A Study of Formal Relationships between Civil Society and Multilateral Bodies: Accreditation and Other Consultative Modalities

by

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Table of Contents

List of Interviewees .......................................................... i
List of Acronyms .............................................................. ii
Executive Summary ............................................................ iii
1. Introduction ......................................................................... 1
2. Issues of Representivity and the OIC Context .............................................. 2
3. Existing Modalities of CSO Engagement with Multilateralism ........................................ 3
   3.1 Levels of CS Engagement with Multilateral Bodies ......................................................... 4
   3.2 The Nature of CS – Multilateral Relationships ................................................................. 4 - 5
      3.2.1 Institutional Modality
      3.2.2 Accreditation Modality
      3.2.3 Cooperation Agreement Modality
      3.2.4 Informal Modality
4. Selected Modalities: Snap Shots ..................................................... 5
5. Selected Modalities: Discussion and Analysis ......................................................... 6
   5.1 CS Relations with UN ECOSOC ......................................................... 6 - 9
      5.1.1 Relationship Strengths
        1. Well Laid Out Accreditation Scheme
        2. Inclusion of National and Southern NGOs
        3. Solid Mechanisms for Supporting CSO Participation
        4. Innovations in UN Conferences and Temporary Accreditation
      5.1.2 Relationship Weaknesses
        1. Flaws in Consultative Accreditation
        2. Aftermath of UN Conferences
        3. Failed Follow-up to UN Conferences
        4. NGOs’ Excessive Focus on Conferences
   5.2 CS Relations with the Commonwealth of Nations (CW) .............................................. 9 - 11
      5.2.1 Relationship Strengths
        1. Good Southern Representation
        2. CSO Engagement Reaches the Top Level of the CW’s Decision Making Structure
        3. The CW Has Well Established CS Engagement Support Mechanisms
      5.2.2 Relationship Weaknesses
        1. Limited Scope of Accreditation
        2. One CS Group’s Over-Representation
        3. Limits Due to the CWF’s Traditional Functioning
List of Interviewees

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Dr. Kumi Naidoo
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Mr. Fraser Reilly-King
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Forum for Democracy (ICSFD), Geneva, Switzerland
List of Acronyms

CONGO: Conference of Non-Governmental Organizations in Consultative Status with the United Nations
CS: Civil Society
CSO: Civil Society Organization
CW: The Commonwealth of Nations
CWF: Commonwealth Foundation
DESA: Department of Economic & Social Affairs (UN)
ECOSOC: United Nations Economic and Social Council
EESC: European Economic & Social Committee
EU: European Union
G8: Group of eight leading industrial nations
GA: General Assembly of the United Nations
ILO: International Labour Organization
IMF: International Monetary Fund (UN specialized agency)
NGO: Non-governmental Organization
OECD: Organization for Economic Cooperation & Development
OIC: Organization of the Islamic Conference
UN: United Nations
UN-NGLS: The United Nations Non-Governmental Liaison Service
UNCTAD: United Nations Conference on Trade & Development
UNESCO: UN Educational, Scientific & Cultural Organization
UNHCR: United Nations High Commissioner for Refugees
UNICEF: United Nations Children’s Fund
WFTU: World Federation of Trade Unions
WTO: World Trade Organization
Executive Summary

This study is a working paper prepared to inform strategy development for civil society organizations seeking enhanced engagement with multilateralism. Specifically, this study is designed to contribute to discussions by Civil Society Organizations from Muslim states and communities toward furthering engagement with the Organization of the Islamic Conference (OIC), a key multilateral institution for civil society in that region. It offers key features of civil society engagement, strengths and weaknesses, and lessons learned drawn from existing models. Three multilateral organizations selected for focused discussion: UN ECOSOC, The Commonwealth, and UNCTAD. Three modalities for civil society engagement were identified: Institutional, Accreditation, and Operational/collaboration. Though more difficult to identify, emerging informal modalities were also seen to be an important engagement modality. Within all modalities, three distinctive, formal levels of civil society engagement were identified: access, influencing, and decision-making. All modalities were found to have strengths and weaknesses depending upon the level of civil society engagement possible. The most empowering modality is the Institutional modality, which brings decision-making powers, voting rights, and responsibilities. The primary focus of this study was on the Accreditation modality. Civil society’s level of engagement with multilateralism through accreditation has effectively stagnated at the level of influencing. It is important for civil society wishing to engage more formally and effectively with multilateral institutions to plan carefully, build trust and credibility, work at local and regional levels, and do the necessary homework. Importantly this study concludes that, in general, existing modalities do not fully serve today’s complex regional and global realities. New ideas are needed to develop new, more inclusive, engagement modalities allowing, for example, for the participation of parliamentarians, academia, and the business sector.
1. Introduction

Civil society organizations (CSOs) in Muslim states and communities are exploring ways to enhance their engagement with multilateral bodies. The purpose of this working paper is to contribute to discussion and strategy development toward this goal of engagement. Specifically, this paper will contribute to discussions on the Organization of the Islamic Conference (OIC) as a key multilateral organization for civil society influence.

Civil society’s (CS) engagement with multilateral bodies today is complex, confusing and dispersed. While recognizing that the details and complexities are relevant, non-negligible elements of an overall picture, this working paper is not intended to be a comprehensive or theoretical treatment. It examines three existing models of CS engagement with multilateral institutions in order to illuminate some key elements, features and issues from the point of view of CS. Questions that will be addressed in the paper:

- Are existing modalities of CS-multilateral relations effective?
- What are the strengths and weaknesses or limitations of these modalities?
- What lessons can we draw from CS’ interactions with multilaterals to date?

The primary focus here is on accreditation, which is an official, formal, and established CS modality of engagement in multilateral processes. There seem to be some innovative initiatives in operational cooperation types of modalities but they are beyond the scope of the study.

The terms “civil society” and “civil society organizations” have been in use since the 1990's. They have been subject to continued discussion and often heated debate. The term “civil society organization” implies a broader concept than “non-governmental organization (NGO).” Yet, CSO and NGO are often used interchangeably. Multilateral organizations mostly exclude the business sector when they talk about CSOs. However business associations are sometimes included by multilaterals. At this point, no clear definition or consensus has been found and no attempt will be made to define these terms here. For the purposes of this study, CSO and NGO will be employed as they are used in the relevant literature and by multilateral bodies. The term “non-state actor” is used for CS and the business sector.

Research for this paper included consulting the relevant literature and reviewing the websites of multilateral bodies. Interviews were conducted with key CS leaders and resource persons.

