse of apartheid. The campaign against sweatshop labour in factories subcontracted to large apparel companies resulted in several firms, including Levi Strauss and Gap, adopting codes of conduct for their firms and their subcontractors.

Civil society now has the power to achieve what appears to be spontaneous action in new areas. Arriving without warning to those outside the CSO community, these campaigns are actually the result of years of consciousness-raising, education, organization and network-building. These channels alone may not be sufficient to achieve responsible global governance, but civil society is showing remarkable creativity at keeping elements of undemocratic global power on the defensive and continually raising the issues of equity, justice, human rights, sustainable development, community empowerment and health.

Clearly, civil society has put considerable global pressure on a range of issues and fora. But overall, when it comes to global governance, it remains difficult to assess its impact. Growth in numbers does not assure commensurate influence. The urgency of some of the issues raised by CSOs, and the strength of their moral authority, does not always mean that CSO energies are used strategically. Success in specific areas like human rights (see box 7) may not translate into success in others. This section will therefore try to lay out the process of global decision-making and evaluate the impact of civil society at various points in this process. Of course, different opportunities will result in different approaches and strategies. At the UN, where civil society integration is relatively well developed, a range of methods are used to influence decision-making. At fora such as the WTO, where access is limited or denied and there are few processes for the integration of civil society, NGOs are inventing and re-inventing new ways to make their voices heard.

National Level Lobbying and Influence

In most democracies civil society has a variety of means available to influence, alter or re-orient a country's policies. At the formal political level, CSOs in some countries might lobby parliamentarians, testify before congress and organize letter-writing campaigns to foreign secretaries or prime ministers. Government officials might even actively solicit input from CSOs or request expert evidence. Under other circumstances, CSOs might hold public demonstrations to exhibit the extent of public support or develop media coverage favourable

[100] S. Prakash Sephi, **Multinational Corporations and the Impact of Public Advocacy on Corporate Strategy: Nestlé and the Infant Formula Controversy**, Kluwer Academic Publishers, Boston, 1994.

to their views. In all cases, the strategy hinges on developing a public, national position or evidence of interest in a certain position by communities or constituencies important to government officials. Such positions can then be carried into the international arena.

Box 7
Human Rights Success

One area where CSOs have had considerable global impact is in the field of human rights. Consistent pressure from civil society over the years has kept issues alive and relevant. Following strong lobbying in 1945, respect for human rights was accepted in the UN Charter as one of the four purposes of the UN. Over the next 50 years, human rights groups have succeeded in overcoming substantial national government antipathy or opposition by using the tactics of moral authority, the outrage of observers and shaming perpetrators. A legitimate space for NGOs to present cases of human rights abuses was created. In many instances, these groups have made a significant difference in the lives of individual victims and communities around the world. With their ongoing advocacy and campaign work, NGO pressure resulted in the formal creation of the post of UN High Commissioner for Human Rights in 1994, almost 50 years after it was called for in the UN Charter.

With the end of the Cold War, human rights groups are now working actively to integrate a human rights perspective into UN peace-keeping operations. Human Rights Watch, Amnesty International, Africa Rights and others have confronted the belief that peace-keeping operations can maintain an objective "neutrality". Africa Rights has argued in response that there is an objective human rights reality as well, and that this is integral to the mission of the United Nations.

The relative success of the human rights work is a consequence of several factors, including the length of time the issue has been receiving international attention and the broad appeal of its clear moral message. The "migration" of individuals between executive and field positions in major NGOs and in UN human rights operations also has had an influence. Despite their successes, human rights campaigners face enormous challenges. Abuses continue in many parts of the world, impervious to external pressure. There is also a serious backlash within the UN from some governments which challenge NGOs' rights of access to the UN system and the information NGOs present to the public. The proliferation of activist groups around the world also presents challenges to the movement, through the need to retain not only its grassroots but also its international legitimacy and impact.[101]

For CSOs and citizens in authoritarian or repressive countries, international events can have a critical strategic function. For some of these groups or citizens, the international event is an opportunity to continue a local campaign against their government and to seek new alliances from NGOs as well as from other governments in support of their domestic struggles. Wangari Maathai, leader of the Kenyan Green Belt Movement, summed this up in a speech to the World Bank in 1993:

> ...if governments lack political will to apply laws, regulations and agreements to which they have subscribed, only an informed and involved community can stand for the environment and demand development that is sustainable....

Groups like the Green Belt Movement use international events to highlight Kenyan domestic inequity and corruption, hoping to bring international attention and pressure on the Kenyan government.

