



NGO Access at the UN

By James A. Paul

Executive Director, Global Policy Forum

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Introduction

In an era of rapid globalization, non-governmental organizations (NGOs) increasingly operate in a global policy environment. Amnesty International, Doctors Without Borders, Oxfam, Greenpeace, and many others, seek to influence the great international decisions of the day. So they need to interact with global institutions. They want to participate in the process where policies are decided. The United Nations, the main global policy body, has been unusually open to NGO input over the years.

Nation states are usually the decision-makers, but NGOs seek "access" to information and to those that make the decisions. This can mean many things. NGO representatives want physical access to the conference halls where official meetings take place, so that they can observe, interact with delegates and monitor proceedings. NGO representatives want to circulate their own documents, to speak to meetings, to have access to documents and to gain entry to informal, preparatory meetings and the like. NGOs also want access to administrative offices in the Secretariat and other agencies, and the right to be consulted in the administration's policy-formulation and policy-implementation process. In some (rare) cases, NGOs aspire to official voting status in the decision-making process itself, as is the case in the International Labour Organisation.

At the United Nations, NGOs have had some access from the beginning. But recently those rules of access have seemed outmoded and in need of change. NGO importance soared with the global conferences of the 1990s, especially the

great environmental conference at Rio in 1992, with over ten thousand NGO representatives participating. Never before had NGOs been so prominent, so full of energy and ideas, and so central to the intergovernmental negotiating process. Subsequent conferences in Vienna (1993), Cairo (1994), Copenhagen (1995) and Beijing (1996) confirmed this new level of NGO dynamism and influence. The UN and its agencies also began to subcontract many services directly to NGOs -- including provision of emergency relief, demining, reconstruction, governance training and more -- further magnifying NGO status.

The "NGO Review" at ECOSOC: Negotiations 1993-96

After the Rio conference, NGOs called for increased rights at the United Nations. The UN Charter, in Article 71, provided for "suitable arrangements for consultation" between NGOs and the Economic and Social Council. Over the years, some major international NGOs had developed considerable access. But with changing times, NGOs wanted broader and more flexible access. Many member states agreed. So, on July 30, 1993, less than a year after the Rio conference, the Economic and Social Council decided (in resolution E/1993/80) to open intergovernmental negotiations, aimed at expanding NGO rights.

Agreement was not as easy to reach as some had hoped. On the government side, there were mixed feelings about NGOs. Many governments in Africa, Asia and Latin America found the proddings and exposés of the human rights NGOs to be annoying or even a threat to their sovereignty, while powerful governments in Europe, North America and East Asia were not particularly keen on NGOs that pressed for economic justice, disarmament and global democracy. So behind a rhetoric of enthusiasm for NGOs lurked profound disquiet. Delegations feared changes that might weaken or even eventually sweep away nation-states' monopoly of global decision-making.

On the NGO side, also, there was neither unity nor complete enthusiasm for the changes under way. Some major international NGOs, with a strong presence at the UN, worried that a flood of new, purely "national" (i.e. based in a single country) NGOs would undermine NGO legitimacy and open the way for narrowly-based and government-influenced organizations to pour into the UN. Members of the Conference of NGOs in Consultative Status with the UN, known by its acronym CONGO, tended to represent this critical viewpoint. On the other hand, thousands of new, dynamic national NGOs, many of unquestioned legitimacy and effectiveness, pressed for a widening of the admission gates and viewed the older NGOs as a privileged elite. Each perspective had a certain validity, but the divisions were real and sometimes even acrimonious.

Negotiations dragged out for a long time - almost exactly three years. Many NGOs followed the process closely and lobbied delegations intensively.

Eventually, under the able chairmanship of Amb. Ahmad Kamal of Pakistan, negotiations came to fruition on July 25, 1996. In exchange for concessions allowing more unrestricted representation for human rights NGOs, governments of the South won agreement that national NGOs would enjoy enlarged rights and that the General Assembly would take up the possibility of NGO representation in "all areas of work of the UN system."