This paper has six sections. Following this introduction, Section 2 looks at issues of representivity and the OIC context. Section 3 examines existing relationships between multilaterals and CS and identifies distinctive modalities and key features of each. For a more focused discussion, three snapshots of selected existing modalities are presented in Section 4. Section 5 examines strengths and weaknesses of each of the selected modalities. It also draws lessons from CS experiences with multilateral bodies. Section 6, offers some concluding remarks.

2. Issues of Representivity and the OIC Context

The world has changed dramatically since the 1990’s. The Information and Communication Technology Revolution, the break-up of the Soviet Union and the subsequent changes in Eastern Europe, the increased power and role of multinational corporations, and China and India on the way to becoming economic super powers, are just a few indicators of change.
Facing this rapidly changing global reality, the United Nations (UN) and other multilateral bodies have been pushed to re-examine their mandate or even their very raison d’être. A number of multilateral bodies beyond the UN system have also become more prominent. In particular, financial institutions such as the World Bank, IMF (International Monetary Fund), and WTO (World Trade Organization) have increased their power and influence in the international scene. With other powerful multilaterals such as the G8, OECD (Organization for Economic Cooperation & Development) or the EU (European Union), international governance has become diverse, complex, and diffuse.

The explosion of CSOs has profoundly changed the global community. One UN document indicated that over 20,000 international NGOs emerged in the 1990’s (Foster, 1999). It is not just the number but also the wide variety of NGOs at various levels that make this sector extremely complex and diverse.

There are three distinctive types of CSOs from the point of view of their representivity (who they represent) (Alhadiff & Wilson, 2002). These are: (1) Organizations that represent the views of their members, (2) Organizations that represent the rights of those voices that are not heard, such as children, the poor, and refugees. In other words, they defend the interests of society’s under-served population, and (3) Organizations that address wider issues such as the environment and human rights.

Type 1 has a clear-cut constituency, namely their members. “Constituency” in its traditional sense however does not so clearly apply in the cases of Type 2 and Type 3. In particular, the constituency of Type 3 is difficult to define. We have witnessed a dramatic increase in the second and third types of CSOs. For this reason, representation issues have become contentious. In order for CSOs to be recognized in policy-making processes, it is critical to clarify on whose behalf CSOs are speaking. CSO engagement with multilateral bodies has increased to an unprecedented degree. A number of international conferences as well as violent confrontations in the streets increased CSO visibility and influence significantly. In response, multilateral bodies have undertaken reform and have been creating new approaches to enable CSO involvement in their work.

Representivity is a very different issue within the OIC context. CSOs, as defined within Western contexts, are new to many Muslim countries. In this part of the world, CSOs have emerged fairly recently and under challenging situations such as years of violence, conflict, instability, under-development, and repressive regimes. The OIC, which unites member states in the Islamic religion, is today the second largest multilateral body after the United Nations. The OIC launched its “Ten Year Program of Action” in 2006 outlining its reform initiatives. In 2006, the OIC drew up draft rules and bylaws for accreditation of NGOs to the OIC. While CSOs have been involved to some extent\(^1\), thus far an official and structured model of engagement has not been established.

3. Existing Modalities of CSO Engagement with Multilateralism

As described in the previous Section, the proliferation of international gatherings since the 1990s resulted in a surge of interactions between civil society and multilateral bodies. The increased diversity and complexity of relationships is overwhelming. This section presents a fairly broad and simplified conceptual framework in order to grasp the current complex situation.

\(^1\) CSOs have been involved significantly in the Committee for Islamic Conference Youth Forum for Dialogue and Cooperation and in emergency relief initiatives.
First, different levels of CS engagement with multilaterals are identified. Then, various CS-multilateral relationships will be broadly grouped together by type. Distinctive features of each will be highlighted. While there are exceptions and grey areas, the purpose of this section is to view the bigger picture without being caught up in too many details. Throughout this section reference will be made to Table 1: “Level and Nature of Civil Society Engagement”.

### Table 1: Level and Nature of Civil Society Engagement

<table>
<thead>
<tr>
<th>Levels of CS Engagement</th>
<th>Modality</th>
<th>Accreditation</th>
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<td><strong>Institutional</strong></td>
<td><strong>Operational/collaboration</strong></td>
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<tr>
<td>Decision-making</td>
<td>Voting rights</td>
<td>CSOs on the Governing Board</td>
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<td></td>
<td><strong>Influencing</strong></td>
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<td></td>
<td>Mandatory consultation</td>
<td>- Participate in discussion</td>
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<td>- Place items on agenda</td>
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<td>- Deliver written or oral statements</td>
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<td>- Attend formal meetings</td>
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<td></td>
<td></td>
<td>- Interact with delegates etc.</td>
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<td></td>
<td></td>
<td>- Project/field operation specific</td>
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<td></td>
<td></td>
<td>- Little system-wide engagement</td>
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<tr>
<td></td>
<td></td>
<td>- Influence through monitoring, evaluating, etc.</td>
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<tr>
<td>Access</td>
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<td>- Seating during meetings</td>
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<td>- Meeting space for CS meetings</td>
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<td>- Access to facilities</td>
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<td></td>
<td></td>
<td>- Project/field operation specific</td>
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<tr>
<td>Nature of relationship</td>
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<td>with multilateral</td>
<td>- Equal partner</td>
<td>- Host and guest</td>
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<td>- Rights and responsibilities</td>
<td>- Privileges and obligations</td>
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<td></td>
<td>- Contractor and service provider</td>
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<td></td>
<td>- Service provision and Remuneration</td>
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### 3.1 Levels of CS Engagement with Multilateral Bodies

This study has identified three distinctive levels of CS engagement with multilaterals: access, influencing, and decision-making (see Table 1: Level and Nature of Civil Society Engagement). Access is an entry level of CS involvement in multilaterals. CS wishing to get involved in multilaterals initially struggles at this level for access and information. At this level CS can expect access to: facilities, documents, meeting space for CS meetings, and seating arrangements during meetings. The host multilateral determines which of these access privileges are granted to which CSOs. Within the access modality interaction between CS and multilaterals is minimal and CS is often simply tolerated by the host.
At the level of influencing, CS is actively involved in multilateral activities and functions. Through these activities, CSOs have opportunities to influence the host multilateral’s decision-making process. They may be allowed to attend formal meetings, interact with delegates and officials, deliver written or oral statements, place items on the agenda or participate in discussion, etc. As with the access modality, it is the host who determines which of these influencing activities will be granted to which CSOs.