At the United Nations

Framing the issues for international UN conferences

It is the voice of civil society on global issues that is framing public understanding of issues and catalyzing international conferences at the UN. Seventy-three per cent of respondents to the **Benchmark Survey of NGOs** were pleased at their success in defining problem areas for international conferences. Other actors may attempt to redefine the language of "human rights" or "sustainable development", but they are often reacting to a public discourse

[101] Felice Gaer, "Reality check: Human rights NGOs confront governments at the UN", in Thomas Weiss and Leon Gordenker (eds.), **Non-governmental Organizations, the United Nations and Global Governance**, op. cit.

generated by a global network of CSOs.[102]

Defining international issues is a key area of NGO success. In many ways, the last 10 years of international conferences are a testament to NGO activism and lobbying. Issues such as the global environment, social development, gender relations, population and habitat have not typically fit into the national political discourse. Civil society has played a central role in defining the issues and in pressuring governments to adopt positions on them that can be implemented at international and national levels.

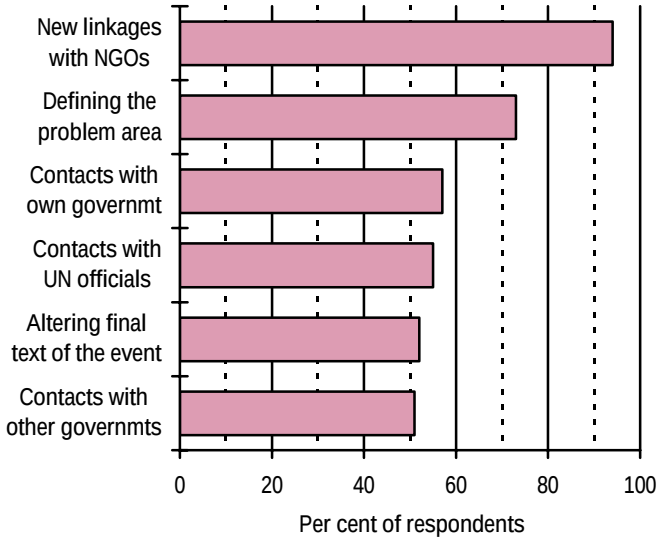
International UN conferences and the preparatory committees leading up to them are generally occasions when governments articulate their policy objectives and make policy announcements. NGOs, in their traditional lobbying role, can use international events to pursue their ongoing domestic efforts to affect their own governments' activities and take advantage of the ease of access to senior government officials away from their capitals. This extension of domestic democratic activity can often pay dividends in framing or influencing the acceptance of compromises that arise during negotiations and in creating increased access for NGOs to their respective government officials after the international conference.

NGOs accredited to ECOSOC have the right to formally state their views and participate in the intergovernmental component of a global conference or meeting. They can, for example, make their views known in position papers circulated via UN distribution channels along with the other official documents. They can also attend all open plenary sessions of ECOSOC or its committees and may be invited by the chair of a meeting to address the session. Recently, non-accredited NGOs and NGOs accredited to other UN agencies have been able to distribute their publications to delegates through an informal display table and have been asked on occasion, by meeting chairs, to express their views to the plenary sessions.[103]

It can be argued that civil society has been more successful at gaining international attention and setting agenda than in getting results. While many of respondents to the **Benchmark Survey** were pleased with their success in defining the problem area, only 52 per cent of respondents felt that they were successful in altering the final text of the event,[104] — and even this may be optimistic (see figure 4). This disparity was acknowledged by Juan Somavía, Secretary General of the World Summit for Social Development in an emotional address to the Women's Caucus on International Women's Day in 1995, during which he acknowledged the pivotal role that women-focused NGOs had played in bringing global social development to the international stage, and apologized for the lame response from the United Nations.[105] The capacity of civil society to continue to use such fora may now be over as the spurt of global conferences seems to be declining.

[102] See Harris Gleckman, "Transnational corporations and 'sustainable development': Reflections on the debate", **Green Globe 1995**, Oxford University Press, New York, 1996.
[103] **Benchmark Survey of NGOs**, op. cit., p. 74.
[104] **Benchmark Survey of NGOs**, op. cit., p. 65.
[105] Juan Somavía, Secretary General of the WSSD, in his keynote address to the Women's Caucus on International Women's Day, WSSD, Copenhagen, 8 March 1995.

Figure 4
NGOs define areas of their success at intergovernmental meetings



If NGOs, like governments, attend in order to influence the discussions and the outcome of the event, or the text of the conference document, then this type of lobbying activity would be consistent with their formal role in consultative status to ECOSOC. In practice, however, many NGOs go, not so much to influence governments, but to "influence other NGOs" and define their major success as "linkage with NGOs".[106] African NGOs consulted in the **Benchmark Survey** saw the split interest in working with other NGOs and in working on the conference topic itself as necessary and consistent with their experience. In their view, effective access to governments and the intergovernmental process at the international conferences was difficult. Access to their governments may not give them influence. Their strategy is to learn as much as possible about the issues and to lobby larger Northern NGOs with better or more effective access to funding and to sympathetic governments.[107]