The new ECOSOC resolution governing consultative status (E\1996\31) was paired with an ECOSOC decision (E\1996\297) that called on the General Assembly to explore wider arrangements. The two documents were adopted simultaneously. In spite of misgivings by some, there was widespread relief and enthusiasm among NGOs that a long and difficult process was over. Many thought - or at least hoped - that a new era for NGOs was dawning.

Short-Lived Euphoria on General Assembly Access (September-December 1996)
Following the summer ECOSOC victory, many NGOs hoped to press forward for expanded rights. In particular, they hoped that they could obtain consultative rights with the General Assembly where informally NGOs had long enjoyed quite considerable access. On this project, the two wings of the recently-divided NGO movement were united, though there were some disagreements among NGO groupings over strategy for the new campaign.

NGOs were especially optimistic because they saw an ally in the incoming president of the General Assembly, Amb. Razali Ismail of Malaysia, who took office in September 1996. Razali was a longtime representative of unusual dynamism and intelligence, who had strong ties to many NGOs, particularly those in the environmental field. He opened his presidency with an unprecedented lunch with NGOs at the Malaysian mission and his presidential office was always open to NGO input. He assured his NGO friends that he would do his best to promote a decision for wider NGO access at the earliest possible moment.

Under the leadership of the World Federalist Movement and CONGO, the access issue gained considerable headway in the early fall. NGO strategists hoped that the General Assembly would adopt a quick resolution, giving NGOs consultative status with the Assembly, including access to the main committees, subsidiary bodies and special sessions. After that, it was hoped that more difficult and controversial negotiations would get under way regarding still wider NGO rights. But with few exceptions, member states were cool towards further progress.

The issue soon bogged down in procedural questions: how would the General Assembly even take up the question? Would it be in a Working Group or some other forum? And would the discussions be in private or in an open forum to which NGOs would have access?

In an effort to get the issue moving and to assuage NGO concerns about government secrecy, President Razali asked Ambassador Kamal to convene

"hearings" - some of which were open to NGOs and some for delegations only. The hearings allowed many NGOs to make comments and express their hopes - and for member states to comment as well. The most concrete proposal came from the World Federalists, who circulated a draft text on access to the General Assembly. Finally, in late 1996, faced by governmental opposition to more NGO-friendly arrangements, President Razali created a special Sub-Group of the General Assembly Working Group on the Reform of the UN System. Kamal, a candidate favored by NGOs, agreed to serve as the chair. NGOs were assured that they would have periodic, though not necessarily regular, access.

The Kamal Sub-Group (January-July 1997)

Under the chairmanship of Kamal, the Sub-Group held dozens of meetings, from January to July 1997. In a few cases, the meetings were open to NGOs. Kamal brought to bear all his diplomatic skill and his considerable knowledge of the issue, but to no avail. In spite of active cajoling from Razali and in spite of serious efforts of a few pro-NGO delegations, the group could not even reach accord on the most basic matter - its own mandate. A number of Southern states argued for a very broad mandate, while the US and the Europeans insisted on a narrow mandate. The standoff seemed to serve the interest of most delegations. By summer, the fruitless negotiations collapsed.

In late 1996 and early 1997, a clash between the Secretariat and NGOs signalled that the Secretariat was not as NGO-friendly as the Secretary General's statements had led some to believe. Caught in a financial crisis, the UN had reduced its printing of documents and instead offered government delegations access to digital texts stored in its Optical Disk System (ODS). At the same time, the UN was rapidly expanding its site on the world wide web. When NGOs asked for open access to the ODS system, the Secretariat responded with an offer of access -- but, for a fee of \$1,125 per computer station per year, payable in advance. NGOs rejected the proposal, pointing out that governments increasingly make their documents freely available and noting that this decision would be especially harmful for poor, Southern-based NGOs. The NGOs called for immediate free and open access, arguing that the web site, however welcome, was insufficient to their needs.

By coincidence, Amb. Kamal of Pakistan was also Chair of the intergovernmental body with special responsibility for this question - the Technical Sub-Group of the Working Group on Informatics of ECOSOC. NGOs sought to enlist his support in their cause, but discovered that he and his committee did not have sufficient influence over the powerful decision-makers in the Secretariat (particularly, it seems, the office of Under Secretary General Joseph Connor) to change the decision. UN budget managers saw a pay-as-you-go approach to NGOs as a symbol of their market-driven approach to reform.