Decision-making is the highest level of CS engagement with multilaterals. At this level, CS is on an equal footing with the multilateral and exercises its voting rights in the multilateral’s policy setting processes.

3.2 The Nature of CS – Multilateral Relationships

CS may engage with multilaterals in many different ways (See Table 1: Level and Nature of Civil Society Engagement). In any organizational interaction, there are two distinctive relationships: informal and formal. Within formal relationships, three broad groupings of multilateral-CS relationship modalities seem to be operating: Institutional, Accreditation, and Cooperation agreement. Following is a discussion of these three formal relationships. The major focus of this study is on the Accreditation relationship. Due to its importance, informal relationships will be touched upon at the end of this section.

3.2.1 Institutional Modality

In the Institutional modality, a non-state actor plays a direct part in the political processes of the multilateral concerned with voting rights (see Table 1: Level and Nature of Civil Society Engagement). This modality is not a recent creation. Rather it was a creation of a different era. Key features of this modality include:

- A non-state actor has its own governing body and organizational structure and interacts with a multilateral as one collective organizational entity;
- A non-state actor is fully integrated in the multilateral body’s organizational structure and governance;
- The non-state actor is on an equal footing with the multilateral body;
- The non-state actor has rights and responsibilities.

An example of the institutionalized modality is the International Labour Organization (ILO). The ILO, created in 1919, is both an example and a special case. It is the only tripartite institution within the UN system with governments, employers, and workers’ organizations as its constituencies. There are other examples, such as the OECD)and European Economic and Social Committee (EESC) (created in 1960 and 1957, respectively). They have the same kind of institutionalized modalities with a lesser level of rights than the ILO. In these two cases, CSOs have rights to be consulted (mandatory consultation) unlike CSOs with the ILO which have voting rights.

3.2.2 Accreditation Modality

In the Accreditation modality, non-state actors acquire consultative or observer status through officially defined criteria and procedures. Key features of this modality include:

- The multilateral body concerned defines criteria of non-state actor engagement and it grants a prescribed status;
• The relationship between the two parties is unequal in that the multilateral organization defines the relationship;
• The non-state actor interacts with the multilateral body individually, as an individual entity. Non-state actors do not have an official collective entity;
• The non-state actor is not integrated into the multilateral body’s structure;
• The non-state actor has privileges (benefits) and obligations as defined by the host multilateral body.

Fourteen key elements or components for accreditation have been identified (see Annex 1: Key Elements / Components for Accreditation). A large number of multilateral – CSO relationships fall within this Accreditation modality; UNESCO, the Commonwealth, and the Organization of American States (OAS) to name just a few. Accreditation enables CSOs to exert influence on the multilateral organization through officially recognised processes.

### 3.2.3 Cooperation Agreement Modality

Multilateral organizations that have any kind of field operation, technical cooperation, and program delivery fall within the Cooperation Agreement modality. In this modality, a contractual agreement defines the relationship between CS and the multilateral concerned. Key features include:

• The multilateral body draws up a contractual agreement, defining selection criteria, the nature of activities, as well as administrative and financial procedures;
• The relationship is an unequal, contractor and service-provider relationship (though their relationship is often called a “partnership”).
• Non-state actors interact with the multilateral body as an individual entity; (individual organizations apply or bid for contracts).
• Non-state actors are not an integral part of the multilateral institution;
• Non-state actors provide certain services under specific terms and conditions and are remunerated as prescribed by the multilateral body.

Many UN specialized agencies with field operations such as the United Nation’s Children’s Fund (UNICEF), the UN High Commission for Refugees (UNHCR) and other multilaterals, such as the European Union (EU) and OAS, have this modality.

### 3.2.4 Informal Modality

This type of CS-multilateral relationship is difficult to define exactly due to its informal nature. The boundary between formal and informal is also not always clear and becoming even more blurred with the proliferation of international gatherings of all sorts since the 1990s. The power and potential of an informal modality cannot be overstated. For CS, this informal modality can be an important first step toward more formal, established relationships with multilateral bodies.

### 4. Selected Modalities: Snap Shots

For our focused discussion, the Commonwealth (CW), ECOSOC (United Nations Economic and Social Council) and United Nations Conference on Trade & Development (UNCTAD) were selected. This selection was made after reviewing a number of bodies and within strict time and resource constraints. These three bodies were selected in part because their structures and features were seen to be pertinent to the OIC context and also based upon the availability of
information and CS resource persons with relevant experience. (Please see Annexes 2- 4: Snap Shots of Selected Modalities).

5. Selected Modalities: Discussion and Analysis

In this Section, strengths and weaknesses of ECOSOC and the Commonwealth modalities will be examined. Due to the unavailability of CS resource persons with relevant experience, a more detailed analysis of UNCTAD is not included here (see Annex 4 for a Snap Shot of UNCTAD).

5.1 CS Relations with UN ECOSOC (See Annex 2)

The foundation of the UN-civil society relationship is set out in Article 71 of the UN Charter and ECOSOC is mandated as a vital link between the UN and civil society. It is worth noting that the draft UN Charter had no provision for NGOs. Led by the World Federation of Trade Union (WFTU), Article 71 was a hard won result of US and international NGOs’ lobbying efforts. It is said that WFTU also demanded a voice in the General Assembly with a permanent seat and the right to vote. However governments resisted these demands and decided that NGOs would be kept out of the General Assembly and would not have equal status with governments in any UN forum (Willets, 2002). Since then, despite a dramatic increase in CSO involvement in the work of the UN, their fundamental relationship remains unchanged. CSOs have, for the most part, been operating on the periphery of the General Assembly and have not gained equal status with governments. Following are strengths and weaknesses of CS relations with UN ECOSOC.

5.1.1 Relationship Strengths

a. Well Laid Out Accreditation Scheme

ECOSOC has two types of accreditation; one is temporary (or conference specific) and the other is ongoing (referred to as consultative status). In the latter, there are three categories for NGOs depending on the NGO level and range of involvement in ECOSOC work: general, special, and roster. Each category of NGO enjoys different degrees of privileges as well as obligations. Accreditation-related rules, procedures, as well as functions of ECOSOC’s 19-Member NGO Committee are all clearly defined and spelled out. NGOs with consultative status with ECOSOC are usually invited to UN conferences.

b. Inclusion of National and Southern NGOs (NGOs in developing countries)

The current ECOSOC modality is derived from the 1996 review (adopted as Resolution 1996/31). Its two major outcomes were: admission of national NGOs to consultative status and an emphasis on the need for increased participation from developing country NGOs (Adams, 1999). After the Resolution, national and Southern NGOs’ direct or close to the field experience started to reach to the international level. Previously national and Southern NGOs were (and still are) represented through mostly North-based international NGOs. Because international discussions are conducted away from the field, they are often abstract. National and Southern NGOs give important depth and reality to international discussions. The percentage of Southern NGOs increased from 21% to 34% between 1996 and 2007. During the same period, the total number of NGOs with consultative status tripled (See Annex 2).