Participation: NGOs on government delegations

Governments frequently invite non-governmental experts to join national delegations attending international conferences. Business and industry-oriented NGOs (BINGOs) often have been allowed to participate as part of official delegations and some governments have begun to include citizen groups as well. The relationship between NGOs and their governments will change as more civic groups are included in government delegations. By so doing, governments increase the chance that NGO experience and the views of their constituencies are heard by national officials and the other participants at an international conference. Despite the fact that many NGO respondents to the **Benchmark Survey** considered that access to their national governments was restrictive, 68 per cent of NGOs cited "meeting their own government" as an important reason for attending intergovernmental events; and a majority of respondents answered that being on their own government's delegation was their preferred tactic at intergovernmental meetings.[108]

From the point of view of lobbying government, being a member of an official delegation is

[106] **Benchmark Survey of NGOs**, op. cit., pp. 65-67.
[107] ELCI/UNEP, **UNEP's Policy Statement on Non-Governmental Organizations and Other Major Groups**, draft, 25 February 1996; UNDP, **UNDP and Organizations of Civil Society**, San Francisco, June 1995.
[108] **Benchmark Survey of NGOs**, op. cit., pp. 68 and 75.

the best strategic position. When asked who NGOs most need unrestricted access to when attending intergovernmental conferences, 52 per cent of the NGOs that responded to the **Benchmark Survey** felt they most needed unrestricted access to their own government's delegation, which rated far higher as a group to influence than UN conference staff, NGO support staff, other government delegations or the media. Clearly, given the opportunity to lobby, most NGOs are keen to do so.

Intergovernmental conferences have become the forum of choice for general NGO information sharing and strategic thinking. This takes place during the conferences and preparatory conferences themselves, and also by rigorously "working the system" and utilizing all the space made available for formal and informal NGO influencing with governments. Equal attention, however, is typically given to information sharing and consensual agreements **before** each meeting, through timely mailings and e-mailings to the organizations' global network.[109]

Winning friends and influencing people

A method of influencing the newly strengthened economic institutions may be through highly placed and influential individuals. In reaction to information from civil society advocates, generally mixed with their own career experience, a small number of leading individuals have started to voice concerns about democracy, equity, human rights, environment and development in relation to globalization. They do not form a team of equals, or a team at all. Nevertheless, these individuals have felt moved to form CSOs or NGOs with strong interests in democracy and globalization. From the intergovernmental world have come the recently deceased Erskine Childers, previously with the UN; Herman Daly, previously with the World Bank; and David Korten, previously with Harvard Business School, the Harvard Institute for International Development, the Ford Foundation and the US Agency for International Development (USAID). From government have come former Soviet President Mikhail Gorbachev, founder of Green Cross; and former US President Jimmy Carter, founder of the Carter Center. From business have come Sir James Goldsmith, a millionaire industrialist who has taken a strong stand against globalization and the GATT; and Maurice Strong. All of these individuals have taken their new personal perspectives into their past networks, and have unique opportunities to effect change.

Building capacity at the NGO Forum

When NGOs attend UN conferences, they are interested not only in the official conference, but also in the NGO events that have now become institutionalized with the framework of UN conferences. The importance of the "NGO Forum" is now well-known and respected. Indeed, at the Fourth World Conference on Women in Beijing, one witnessed the irony of the UN feeling pressured to support the right of the NGO conference to proceed unimpeded against the right of a member country — China — to impose its sovereignty. But this is a view of the NGO community from the outside. Within the community, there are many NGOs who are uninterested in the UN and UN conferences *per se*. Perhaps these groups cannot get accreditation to the intergovernmental conference; it may also be because many NGOs use the opportunity of an international conference primarily to meet with other NGO colleagues and pursue activities other than direct lobbying, including education and information exchange. It also no doubt includes the pragmatic lobbying of major NGOs for their attention and resources.

One of the findings of the **Benchmark Survey** was that much of the international NGO community is relatively new to the international arena. For 59 per cent of the respondents, their first experience at an international conference was in the 1990s. This most likely is a

[109] Martha Alter Chen, "Engendering world conferences: The international women's movement and the United Nations", op. cit.

reflection of the sea change wrought by the UNCED process in opening up the UN to greater NGO participation.[110] The NGO community therefore has to deal with a relatively inexperienced population of activists. Education and capacity building are continual challenges. Many spend their time at international conferences building capacity within the NGO movement. When asked why they attend international conferences, 52 per cent of NGOs replied that they attend in order to "strengthen their own NGO", and 46 per cent to "learn more about an issue", — compared to 40 per cent who want to "influence [their] own national government" and 36 per cent who want to "alter the final outcome". There was a sense among African NGOs at the March 1996 ELCI meeting that their attendance was the pragmatic tactic for poorer, newer and smaller NGOs.[111]

When asked how they would divide a hypothetical sum of US$ 20,000 between nine areas with the goal of improving participation, respondents to the **Benchmark Survey** allocated the highest share of funds to an NGO pre-meeting where NGOs could organize and develop a common position (28 per cent of the resources). The respondents also indicated the importance of providing NGOs with funds so that they could send for additional participants (18 per cent of the resources) and 16 per cent to facilitate the participation of NGOs that have never attended a global event.[112]