Finally, on April 25, 1997, a group of twelve major NGOs presented a long and carefully-argued memo to the Secretary General asking for free ODS access. But the SG turned the issue over to lower officials and the NGO group never received any substantive response. Privately, Secretariat officials argued that funds were scarce (though they never said what the new service would cost) and they advised that the decision would not be reversed. In spite of the rhetoric of "partnership," the Secretariat never consulted NGOs about their information needs or even asked for their opinions as "consumers" of this new service.

The US Vetoes Global Conferences (Spring 1997)

Secretary-General Kofi Annan was under intense pressure from the United States, which demanded various policy changes at the UN as conditions for paying its regular dues and mounting arrears. As the UN's financial crisis deepened, UN leadership felt it had little choice but to make concessions to US policymakers, including the conservative majority in the US Congress. Among other things, Congress demanded that the UN hold no further global conferences, claiming that these were a waste of time and money. But these conferences were a popular and important means of NGO access. Because they brought together NGOs and press from the whole world, many observers considered the conferences the UN's most open and democratic forum. When the Secretary General announced his new reform "package" in the spring of 1997 he bowed to US pressure and said that he would oppose any further conferences. This came as a serious blow to NGO status at the UN.

The US Proposals and the Canada-Netherlands Initiative (Summer-Fall 1997)

In the summer of 1997, at ECOSOC meetings in Geneva, the United States introduced a draft resolution (E/1997/L.51), proposing some extension of NGO rights to the General Assembly. But the initiative offered too little and it satisfied no one, including NGOs. After several drafts, it died from lack of broader support.

By the fall of 1997, the issue appeared to be seriously bogged down and no NGO had the capacity to follow-up and push it forward. Thanks to a few friendly governments, notably Canada and the Netherlands, there were informal negotiations on a draft text dated December 9, 1997 that was a possible basis for NGO access to the GA. After a brief flurry of meetings, including meetings between NGOs and delegations, it became clear that the proposal did not have the necessary backing. Instead, the General Assembly adopted a decision (A/52/L.71) calling for a study by the Secretary General on NGO access. This, NGOs hoped, could be the basis for future action.

Incidents and Rumors (1998)

At the UN, a movement to roll back NGO rights gained force. The flashpoint was the meeting of the Commission on Human Rights in Geneva in March, 1998. Several incidents incited government ire, especially delegations of the South. The Transnational Radical Party, a political party with NGO status, accredited a large number of unaffiliated persons to the CHR - as many as seventy according to some accounts. A number of these were from Cuban émigré groups that sharply criticized the Cuban government. The Cuban delegation responded indignantly with a proposal to limit the NGO accreditation process, by imposing a numerical limit per organization and by requiring accreditation on an annual basis only. A Cuban draft resolution began to circulate in Geneva and it was immediately apparent that it would severely damage the legitimate activities of many major NGOs.

A second incident at the CHR involved a person accredited by the FIDH - the International Federation of Human Rights Leagues. The Algerian ambassador was talking to an Algerian accredited by FIDH when two other Algerians came up and hostilely accosted the diplomat. The ambassador accused the FIDH representative of complicity in the incident, though UN security later absolved this person.

A chance encounter at UN headquarters in Geneva, also during the Commission, set off the most serious storm of all. The Indian delegate, Arundhai Ghose, spotted a person with an NGO pass who he identified as Anup Chetia, leader of an Indian separatist group, the United Liberation Front of Assam. This group had recently taken responsibility for the kidnapping of Ghose's nephew. Outraged that such "criminals" should be allowed into the UN precincts, Ghose began a personal campaign to restrict NGOs' access and especially their physical proximity to delegates. In August, the New York Times picked up the story -- a sure sign that official favor was turning against NGOs..

Then, on September 21, during the opening day of the General Debate at the General Assembly, an Iranian dissident was dragged by security guards from the gallery after causing an incident in the General Assembly chamber while the Iranian president was speaking. This person allegedly carried accreditation from the International Council of Women.