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2 Willets’ (2002) article provides an in-depth historical account of civil society’s access to the UN.
c. Solid Mechanisms for Supporting CSO Participation

The UN’s effort to promote CS involvement includes a well-established institutional CSO participation support mechanism. The United Nations Non-Governmental Liaison Service (UN-NGLS) in New York and Geneva has provided information, advice, expertise and consulting and support services since 1975. NGLS is administered by UNCTAD.

The NGO section of the Department of Economic & Social Affairs (DESA) acts as the substantive secretariat of the ECOSOC Committee on NGOs as well as a focal point within the UN Secretariat for all issues related to the consultative relationship between the UN and NGOs. In the past, civil servants fill positions in these offices. It is reported that staff composition has shifted greatly and now many of the staff members have NGO backgrounds and are familiar with the work of NGOs.

The Conference of Non-Governmental Organizations in consultative status with ECOSOC (CONGO) was established in 1948 as a forum of NGOs with consultative status and has been providing support and sharing expertise with other NGOs.

d. Innovations in UN Conferences and Temporary Accreditation

In the last decade, a number of major UN conferences have taken place: the 1995 Copenhagen World Summit for Social Development, the 1992 Rio Earth Summit, and the 1995 Beijing Women’s Conference, to name just a few. Along those lines, a great variety of arrangements for CS participation were experimented with. There is no doubt that those conferences greatly enhanced CS’ participation, visibility and influence at the international level. Conferences are even more attractive for small and Southern NGOs as financial support is often extended to them.

5.1.2 Relationship Weaknesses

a. Flaws in Consultative Accreditation

At first glance and on paper, ECOSOC accreditation looks good; however there are some major flaws. They include:

Time Consuming and Bureaucratic Procedure: The accreditation procedure involves lots of paperwork and can take up to four years (Foster, 1999). Recently the application process was changed to an electronic format and this has reduced the paperwork. The process however remains unable to respond to urgent or special cases.

Accreditation Is Highly politicized: Obtaining accreditation can be subject to blockage by a member state that does not like the work of a particular NGO. During the Cold War era, accreditation was seriously affected by East-West conflicts. Currently, the most contentious issue is human rights. Both the literature and some interviewees for this study asserted that the ECOSOC NGO Committee has become politicized to the point that they are policing and censoring NGO activities.

Inflexible Accreditation Criteria: There are many NGO networks. Those loosely organized, rather than established and institutionalized, forms are important modalities allowing for the dynamic and flexible nature of NGO activities. Yet, because they do not fit neatly into accreditation...
criteria, such networks have a difficult time attaining accreditation. The value of these networks is thus lost. This inflexibility of criteria will become more problematic as NGOs increasingly form virtual and internet-based networks and coalitions.

Lack of Ongoing Participation Mechanisms for NGOs Following Consultative Status: As the term suggests, consultative status (ongoing accreditation) is granted for the purpose of NGOs’ ongoing engagement with the UN. In reality, the UN leaves NGOs to figure out how they will maintain ongoing engagement. Traveling to New York or Geneva is costly and obtaining an entry visa can be a major obstacle, especially for Southern NGOs. Having a permanent presence in New York or Geneva is an exorbitant and unworkable solution for poorer NGOs. Only large, resource-rich international NGOs can afford a permanent base in New York. Many smaller and Southern NGOs depend on New York or Geneva-based volunteers to substitute but this arrangement has proved to be rather unsatisfactory. Having a full-time staff with the expertise to attend meetings is crucial for an ongoing engagement but again is very expensive.

b. Aftermath of UN Conferences

Massive conferences brought organizational challenges, pressures, and logistical limitations. Conference organizers were often too occupied with experimenting to pay attention to consistency and coherence in the rules of NGO engagements. There was considerable confusion, uneven standards and unclear procedures. Standardization of the rules for NGO participation in UN conferences has not been looked into. Rather, without much evaluation or reflection, more varieties of procedures and standards have been added, creating more confusion.

c. Failed Follow-up to UN Conferences, No Link between One-off and Ongoing Accreditation

Post-UN conference arrangements designed to engage CSOs were not really thought through by Conference organizers. Few NGOs understand the difference between temporary accreditation and ongoing consultative status. NGOs participating in Conferences often make the assumption that their engagement will continue afterward. In some cases, such as in case of the Commission on Sustainable Development, those NGOs who took part in the 1992 Rio Conference were given status after the Conference for their ongoing engagement. However this is one of few exceptions. In most cases, the link between one-off and ongoing engagements has not been made.

d. NGOs’ Excessive Focus on Conferences

Interviewees expressed concerns about NGOs’ tendency to be excessively attracted to major Conferences, while paying much less attention to ongoing consultative engagement. Conferences have a number of attractive features: almost instant visibility, publicity, networking opportunities, less formal and relatively quick procedures to get accredited, and the like. Conferences can give NGOs a false impression as to the extent that things can be changed through action at a single conference. In reality, policy-making is a lengthy process and in order to make an effective impact, an ongoing engagement, such as that which consultative status provides, is needed.
5.2 CS Relations with The Commonwealth of Nations (CW) (See Annex 3)

The Commonwealth is an alliance with member states that are united through the history of the British Empire. Not all countries with histories of British rule or historical links are members (e.g. the USA and some Arabic-speaking countries). A wide variety of CSOs have been affiliated with the CW for a long time. They are grouped under the “Commonwealth Family” that is a loose network of associations, organizations, and charities affiliated with the Commonwealth. The CW has two types of accreditation: temporary (conference specific) and ongoing (observer status). Following are strengths and weaknesses of CS relations with The CW.