Faced with the reality that only some NGOs are focused on the UN conference and related NGO Forum, one is forced to ask whether other activities should not receive relatively more attention. Clearly there are other ways to use NGO resources. Decisions about how best to use resources, however, are often influenced by outside factors. There may be funds available and a momentum set up around international conferences that are hard to resist. It is also interesting to see how few of the processes of international decision-making are understood by CSOs. At a meeting of African environmental NGOs to consider how best to affect global governance, it was clear that influence is not systematically thought through as a question of strategic resource allocation across a spectrum of decision-making. The question of governance in light of the new international economic order quickly surfaced, and the group lacked information about intergovernmental meetings and procedures that should form the basis of advocacy and campaign planning.[113]

Monitoring, implementation and follow-up

NGOs themselves frequently note that monitoring and follow-up are much needed and inadequately pursued. This is partly a comment on the stop-start momentum of the intergovernmental process. Some have recommended that the Commission on Sustainable Development establish a procedural rule: any proposed text that restated or reneged on previous commitments should be deemed out of order.[114] At other times it is a self-critical comment directed towards the CSO movement as a whole to focus not just on advocacy but on monitoring follow-up on gains and ensuring that they are implemented.[115]

WEDO's mandate is to monitor and follow-up on international conferences and UN activities.

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[110] **Benchmark Survey of NGOs**, op. cit., p. 9.
[111] **Benchmark Survey of NGOs**, op. cit., p. 44.
[112] **Benchmark Survey of NGOs**, op. cit., p. 82.
[113] ELCI meeting to discuss the findings of the **Benchmark Survey of NGOs**, UNEP, Nairobi, 8 March 1996.
[114] Barbara Bramble, **The Future of the CSD or Bringing Agenda 21 into the Twenty-First Century**, statement on behalf of the National Wildlife Federation/US at the High Level Segment of the Fourth Session of the Commission on Sustainable Development, United Nations, New York, 2 May 1996.
[115] Bill Pace, World Federalists, comment in reaction to a presentation on the **Benchmark Survey of NGOs**, to the DPI-NGO Thursday morning briefing at the Dag Hammerskjold Auditorium, United Nations, New York, 14 December 1995.

This organization's appraisal of the effect of the Beijing Conference on women's issues shows that there are important areas where international commitments are being implemented at national level. In Latin America and Asia, where there is little tradition of involving women in public life and decision-making, there is a new willingness to involve women's NGOs. NGOs from Pakistan and Korea, for example, were involved as consulting partners with their government delegations at the Beijing conference and after. Many countries, from Bangladesh and Botswana to South Africa and Turkey, are developing national plans of action to implement the Beijing Platform of Action. Family violence is receiving national policy attention in Columbia, Malaysia, Costa Rica, Peru and Puerto Rico. Egypt sustained its Beijing momentum and banned female genital mutilation. In most of these countries, such public policy decisions and legislation were very controversial and adopted only after protracted debate. Similar gains were tracked by WEDO in other themes, including women's health, political participation, peace-keeping and economic justice.[116]

Partnerships with intergovernmental agencies

In some major areas, the intergovernmental forum is working out new ways to integrate civil society into governance at all levels. Over 50 CSOs signed the Réseau International d'ONG sur la Désertification (RIOD) in Burkina Faso, mirroring the earlier intergovernmental agreement signed in Paris in October 1994 (the Convention to Combat Desertification and Drought), with the goal of ensuring local involvement in anti-desertification projects.[117] Elsewhere in Africa, the Togo Grassroots Development Initiatives Project has created, through the World Bank, a flexible institutional framework for collaboration. The Bank provides US$ 3 million in grants for community development. A joint government-NGO committee decides on which requests will be funded. NGOs and local communities are required to meet 30 per cent of costs.[118]

Beyond the UN: The Application of Legal Régimes

In the absence of equitable governance or access to influencing institutions of governance, some CSO activity can be directed towards the establishment of international consensus and campaigning to give some teeth to "soft law". In the past, these activities have given CSOs another arena in which to raise issues. It seems reasonable to assume that these strategies will be renewed in relation to questions of global governance and economic globalization.

The application of legal régimes involves several strategies and campaigns. International law and moral authority may be taken up by international truth commissions or tribunals on human rights. These are attempts to transfer international and "soft law" agreements to national law, particularly in developing countries where national law can be inadequate to the maintenance of the public interest. Another example is the infant formula campaign against the marketing of breastmilk substitutes in the developing world. In this context, there have been attempts to enforce codes of conduct or voluntary corporate policies that were often adopted to pre-empt regulatory constraints, as well as attempts to apply national laws to international companies or their representatives, in host countries.[119]

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[116] WEDO, **Beyond Promises — Governments in Motion: One Year After the Beijing Women's Conference**, WEDO, New York, September 1996.

[117] Heinz Greijn, "International conventions can make a difference", **Ecoforum**, Vol. 18, No. 2, August 1994, p. 11.