News of these incidents and a number of others made its way around the diplomatic grapevine, leading many delegations to harden their position towards NGOs and to fear that greater NGO access might lead to more nasty encounters, embarrassment and even possibly physical danger to delegates. NGOs responded by insisting that they should not be punished as a group for the alleged misdeeds of a handful. NGO leaders also pointed out that delegations were blaming organizations without a fair process for review of allegations. Some also said that an open and democratic process must accommodate a certain amount of

disruption as a necessary accompaniment of free speech and protest. Surely, they insisted, the UN must adopt new approaches as it ceases to be an exclusive venue for diplomats and becomes a place where the hurly-burly of society increasingly intrudes.

Second thoughts about NGOs were not limited to delegations from the South. Rumors circulated of restrictive proposals being floated by major Northern delegations as well. According to well-informed sources, the United Kingdom delegation was privately proposing a "code of conduct" for NGOs, while the United States was suggesting that if NGOs did not submit their quadrennial reports on time they should be immediately stripped of their accreditation. A sign of the times, a number of influential pundits and publications began to reflect on a "lack of accountability" of NGOs. The influential *New York Times* ran an article that underscored these "problems" with NGOs and bracketed them with emerging mercenary companies, seeing them both as irresponsible "non-state actors," undermining governments whose "traditional functions they usurp." These developments shocked the NGO community and showed how difficult further progress was likely to be.

The Committee on NGOs and the Lobby Campaign (May-June 1998)

In May-June, 1998, the Committee on NGOs of ECOSOC (a 19-member intergovernmental body that oversees the accreditation and regulation of NGOs) held its regularly-scheduled meetings at UN headquarters in New York. One of the items on its agenda was the Cuban resolution, calling for a number of serious restrictions on NGO access. A few dozen major NGOs organized to oppose this measure. CONGO came forward with a lengthy statement and a group of human rights NGOs issued a joint statement as well. They argued that after the important progress achieved in 1996, governments would be mistaken now to retreat and to restrict NGO access.

The NGOs lobbied delegations and closely followed the meetings of the Committee. In the end, the Cubans substantially re-drafted their resolution and then decided to take it off the table. But the Cubans and their allies informed NGOs that the resolution would almost certainly be re-introduced at the Committee's meeting in December.

The Secretary General's Report (July 1998)

On July 10, 1998, the long-awaited report of the Secretary General on NGO access was finally released. Though many months had passed since the General Assembly had mandated the report, NGOs were unhappy that the office of Assistant Secretary General Gillian Sorensen had written it with virtually no NGO consultation. Not surprisingly, the report was weak and bland from an NGO point

of view. On the positive side, it affirmed the importance of NGOs to the UN system and contained a useful compendium of Secretariat and UN System offices' practice in the field of NGO relations, including information about operational partnerships in relief efforts and other activities.

The report had many shortcomings, though. It offered little information about the practice of intergovernmental bodies like the GA Main Committees and not enough about the Global Conferences. It said virtually nothing about the question of NGO access to the General Assembly or any other kinds of enlarged access. While noting the sharply-increased numbers of accredited NGOs, it made no effort to assess the actual numbers of NGOs active at UN headquarters. Delegations' concerns about NGOs and security also passed without comment.

NGOs were deeply disappointed that the Secretary General had opted for caution and not taken a more vigorous initiative, in line with his own rhetoric. It was obvious that negative member state pressures -- North and South alike -- had substantially influenced the end result. The challenge facing NGOs was now clearer than ever.

An Inauspicious Moment (September-December 1998)

The 53rd Session of the UN opened inauspiciously. The Non-Aligned Movement at its meeting in South Africa had just issued a communique containing bad news for NGOs. Buried in the lengthy NAM statement, dated September 2, was a brief paragraph bluntly opposing expanded NGO access to the General Assembly, affirming that ECOSOC was the appropriate framework for NGO relations with the UN.

There soon followed a sharp conflict between NGOs and the Secretariat over heightened security during the General Debate, a two-week period beginning in late September when the President of the United States and many other heads of state and government address the General Assembly. UN security closed the most commonly-used NGO entrance, required NGOs to pass through a special metal detector, and subjected NGOs to unprecedented document searches. NGOs protested loudly. Soon the Chief of Security offered apologies for the document searches and officials assured NGOs that security would again be relaxed at the end of the General Debate (which it was). But security arrangements never returned to the previous norms. The Delegates' Lounge, a key meeting place, remained officially closed to NGOs until the end of the GA session in December and the NGO metal detectors stayed in place. NGOs had reason to fear a new era of restrictions and hostility.