5.2.1 Relationship Strengths

a. Good Southern Representation

In comparison with the United Nations, the size of the CW in terms of the number of member governments (53) is less than one-third. Due to its historical background, the majority of the CW member states are developing countries. For this reason, developing countries have a bigger voice and more visibility at the CW than in the UN system, in particular, those Pacific and Caribbean countries.

b. CSO Engagement Reaches the Top Level of the CW’s Decision-making Structure

CSOs have access to the highest decision-making body, the Commonwealth Heads of Governments meeting (CHOGM) which meets every two years. CSOs also participate in ministerial meetings. Ministry meeting cycles vary depending upon the ministry in question and for each ministry, the CS engagement modality differs according to the ministry structure and processes.

c. The CW Has Well-established CS Engagement Support Mechanisms

The Commonwealth Secretariat’s Strategic Planning & Evaluation Division employs a civil society liaison officer. This officer is in charge of accreditation-related matters. Additionally, the Commonwealth Foundation (CWF), funded by Commonwealth governments, is mandated to promote the involvement of civil society in the Commonwealth. The CWF is the only intergovernmental organization in the world with CSOs formally integrated into its key governance structures. The Civil Society Advisory Committee is one of the CWF’s subsidiary bodies which provides guidance on CWF’s work. The other subsidiary body is the Writers’ Prize Advisory Committee. The Civil Society Advisory Committee has 15 civil society members. They are drawn from all regions of the CW. The Board of Governors comprises five CS Advisory Committee members as well as UK-based representatives of member governments. CWF facilitates the participation of CSOs in Commonwealth priority areas of work and often organizes parallel activities and consultations for CSOs.

5.2.2 Relationship Weaknesses

a. Limited Scope of Accreditation

For a long time, CSOs with observer status with the CW was limited to CW professional associations which numbered around 60. It was only two years ago that accreditation for observer status started to open up to other CSOs. At present, the number of CSOs with observer status is about 80 (60 professional associations and 20 other CSOs). Most
professional associations’ headquarters are in London and member associations in developing countries are represented through their headquarters. For this reason, there is no breakdown between Northern-based and Southern NGOs, according to a CW official. Another 150 or so CSOs are involved in the work of the CW from time to time. Given the size of the CW, the number of CSOs involved seems very low. Moreover, the membership is heavily skewed to professional associations whose primary mandate is to serve their members (constituencies). Only very recently, other CSOs who address broader issues in society were accredited by the CW. This number remains very small.

The CW offers ongoing and temporary accreditation. It functions as a two-tiered system; with observer status as a pre-requisite to gaining temporary accreditation. In addition, there are some other conditions attached to temporary accreditation.

b. One CS Group’s Over-representation

The CW has been creating and nurturing professional associations for a long time. This group of CSOs has privileged status. The legacy appears to still be strong though the door is now opened up to other CSOs. CSOs argue that professional associations are often used as major showcases of the CW’s efforts in engaging CS even if they are often small in size and the impact is limited.

c. Limits Due to the CWF’s Traditional Functioning

The Commonwealth Foundation was established by the CW heads of government in 1965, the same year its sister organization, the Commonwealth Secretariat was founded. The Secretariat’s mandate was set for supporting the political endeavours of the CW. The CWF’s original mandate was professional development. Until 1979, the CWF facilitated the creation of professional associations and supported the professional development of professionals and skilled auxiliaries. In 1979, the Foundation’s mandate was extended to include a broad range of CSOs in such areas as rural development, disability, gender, arts, and culture. Setting out to promote the involvement of these CSOs was a forward-looking innovation well ahead of the times. However, after close to three decades and with the surge of CS and other changes since the 1990s, the Foundation’s functioning shows some major flaws.

Despite the fact that the CS Advisory Committee is in place and that CSOs have been on the Board of Governors of the CWF since 2004 (after more than 10 years of vigorous lobbying by CSOs), the Foundation is still a typical traditional governmental body, mostly controled by London-based member country diplomats. The top position goes to a former ambassador or high-level civil servant of the member country. The staff is also comprised of civil servants. They tend to function as gatekeepers and their views toward CSOs are not always favorable and can be hostile. CSO representatives assert that despite its mandate, the Foundation has become a major obstacle for CSOs. CS’ past experience with the Heads of State Conference illustrates this situation well. Several interviewees remarked that despite the fact that CSO engagement with the Heads of State was institutionalized (see above), in reality the Foundation functioned as a buffer between CSOs and the official meetings. Access to Heads of State was restricted to CSOs and their input in the official meeting was modified under the Foundation’s pressure. By doing so, the Foundation was effectively fulfilling its original parallel division of labour vis-a-vis the Secretariat. The CWF serves CSOs and the Secretariat serves the member states.
Yet there is a twist. All CS accreditation matters are handled by the Secretariat. The Foundation, which is not a subsidiary of the CW, has its own inter-governmental status and is mandated to promote CS engagement. This arrangement for overlapping clientele has been a source of continued tension between the two.

5.3 Common Issues: ECOSOC, the CWF and Other Multilaterals

5.3.1 Parallel NGO Fora

Several elements are common to ECOSOC, the CW, as well as other multilaterals. Many of them have organized NGO fora. As mentioned earlier, benefits of these parallel fora for NGOs include: opportunities for networking, mutual learning, strategy development and the like. At times NGOs were too busy with their own activities to interact with concurrent official meetings. In this case Parallel NGO fora become really parallel; NGOs’ engagement with multilaterals can easily be forgotten. They can be NGOs’ isolated and segregated events, taking them away from official policy deliberations.

5.3.2 Communication, Access to Information and Secretariat

Interviewees expressed concerns about the use of diplomatic language in recording and reporting in multilateral bodies. Rough edges or contentious issues are often removed or softened. This makes it difficult to accurately evaluate inputs and outcomes.

Multilateral bodies’ websites on CSOs have little consistency in their contents and presentation. Information on accreditation varies considerably from one body to another. In some cases, vital information such as name and contacts of the CS officer is not updated.

Inaccessibility of the respective Secretariats was also a common issue. Attempts were made to get access to the Secretariats for this study. Our e-mail messages remained unanswered and our phone calls have not been returned. Taking into consideration that Secretariat staff work under duress and resource constraint, the level of communication is far from desirable. More effective means of communication are needed.

5.4 Lessons Learned

The snapshots of the modalities presented above provide different examples of CSO/multilateral relationships (See Annexes 2-4). A number of lessons can be learned from CS’ experiences with those multilaterals. The following lessons can be helpful for CSOs who have recently started to look into ways to engage with multilaterals.