[118] Aubrey Williams, "A growing role for NGOs in development", **Finance and Development**, Vol. 27, No. 4, The World Bank, Washington, D.C., 31 December 1990, p. 33.

[119] A US campaign gathering steam argues that corporations today violate the letter and the spirit of the US corporate charter, and citizens should exercise their right to revoke that charter. See Richard Grossman of the Campaign on Corporations, Law and Democracy, **Taking Care of Business: Citizenship and the Charter of Incorporation**, pamphlet, Charter, Ink., Boston, 1993.

Tribunals

The Rome-based Permanent People's Tribunal (PPT) is the self-appointed heir to the International Tribunal on the American War Crimes in Vietnam and the Second Russell Tribunal on Latin America. The PPT "assumes a surrogate function for the lack or inadequacy of international tribunals and the inaccessibility of peoples, individuals and NGOs to such courts which are exclusively empowered to adjudicate upon interstate litigations or under a strictly regulated mandate".[120] The Tribunal has been looking at transnational corporations since 1994, and in 1997 it will focus especially on them. The Permanent People's Tribunal on Industrial Hazards and Human Rights was held in London in 1994 on the tenth anniversary of the Bhopal disaster, and it argued that industrial hazards fell firmly within their province:

> First, many industrial or environmental hazards have transborder effects, as was illustrated by the Chernobyl disaster.... Second, the protection of workers and of the population which can be affected by an industrial accident raises fundamental questions of human rights.... Third, the most dangerous industrial plants are managed by transnational corporations whose very nature requires the setting up and enforcement of international standards.[121]

The Tribunals do not work toward greater access or a better process of global decision-making, but rather, like the truth commissions that investigate human rights abuses, their intention is to set the record straight for history. They provide an alternative source of information on important developments for the public and for policy makers, and thus reduce the likelihood that such conditions will recur.[122] Tribunals also rely on media coverage to promote their legal and moral case.

Codes of conduct

In confronting the transnational corporate system, CSOs have promoted codes of conduct for international business and introduced a whole new language of global environmental management in international business practices. Civil society (and a number of developing countries) have lost ground to the transnational corporate system with the UN decision to reduce the Centre on Transnational Corporations and subsume it into UNCTAD. With the provisions in the new WTO Agreement on Trade-Related Investment Measures and expansion of claims to "self-regulation" by the international business community, global civil society has also lost ground in its effort to regulate TNC behaviour.

In 1992, after more than 12 years of discussion, the UN ceased negotiating a Code of Conduct for TNCs. The GATT Uruguay Round negotiations, which liberalized trade standards and decreased national control over capital, were seen by many as the reason for the cessation of negotiations. Since then, numerous groups have called for new negotiations on a Code of Conduct for TNCs.[123]

The Permanent People's Tribunal launched at the 1994 conference a "Draft Charter of Health, Safety and Environmental Rights of Workers and Communities", to be adopted after a period of review "as an operational platform for the defense and promotion of the respect of human

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[120] **Findings and Judgement**, Permanent People's Tribunal on Industrial Hazards and Human Rights, Fourth and Final Session, London, 28 November-2 December 1994, p. 2.

[121] ibid.

[122] For a history of truth commissions, see Priscilla Hayner, "Fifteen truth commissions — 1074-1994: A comparative study", **Human Rights Quarterly**, Vol. 16, 1994.

[123] These include CUTS, WEDO, the Interfaith Center for Corporate Responsibility (in New York), a group of dozens of NGOs that signed the Copenhagen Declaration, a group coming together under the Integrative Strategies Forum (based in Washington, D.C.), and others.

rights".[124] Other initiatives, however, have been taken. Single issue codes of conduct have also played a role in regulating marketing practices. Initiated by NGOs, the International Code of Marketing of Breastmilk Substitutes was adopted in 1981 by the governing bodies of the WHO and UNICEF. The code established a set of guidelines addressing the marketing of infant formula and called on transnational corporations to comply with the suggestions.[125] As a result the negative publicity associated with resisting adoption of the code, Nestlé succumbed in January 1994 to citizen pressure and adopted the suggested code. Some countries have adopted the code as national law.

The strategy of developing international codes of conduct has had an uneven impact. One consequence of the pressure for an international code of conduct to apply the "rule of law" to international corporations has been an active push from corporations to create their own codes of conduct, as a method to avoid the application of national or international law.[126] Although this is intended to counter pressure for higher performance standards, civil society has been successful in setting the terms of this response. The range of issues addressed in these codes of conduct and corporate guidelines include commitments to sustainable development, the precautionary principle, the polluter pays principle, and commitments to sustainable methods of production and consumption.[127] Although this activity has declined somewhat, there is a move in Australia to take these international concepts and apply them to national law. The initiative will create a memorandum of understanding between the Federal Environmental Protection Agency on the responsible conduct of Australian companies abroad. This initiative was created in response to pressure and publicity over several years from the Australian Conservation Foundation, and will be based on the application of ecologically sustainable development and a comprehensive environmental management system.[128]