These fears seemed confirmed when the General Assembly's Third Committee shut out NGO human rights representatives in early November from its five-year

review of the Vienna Conference on Human Rights. Once again, NGOs organized on an emergency basis. And again, they won a partial victory when Human Rights High Commissioner Mary Robinson convened a special meeting to hear NGO views.

NGOs were also troubled by a rumor that the UN would begin to impose a fee for access to its important web site on international treaties, long available for free and a crucial research tool for many NGOs.

Canada's Helping Hand, the US Bombshell and Developments in ECOSOC (December 1998)

As the General Assembly considered the Secretary General's report on NGO access, NGO status seemed uncertain at best. But thanks to a timely initiative by Canada, the GA finally passed a Decision (A/53/L.68) on December 17, 1998 that asked the Secretary General to submit a second and broader report that would incorporate the views of governments, specialized agencies, observers, intergovernmental organizations and NGOs. This gave NGOs the opportunity for substantial input and it allowed time to press for a more progressive and forward-looking report in 1999.

The United State delegation dropped a bombshell on NGOs in early December by introducing a motion in the Fifth (Budget) Committee that would charge NGOs for all "costs," such as documents, use of meeting rooms, even library access. In a recently-issued report, the United Nations had estimated that such NGO costs represented 3.2% of the Conference Services budget, or some \$400,000 per year to the organization. The fact that the United States, with unpaid dues of \$1.3 billion, wanted to squeeze hard-pressed NGOs was greeted with outrage by the NGO community and by many member states as well. The resolution, made suddenly and secretly -- and apparently against the wishes of many in the US Mission itself -- was soon withdrawn. But the US substituted a motion asking the Secretariat to provide further and more detailed information on the cost of NGOs. The issue remained threateningly alive and the text of the US proposal remained a closely-held secret that no delegation would risk revealing to NGO friends.

The Cuban proposal came up again in the intergovernmental Committee on NGOs, meeting in early December. Government delegations friendly to NGOs persuaded the Committee to meet with NGO representatives. A meeting then took place on December 11. NGOs were surprised to discover that a list of alleged security problems had been circulating among committee members. And NGOs listened as some delegations complained about "unfortunate incidents," "disorderly" NGOs and "unmanageable" numbers. But on the whole the meeting was friendly. The Committee seemed ready to engage in a dialogue with NGOs

and to postpone further consideration of the Cuba proposal and other restrictive measures.

The Committee meeting nonetheless demonstrated the breadth of negative ideas that NGOs confront. While the Cubans and other G-77 delegates continued to urge the need for numerical and other restrictions, the United States delegate reaffirmed the need for a "code of conduct" for NGOs, as a "means for NGOs and states to understand one another better."

At the very end of the Committee's meetings, in the final hour on the afternoon of December 18, the Chairman sought to get hasty approval for his summary of the meeting with NGOs and, stapled to the back, behind another document, a draft on "Rights and Responsibilities" of NGOs that had never been discussed. Luckily, in spite of the Chairman's efforts, the Committee refused to give its approval. Again, a negative step was just barely averted.

On a somewhat more positive note, CONGO celebrated its fiftieth anniversary on December 3, with a major meeting at headquarters, addressed by UN luminaries, delegates and NGO leaders. Congratulation was the order of the day, as speakers reviewed progress over a half century. The very next day, December 4, Assistant Secretary General Gillian Sorensen held a meeting with NGO leaders, in an unusually broad effort to consult and to invite input into the new report mandated by the pending Canadian resolution. At the time, it seemed that the Secretariat was responding to the need for new forms of consultation and partnership. But this was to prove a sad illusion.