5.4.1 Do the Homework

Homework on CS engagement with the multilateral system must occur on three levels: know your issue, know the counterpart multilateral organization, and know yourself. A CSO needs to research the issue concerned, get to know the target multilateral well, understand the rules of the game, and know how the system works and when and how to exercise influence. You must familiarize yourself with diplomatic language and processes. At the same time, clarify exactly what your organization wants to ask the multilateral to do. Examine your organization’s capacity and resources and develop a plan of action accordingly.
5.4.2  Build trust and credibility

A good relationship with your target multilateral is worth the effort. In particular, good relations with the Secretariat and other CS focal points really make a difference. Views of leaders and staff often greatly affect the quality and level of CSO engagement. Developing a relationship takes time and patience. Nothing can replace good personal rapport. At the same time, close relationships can be perceived as being “co-opted.” The benefits of close relations and maintaining independence can be a delicate balance to strike.

The following are suggestions designed to help build trust and confidence:

- Explore common purposes or goals with your target multilateral, and engage them in dialogue;
- Provide to the multilateral examples or experiences of other multilateral bodies, namely what has already been done elsewhere;
- Present the value that CSOs can offer. Value-added includes expertise and experience with the issues concerned; a link to the public; and sources of information, ideas, analysis and solutions. In short, let them know how your organization can help them make better and more informed decisions or help them prepare for emerging issues;
- Let the multilateral make its own choice; a sense of ownership goes a long way;
- Adhere to certain agreed upon standards and codes of conduct. Governments often assert that NGOs are not accountable to an electorate and their participation at the UN or other multilateral bodies are not necessarily representative.

5.4.3  Work on Multiple Levels, Channels and Leverage Points

Seek alliances with other institutions/bodies that might be able to influence your target multilateral. Paying attention to subsidiary bodies is crucial. Multilaterals these days are large and very complex. Ordinary policymaking is usually done in subsidiary bodies and is endorsed at the higher level where an often-crowded agenda allows limited time for elaborated deliberation. CSOs can find more opportunities at lower levels that have fewer rules and procedures. CSOs tend to think that they must work to influence only at the international level. However, working at regional or national levels, including with your own government is often worthwhile in order to have an impact at the international level. It is important to understand that the policy process is a long and complex process.

5.4.4  Understand Governments’ Behaviour Patterns

Governments’ attitudes toward CS engagement oscillate between hostility and reluctance at one end of the spectrum and openness at the other end. Governments keep questioning the legitimacy and accountability of CS. Governments feel they, being elected, are the legitimate representatives of society (UN, 2003). When governments are hostile to CSOs, seeing them merely as troublemakers or nuisances, they attempt to minimize CSO roles by increasing restrictions on CSOs and putting them “in their place.” In this case, no matter what is written on paper regarding CS involvement, CSOs may be excluded or tolerated only for token engagement. When governments’ attitude towards NGOs is positive, they see NGOs as valuable partners. NGOs may well have a decisive influence on governments’ decisions. The dynamic of these pulling and pushing forces makes governments’ attitudes take one step forward, two steps back. Paul succinctly summarizes: “In short, NGOs are annoying but
indispensable. So delegations are constantly closing the door, only to open it again still wider” (Paul, 1999). Hostility and reluctance persist. Recent examples include governments’ attitude on the 1996 ECOSOC review. This review revealed considerable levels of resistance and reluctance amongst governments to extending CS engagement beyond ECOSOC to the General Assembly and specialized agencies.

5.4.5 Limitations of the Accreditation Modality

CSOs attain access and influencing opportunities under the accreditation modality. Some unprecedented openness and generous resource allocations have been demonstrated in major international conferences since the 1990s. Yet no matter how open and generous multilaterals have been, at one point or another, the relationship between the two remains unequal. Multilaterals can always change the rules on a whim. Privileges granted to CSOs can be taken away or modified at any time. Examples include the recent UN budget cut that resulted in the withdrawal of some services and restrictions of access previously granted to CSOs.

6. Conclusion

Multilateral bodies are struggling to keep up with the surge of civil society and rapid global changes when it comes to their relationship with civil society. Accreditation modalities in various multilaterals are confusing, complex, and fragmented, particularly in the area of temporary (conference specific) accreditation. Complexity can be more prohibitive for smaller or Southern CSOs. Smaller resource-tight organizations suffer more than bigger and richer organizations. Adequate evaluation is yet to be done on the experiments and innovations undertaken to date. Learning lessons from what has been done and introducing greater consistency and coherence in the rules and procedures of engagement with civil society are urgently needed.

Civil society’s level of engagement with multilateral relations through accreditation has been stagnated at the level of influencing. Institutionalised consultation that is established with a legal base can take CSO engagement to a new level – a level where CSOs engage multilateral bodies on a more equal footing.

It is becoming clearer that existing modalities do not serve well for today’s reality. New thinking is needed in order to develop a new model of a multilateral-CS relationship that bridges constituency-based representation and an emerging participatory-type of representation. The new model needs to be inclusive, taking into account other important non-state actors such as parliamentarians, the academic community and the business sector who do not necessarily identify themselves as part of civil society.
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Foster, J. W. (2002). Futures Beyond Threats, G02 Truck - The UN, Civil Society & Global Governance, Forum International de Montréal, Montréal.


**Official/Statutory Documents on Civil Society Engagement**


http://www.unctad.org/Templates/Page.asp?intItemID=3475&lang=1

United Nations Conference on Trade & Development (UNCTAD), UNCTAD and Civil Society.  
http://www.unctad.org/Templates/StartPage.asp?intItemID=3455&lang=1


http://www.unhcr.org/excom/EXCOM/3ae68d0c10.html

**Websites**

**UN & UN-related**

United Nations Non-Governmental Liaison Service (NGLS)  www.un-ngls.org


The Conference of Non-Governmental Organizations in consultative Relationship with the United Nations (CONGO)  www.ngocongo.org

The Conference of NGOs in consultative relationship with the United Nations (CONGO)  
http://www.ngocongo.org/index.php

United Nations Conference on Trade & Development (UNCTAD) http://www.unctad.org  
United Nations Conference on Trade & Development (UNCTAD) & Civil Society  
http://www.unctad.org/Templates/StartPage.asp?intItemID=3455&lang=1


UN High Commissioner for Refugees http://www.unhcr.org

UN High Commissioner for Refugees, doners/partners: http://www.unhcr.org/partners.html

United Nations Children’s Fund (UNICEF), Civil society partnership – about partnership  
http://www.unicef.org/about/index_3374.html

The United Nations Non-Governmental Liaison Service (UN-NGLS)  http://www.un-ngls.org
Other Multilateral Bodies