Court actions

Court actions based on enforcing national law against international actors are the basis of citizen campaigns around the world. In 1992, a non-profit environmental organization in Argentina, Centro de Estudios Ambientales, filed a lawsuit against Argentina's governmental agency on water and sewers for not meeting its obligations to control water pollution; and against four foreign companies accused of dumping untreated waste into rivers. The case raised the issue of pollution by transnational corporations and the question of who should be held responsible. One of the polluting companies has since included effluent controls in its manufacturing process.[129]

This tactic has also been used in Indonesia, where there are several groups at work. One is the Indonesian Environmental Forum WAHLI (Wahana Lingkungan Hidup Indonesia). WAHLI is an umbrella organization of over 400 environmental NGOs working on environment and development issues. It organizes conservation education and environmental training

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[124] **Draft Charter of Health, Safety and Environmental Rights of Workers and Communities**, Annex 2 in Permanent People's Tribunal on Industrial Hazards and Human Rights, Fourth and Final Session, London, 28 November-2 December 1994, p. 22.

[125] Leah Marqulies, "The International Code of Marketing of Breastmilk Substitutes: A model for assuring children's nutrition rights under the law", in George Kent (ed.), **The International Journal of Children's Rights**, Kluwer Academic Publishers, forthcoming 1997.

[126] WEDO, "Infant formula manufacturers in the developing world", in WEDO, **Transnational Corporations at the UN: Using or Abusing their Access?**, op. cit.

[127] For examples of industry association environmental codes of conduct, see UNCTAD, **Self-Regulation of Environmental Management**, New York and Geneva, 1996. Also see Harris Gleckman, "Transnational corporations and 'sustainable development': Reflections on the debate", op. cit.

[128] "Environmental code of conduct for Australian multinationals", in **Environment Business** (Australia), November 1995.

[129] Centro de Estudios Ambientales (CEDEA), **Annual Report 1992**, Buenos Aires.

programmes, provides technical assistance on issues such as fund-raising, and lobbies government officials. It has brought lawsuits for violating environmental laws[130] and initiated Indonesia's first lawsuit against a foreign corporation for environmental infractions.[131]

Box 8
Court Action by a Local Community

An example of direct action is the case of 263 families of the Sei Balumai people of the North Sumatra Province in Indonesia, who are currently suing the foreign firm PT Sari Morawa (PT SM) in the Lubuk Pakam District Court over river pollution by PT SM, which has been continual since 1992. The community is also suing other parties implicated in the issue, including North Sumatra's Governor and the Head of North Sumatra Region Office of Industrial Department, for failure to take action against the company as required by law.

PT SM is a pulp and paper producer. As a consequence of its flouting of existing environmental regulations and reneging on its August 1993 agreement with the community to build a waste water treatment facility, the Balumai River is so polluted that people living in its vicinity have to buy clean water for their daily needs, because they can no longer use the water from the river. Hazardous wastes in the river far exceed environmental regulatory levels. The Indonesian Environmental Management Agency (BAPEDAL) has rated the company "black" in its Clean River Program Business Performance Rating.[132] The litigants are suing for compensation for material loss, for immaterial loss (health), for loss of use of the Balumai River, and for the death of fish.[133]

New Processes for Co-ordinating Impact on Global Governance

The impact of any of the strategies outlined above is obviously greater in whole than in the sum of the parts: many of these strategies overlap in practice, and NGO campaigns can draw on several strategies either simultaneously or sequentially over a period of time. A new set of opportunities is afforded to CSO organizing by new communications technologies.

New technology

Technology is key becoming more important in information sharing and strategic work. Computers, Internet ability and telecommunications access are key. A South African network created March 1996, for example, combines the energies of the Environment and Development Network of Norway, the South African based International South African Group of Networks, and Friends of the Earth. It will "primarily be a cyberspace working and meeting place...with a WWW site and electronic conferences".[134]

Several existing models attest to the impact that such networks can have on global governance. Mechanisms have been set up that allow organizations to assemble and distribute multiple comments on current documents relating to international conferences and then produce an integrated and consensus-based reply. Such a system, for example, has been crucial in building WEDO's capacity to get to the international conferences with cadres of women who know exactly what the conference text says, where women's issues are situated and where they are challenged, what elements of text must be disputed, strong alternative texts they can propose, and who the most supportive or obstructive governments are likely to

[130] See Indonesian Center for Environmental Law, **Balumai River Pollution**, Press Release, ICEL, Jakarta, 31 May 1996.
[131] This was noted in US Agency for International Development, **Toward an Environmental and Natural Resources Strategy for ANE Counties in the 1990s**, USAID, Washington, D.C., 1990.
[132] "Black" is the worst rating on a spectrum between black and gold, meaning that PT SM did not make any efforts towards pollution prevention or waste treatment. This BAPEDAL programme has reputedly been successful in other cases, publicizing the ratings and "shaming" the companies into compliance.
[133] Indonesian Center for Environmental Law, **Green News Indonesia**, ICEL, Jakarta, 31 May 1996.
[134] "Capscan: Birth of a network", **LINK 71**, March/April 1996, p. 19.