Arab League (or League of Arab States)  http://www.arableagueonline.org
Arab League General Information  http://faculty.winthrop.edu/haynesemlas/al1.html
Commonwealth Foundation  http://www.commonwealthfoundation.com
Commonwealth Secretariat  http://www.thecommonwealth.org/
Organization of American States  http://www.oas.org/main/english/
Organization of American States, Civil Society  http://www.civil-society.oas.org/
Organization of Islamic Conference (OIC)  www.oic-oci.org

Others

Global Policy Forum  http://www.globalpolicy.org
North-South Institute, Canada  www.nsi-ins.ca
Annex 1
Key Elements / Components for Accreditation
Key Elements / Components for Accreditation

1. Statutory provisions (where terms of reference are set out)
2. Eligible organizations (e.g. type, geographical reach)
3. Type of accreditation (e.g. temporary, on-going)
4. Category/status
5. Requirements (e.g. proof of NGO status, proof of activities, financial information)
6. Eligible issues for CSO input into multilateral decisions (e.g. economic, social, religious)
7. Benefits (e.g. access to documents, the ability to place items on the agenda, the ability to participate in discussions)
8. Obligations (e.g. reporting requirement)
9. Process for gaining accreditation
10. Decision making body, its composition & process
11. Maintaining the status
12. Procedures for the withdrawal or suspension of consultative status
13. Right to redress (e.g. refused accreditation, lost status)
14. Secretariat
Annex 2
Snap Shots of Selected Modalities
Commonwealth of Nations (The Commonwealth)
Commonwealth of Nations (The Commonwealth)

Established: 1926 (Balfour Declaration), 1931 (Statue of Westminster). It does not have a written constitution, but it does have a series of agreements setting out its beliefs and objectives.

Membership: 53 member States (former members of the British empire), 1.8 billion citizens

Role: co-operate in the common interests of their peoples and promote international understanding and world peace. An alliance with members that are united through history of British colonialism. Its members possess shared legal, economic, and governmental traditions.

Meetings: the Commonwealth Head of Government - held biennial; there are also regular meetings of finance ministers, law ministers, health ministers, etc.

Commonwealth Family: a network of associations, organizations and charities affiliated to the Commonwealth. They are not fully a part of it, and membership is on a voluntary basis. Commonwealth Foundation, Commonwealth Association of Universities, Commonwealth Games; Commonwealth of Learning, Commonwealth Business Council, and the like.

1. Relations with Civil Society

Definition of civil society: ‘Civil society organisations (CSOs) include community groups, labour unions, teacher unions, professional associations, faith-based organisations and parts of the media and academia. They operate at all levels, from the village and community through to national and international levels.’


2. Formal Mechanisms for Civil Society Participation

Accreditation
There are two types of accreditation - temporary (official meeting specific) and ongoing (observer status).

Temporary (official meeting specific)
- Commonwealth Heads of Government Meetings (CHOGM): every two years
- All organizations accredited to the Commonwealth may apply to be accredited.
- Commonwealth Ministerial Meetings:
  Accreditation is by invitation. Accreditation to meetings normally requires being accredited to the Commonwealth plus working in areas of direct relevance to the Commonwealth.

Civil Society Consultations

The Commonwealth Secretariat and Commonwealth Foundation co-host civil society consultations twice a year for Commonwealth organisations accredited to the Commonwealth and selected CSOs involved in areas of work relevant to the agenda of the meeting. The overall objective of these meetings is to provide a forum for the discussion of issues of common interest to the Commonwealth Secretariat, Commonwealth Foundation and CSOs.
Ongoing (observer status)
One category of accreditation for civil society organizations.
Ongoing accreditation is a pre-requisite (with some exceptions) to obtain meeting specific accreditation. Some additional conditions may be imposed to obtain meeting specific accreditation.

Cooperation Agreements
The Commonwealth Secretariat is not a grant-making organisation. However, it undertakes projects in collaboration with Civil Society Organisations (CSOs) and can assist CSOs to participate in its activities.

e.g. The Governance and Institutional Development Division can sometimes provide grants for key CSO regional activities, such as CSO training, if they have the support of the host government.

3. Institutional Support Mechanism

Commonwealth Foundation (CWF)
Funded by Commonwealth governments, and mandated to promote the involvement of civil society in the Commonwealth. The Foundation is the only intergovernmental organisation in the world with Civil Society Organisations (CSOs) formally integrated into its key governance structures. It facilitates the participation of CSOs in Commonwealth priority areas of work and often organises parallel activities and consultations for CSOs in the lead up to a ministerial meeting.

CWF has two subsidiary bodies: Civil Society Advisory Committee and Writers’ Prize Advisory Committee.

Secretariat: Civil society liaison officer, Strategic Planning & Evaluation Division, Commonwealth Secretariat

Statistical Data

Number of Civil Society Organisations with observer status: about 80 (2007)
Number of Civil Society Organisations with observer status: about 60 (2005)

Number of Civil Society Organisations occasionally engage in the work of the Foundation: about 150 (2007)

Source: The Commonwealth Secretariat
Annex 3
Snap Shots of Selected Modalities
United Nations Economic and Social Council (ECOSOC)
United Nations Economic and Social Council (ECOSOC)

Established: 1945

Membership: The Economic and Social Council has 54 members, elected by the General Assembly for three-year terms.

Role: The Council, under the overall authority of the General Assembly, coordinates the economic and social work of the United Nations and the UN family of organizations.

Meetings: It meets throughout the year and holds a major session in July, during which a special meeting of Ministers discusses major economic, social and humanitarian issues.

Subsidiary Bodies: The Council's subsidiary bodies meet regularly and report back to it. Functional commissions focus on such issues as sustainable development, the status of women, crime prevention, and narcotic drugs. Five regional commissions promote economic development and cooperation in their respective regions.

1. Relations with Civil Society

Article 71 of the UN Charter defines that ‘The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence’. With this mandate, ECOSOC has been a vital link between the United Nations and civil society since the inception of the UN.

ECOSOC’s definition of NGOs: Resolution 1996/31 defines NGOs ‘any international organization which is not established by a governmental entity or intergovernmental agreement.’

Type: non-governmental, non-profit public or voluntary organizations. Geographical reach: international, regional, sub regional and national NGOs. The UN often uses the words NGOs and civil society interchangeably. Their definition of the word ‘civil society’ is unclear.

2. Formal Mechanisms for Civil Society Participation

Accreditation
Accreditation: there are two types of accreditation, temporary and ongoing (consultative status) and three categories within consultative status depending on NGOs’ level of involvement.