be.[135] As noted earlier, the European Environment Bureau produced a consensual "NGO environmental statement" to the OECD that included input from dozens of environmental groups around the world. The process was so successful that it resulted in an invitation to create an institutional relationship between the OECD and environmental groups, and the preliminary planning for this was done through the same process.[136]

CSOs have become adept at lateral communication. CSO networks are agile and accurate in communicating complex information towards a shared understanding of a global issue that affects them all in similar ways. This facile information-sharing stands in stark contrast to the rigid information sharing approach that has characterized some other global entities where much material is "confidential" and where public documents sometimes have no relation to what is actually happening or to what should be done in relation to issues, including animal rights, worker rights, food security and environmental policies. The model of the web thus captures the many ways that CSOs can become temporary and effective partners at multiple points in a complex set of global connections.

McDonald's Corporation, for example, could not have dreamed that a local event would turn into a two-year nightmare that put them on the defensive with customers and potential host communities around the world. Some CSOs, particularly those involved in food issues, land degradation and agribusiness, have been critical of the company for years, but it took a small civil suit in London to bring all those trends together, due to which McDonald's faced a major public relations battle. Environmental and animal rights activists around the world have shared and distributed information and steadfastly kept this event under the public microscope, on the World Wide Web and in the media.[137] Because Web sites remain relatively unregulated, this has become an arena where CSOs, along with others in the private sector, can post information embargoed by the UK court system. It is not clear what the impact will be of this campaign on McDonald's products or processes. But it is clear that civil society can effectively interpret an apparently local event as a global incident — in this case as an example of the unfettered power of multinational corporations (see box 9). Links are being drawn in this campaign to other corporate campaigns and direct action, particularly consumer boycotts. New technology could therefore potentially reduce the structural weaknesses that have fettered local and direct action campaigns. Judging by the number of boycotts called for in these corporate campaigns, we may see renewed vigour in this kind of strategy — and renewed impact.

Box 9
The McLibel campaign: A brief history

Designed to debunk the image of McDonald's food as nutritious and wholesome, a fact sheet, "What's wrong with McDonald's? Everything they don't want you to know", was circulated in England. It claims that McDonald's food is cholesterol-inducing and nutritionally empty; that child consumers are victims of an aggressive advertising campaign; that wasteful packaging practices are significant contributors to landfill problems; that beef cattle and chickens are abused without reason; that workers are badly treated and poorly paid; and that their large-scale cattle-grazing practices in Latin America had resulted in deforestation and displacement of farmers and communities.

In June 1994, McDonald's-UK charged two activists with the production of the "libelous" pamphlet. Libel law in England generally favors corporations, and earlier libel threats from McDonald's had silenced critiques from the BBC and **The Guardian**. This time the strategy failed. The two defendants remained in court for two years at significant cost to McDonald's in terms of legal fees. The trial has become

[135] Martha Alter Chen, "Engendering world conferences: The international women's movement and the United Nations", op. cit.

[136] "Groups seek enhanced role for OECD's environmental directorate**", International Environmental Reporter** (Washington, D.C.), 21 February 1996.

[137] See "McSpotlight" on http://www.mcspotlight.org. The campaign is being run from McLibel Support Campaign, London. Information for this box drawn from Ann Dougherty, "Hype, lies and ketchup: McDonald's burned by activist grilling", in **SEEDLinks**, No. 21, April 1996, pp. 3-5.

dubbed “the best free entertainment in London” as McDonald’s executives claim that Coke is nutritious; that their US$ 1.8 billion advertising budget is to “dominate the communications arena because we are competing for a share of the customer’s mind”, and that dumping polystyrene is “a benefit, otherwise you will end up with lots of vast, empty gravel pits all over the country”. They have acknowledged that high levels of bacteria remain in beef in McDonald’s burgers, and that workers are hired and fired according to short-term economic cycles.

“McSpotlight” has been placed by some CSOs on the World Wide Web. This includes a full copy of the six-page “What’s Wrong” pamphlet currently embargoed in the UK because of the trial, as well as other media stories also not published because of the actual or implied threat of libel. In Fairlight, Australia; in the Italian North End of Boston; in central and northern London: neighbourhood groups have prevented McDonald’s from opening branches. Readers can retrieve information on other international companies, and get a perspective on how the power of TNCs affects the life of individual citizens.