Temporary accreditation: accreditation to UN conferences and other one-time events. It tends to be easier to obtain than the on-going accreditation (consultative status), but still requires submission of forms and documents describing the organization and its work. Non-governmental organizations in consultative status (general, special consultative status and on the Roster), shall as a rule be accredited for participation. Conference accreditation must be obtained separately for each event, usually from the conference secretariat. The criteria and benefits vary substantially from one conference to another.

On going (referred to as ‘consultative status’): for NGOs that are seeking a regular presence at the UN or a more permanent relationship one off temporary accreditation. There are three categories of consultative status depending on NGOs’ levels of involvement in ECOSOC work.
General consultative status: reserved for large international NGOs whose area of work covers most of the issues on the agenda of ECOSOC and its subsidiary bodies. Special consultative status: granted to NGOs which have a special competence in only a few of the fields of activity covered by the ECOSOC. These NGOs tend to be smaller and more recently established.

Roster category of NGOs: NGOs that tend to have a rather narrow and/or technical focus. They make occasional contributions to the work of the Council. There are four sub-categories.

Decision making body: ECOSOC’s 19-Member NGO Committee

3. Institutional CS Participation Support Mechanism

The United Nations Non-Governmental Liaison Service (UN-NGLS) Established in 1975. NGLS is part of the United Nations effort to promote dynamic partnerships between the United Nations and non-governmental organisations. It provides information, advice, expertise and consulting and support service. NGLS is administered by UNCTAD.

Secretariat: Department of Economic & Social Affairs (DESA), NGO section, UN Economic & Social Council acts as the substantive secretariat of the ECOSOC Committee on NGOs. It also acts as a focal point within the UN Secretariat for all matters related to the consultative relationship between the UN and NGOs.

Statistical data

Number of NGOs in Consultative Status with the council:

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<td>139</td>
<td>1956</td>
<td>955</td>
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</table>

Number of NGOs in Consultative Status with the council by Region

2007
3050 NGO's in Consultative Status

1996
1041 NGO's in Consultative Status

Annex 4
Snap Shots of Selected Modalities
United Nations Conference on Trade and Development (UNCTAD)
United Nations Conference on Trade and Development (UNCTAD)

Established: 1964 by the UN General Assembly

Membership: 191 member States (2007)

Role: To maximize the trade investment and development opportunities of developing countries and assist them in their efforts to integrate into the world economy on an equitable basis. Three key functions: forum for intergovernmental deliberations, research, policy analysis and data collection and technical assistance.

Meetings: There are four levels of meetings: the UNCTAD Conference - held every 4 years; The UNCTAD Trade and Development Board - the Board manages the work of UNCTAD in between two Conferences and meets up to three times every year; Four Commissions and one Working Party meet more often than the Board in order to take up policy, programme and budgetary issues; Expert Meetings - the Commissions will convene expert meetings on selected topics.

Subsidiary bodies: Four UNCTAD Commissions (Commission on Investment, Trade, Enterprise, and Science, technology for development) and one Working Party (Panel of Eminent Persons), International Trade Centre (ITC) – the technical cooperation agency of UNCTAD and the World Trade Organization (WTO).

1. Relations with Civil Society

Formal and informal mechanisms for civil society participation in the activities of UNCTAD are in place.

UNCTAD’s Definition of ‘civil society’: non-governmental organizations (NGOs), the private sector and academia. ‘At UNCTAD’s recent Conference (2004) in São Paulo, Brazil, member States agreed that better integration of NGOs, the private sector and academia into the work of UNCTAD would benefit both UNCTAD and its member States.’

2. Formal Mechanisms for Civil Society Participation

Accreditation: two types - temporary (the Trade and Development Board hearings and UNCTAD Conferences) and ongoing (observer status)

Temporary accreditation
UNCTAD Conferences (every four years): UNCTAD’s highest decision-making body. Civil Society Forum is part of the official programme of the Conference. CSOs with observer status with UNCTAD and those accredited by the Preparatory Committee for UNCTAD are able to participate in the Civil Society Forum. Financial support was extended to civil society representatives from developing countries.

Trade and Development Board (TDB) Hearings with Civil Society, the Private Sector and Parliamentarians (annual): the Board manages UNCTAD’s work in between two UNCTAD Conferences. NGOs/CSOs accredited to the Hearings and those that have observer status with UNCTAD are able to participate in the Hearings.

Ongoing (observer status, open only to international organizations)
There are two categories: general and special category organizations:

General category organizations: those who are concerned with most of the activities of UNCTAD. They can participate in the public meetings of all the intergovernmental bodies of UNCTAD.

Special category organizations: those that have special competence in a few fields of the activities of UNCTAD. Their representatives are entitled to participate in public meetings on specific matters falling within the terms of reference of the Board or of one or two of its subsidiary bodies.

Observer status is only granted to international NGOs. CSOs with observer status are able to participate in the Civil Society Forum the TDB Hearings.

Decision making body: the Trade and Development Board approves applications for status. Accreditation criteria and procedure are similar to UNECOSOC accreditation model.

N.B. National NGOs/CSOs which are considered to have a significant contribution to make to the work of UNCTAD may be entered by the Secretary-General of UNCTAD in a Register after consultation with the member State concerned.

Cooperation agreements
UNCTAD has cooperation arrangements with civil society in respect of development-oriented research and technical cooperation in areas affecting international trade

3. Institutional CS Participation Support Mechanism

Secretariat: Civil Society Outreach Unit

The Civil Society Outreach (CSO) Unit is responsible for liaison between UNCTAD and civil society.

The CSO Team:
- Helps facilitate the participation of civil society actors - including non-governmental and intergovernmental organizations - in the work of UNCTAD and its Conferences, organizing hearings, consultations, briefings and meetings with civil society.
- Reviews and processes requests for accreditation and observer status with UNCTAD from civil society.
- Provides civil society with information and documentation.
- Liaises and interacts with other UN system focal points for civil society.
## Statistical Data

Number of NGOs with observer Status by category

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<thead>
<tr>
<th>Category</th>
<th>1999</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>General category</td>
<td>95 (of them 25 Southern NGOs)</td>
<td>200 (General &amp; Special combined)</td>
</tr>
<tr>
<td>Special category</td>
<td>82 (of them 17 Southern NGOs)</td>
<td></td>
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<td>Roster category</td>
<td>10 (of them 3 Southern NGOs)</td>
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<tr>
<td>Total</td>
<td>187 (of them 45 Southern NGOs)</td>
<td>220 to 222</td>
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Source: Jing in Foster 1999; UNCTAD Secretariat