Networks

A network can provide enhanced support for a local initiative and a global issue at the same time. It is a flexible method with which to capture a diversity of perspectives and integrate them towards a common goal; it is ideally suited to the use of electronic communications for rapid transmission of information and collective working on global issues. WEDO has formulated effective methods to use e-mail to develop a collective women’s voice for international issues. Another important network is the International NGO Forum, INGOF, which assembled representatives of 77 NGO networks in December 1995 in Manila to work out methods to combat the anti-democratic tendencies of globalization. Other networks proliferate, often on a specific theme. The Pesticide Action Network (PAN), for example, has mobilized over 300 NGOs from 50 countries with the goal of developing and disseminating information on sustainable pest control methods. The infant formula network, IBFAN, has had significant success over two decades of international work. The “Fifty Years is Enough” Campaign has organized scores of NGOs around the world in its campaign against policies and practices of the World Bank, the Bretton Woods Institutions and the WTO.

Participatory democracy

As a basic condition for democracy, civil society continues to demand participation — and often direct participation — and transparency. Direct participation, of course, is often antithetical to organizational development and strategic change, and the debate about how civil society should work is lively within the CSO community. Greenpeace, for example, argued that the OECD’s invitation to create a consensual environmental statement to the OECD and then an Environmental Advisory Group was élitist, claiming that the “opportunity” being given to an NGO voice on environment at the OECD is on OECD terms and does not suit the agenda of NGOs for open participation.[138] Rather, such a programme would needlessly divert NGO energies, resources and funds, and create and legitimize rules of access that may not suit the NGO community and be inappropriate for other stakeholders. The arguments in this perspective are tenable in terms of both democracy and effectiveness. At the same time, they favour local organizational strategies. Internationally, this strategy will favour groups who have access to information and funds to attend these meetings, over those that do not.

This concept of direct democracy is heard time and again in the civil society community, and is consistent with the insistence from many actors in civil society that direct action, with all its limitations on impact, is a crucial form of political activity.

[138] Jim Puckett, Greenpeace International Toxics Campaign Director, in e-mail to the facilitators of the OECD EAC on 18 April 1996.

5. Conclusions and Trends

Civil society organizations have been given and have assumed greater responsibility than ever before, but their effectiveness is limited by factors still beyond their control. CSO access to institutions of power has never been easily or completely granted, and it is not clear that this is uniformly desirable. The role of CSOs in global governance is to influence agents and act as moral compasses, not to replace states or an intergovernmental process. It is not clear that civil society wants fiduciary authority or responsibility to participate in key public policy decisions. In order for the forces of civil society to operate most effectively in this period of globalization, it is crucial that CSOs operate through a global political arm such as a re-invented UN. Given the dominant trend toward market deregulation and the denigration of the United Nations, positive visions on what the state and intergovernmental institutional infrastructure could look like in the twenty-first century are only beginning to surface.

This tension is at the centre of the uneasy relationship between CSOs and the intergovernmental process. It is ironic that the late twentieth century has seen the unprecedented growth and influence of civil society and unprecedented decline of those national and intergovernmental organizations most open to participation. Having spent five decades lobbying at the gates of the United Nations, non-governmental groups have finally been granted access only to see that real power now lies behind other doors.

In intergovernmental fora, civil society will retain a strong interest in a robust, reformulated UN and in institutional methods to balance social, environmental and human rights concerns with economic priorities. A true vision for democratic global governance can only arise from the interaction between international civil society and a democratic international political process. One crucial testing ground will be whether the WTO succeeds in bringing areas of public policy decision-making under its umbrella, thus closing out the public from public policy formulation in the areas of trade and economics. Indications are that this is where civil society will concentrate some of its energies in the coming years. It remains to be seen, however, whether CSO skills learned in the local and intergovernmental arenas, coupled with new technologies, can be effectively transferred to this new terrain where there is limited formal access.

Some key concerns remain: global civil society clearly has a limited capacity to act in a cohesive fashion. The exponential growth of new and Southern CSOs, as well as CSOs from former communist countries, provides strength in numbers but not experience. Much depends on how rapidly these organizations will be able to build the internal organizational infrastructure and the external networks needed to be effective locally as well as globally. The diversity within the NGO community naturally also creates divisions, inequities of power and divergent interests and strategies. Thus, while hundreds of CSOs have joined the boycott and campaign against McDonald's, for example, some major CSOs and numerous local community groups work with the firm to achieve environmental or community ends. For CSOs interested in having an impact on international affairs, these issues are of deep concern. As long as the initiative in international politics and decision-making remains with the international economic institutions, an infrastructure will be built that will make building democratic global governance harder in the future.

To this challenge has to be added the complexity of building credible links between groups in the North and South. We may see a new self-interest on the part of some Northern CSOs in forging partnerships with Southern CSOs on Southern terms. Significant gains have been made, facilitated by decades of relationship- and capacity-building. International CSO networks have shown that they can have significant effect, particularly in mobilizing the international media and Northern public opinion. Their campaigns have defined issues in the public mind, have toppled governments and have put international firms on the defensive. But a North-South gulf between NGOs still exists, particularly as the global financial forces re-

create a new economic colonialism and a structural dependency of the South on the North. Globalization, the new trade rules and free-trade ideology may produce a gulf between Northern and Southern CSOs that becomes greater than the ties that bind.