Storms in Early 1999

In mid-February, the prestigious Stanley Foundation organized a conference on the subject of NGO access to the UN. About two dozen participants gathered in Arden House, the Harriman estate located north of New York City, for a long weekend of debate and discussion. Present were some important delegates, some key figures from the Secretariat, and a number of NGO leaders, though Assistant Secretary General Sorensen was not in attendance. For a weekend the participants talked together, took meals together, and pondered the future for NGOs. At the end, there emerged a positive conclusion that cooperation and partnership were necessary, even though the path forward would at times be rocky.

Not long after the Arden House conference, on February 25-26, CONGO held a board meeting at which members expressed serious concern about the new relations between the UN and private business. Members also discussed strained relations with the Secretariat and especially problematic relations with Assistant Secretary General Sorensen. Eventually, the board adopted a resolution on these

issues and requested a meeting with Secretary General Annan to discuss them. But when CONGO president Afaf Mahfouz wrote to the SG requesting a meeting, he did not respond directly, instead forwarding the matter to ASG Sorensen.

Meanwhile, conscious of the need to provide input to the second report of the Secretary General on NGO access, a number of NGOs met privately to discuss initiatives and draft declarations. CONGO announced that it was preparing a text, and Global Policy Forum circulated a draft as well. NGOs wondered what was their best strategy, how should they frame their "input" and what issues should be raised. The Secretariat memorandum called for "comments" on the previous report, limited to four pages in length. But some NGO leaders felt that a more proactive approach and greater length would be required.

At UN offices in Geneva, Kurdish protest demonstrators broke into the premises and occupied offices in late February. The Geneva police, unable to control the situation, called in the Swiss army. The army ringed the Palais des Nations with barbed wire and patrolled the area with soldiers and heavy weapons, turning the UN into an armed camp. NGOs, along with UN staff and delegates, were subject to metal detectors and close searches. Protests on the Kosovo crisis a few weeks later would further intensify the atmosphere of security threat, having an inevitable effect on security thinking in New York.

On March 3, at a meeting of the Commission on the Status of Women, a Secretariat official prevented a Canadian NGO woman of Tibetan origin from speaking, in anticipation of objections from the Chinese delegation. When another NGO woman informed the plenary about what had taken place, the chair did not allow any further NGO speakers for the remainder of the session. A number of NGOs protested vigorously at this access setback, based on a clear principle of censorship.

On March 2, ASG Sorensen called in about a dozen NGO leaders in New York for further consultations. Discussions mainly focused on input to the Secretary General's report and plans for the Millenium Assembly and Forum. At another NGO meeting organized by Ms. Sorensen on March 31, Chief Michael McCann of the UN Security Department spoke about security problems and the need for broad new restrictions. NGOs repeatedly asked McCann wheither he had evidence that NGOs are a real security threat, but he did not provide any convincing response. ASG Sorensen informed NGO representatives that whether they liked it or not, new restrictions would be put in place. She then asked NGOs to help devise a method for distribution of special tickets for access to the second floor of the conference building and asked for input in a few days' time.

On Friday, April 9, NGOs participating in the Sorensen discussions delivered a letter to the ASG expressing their firm opposition to the new rules and refusing

to be implicated in the new system by helping to devise some of its minor details. A third meeting at the ASG's office on April 14th was especially tense. NGOs made it clear that they were very unhappy and that they felt they were being treated in an overbearing and unproductive manner. One senior NGO representative said gently but firmly that, in terms of conflict resolution, the Secretariat approach was a total failure. The meeting ended awkwardly and a meeting scheduled for the following week to solicit input to the Secretary General's report was inexplicably cancelled.

In a memorandum dated April 19, the Secretary General's Chef de Cabinet Iqbal Riza sent NGOs the new security regulations. Many new rules limited NGO access -- by subjecting NGOs to searches, preventing NGOs from circulating in certain areas of the building and so on. Many NGOs were already aware of these regulations, but all were shocked at the blunt and completely unapologetic way in which they were issued. Further, according to reliable sources, Riza was issuing the rules in large part because of pressure from delegations, not because of security "threats" at all. Some said that the tough new approach was related to the SG's campaign to be reelected to a second term.

The Commission on Human Rights greatly influences UN policy towards NGOs. The Commission meetings, taking place from 22 March to 30 April 1999 drew a large number of NGOs, and conflicts with governments again arose. Especially problematic, an NGO called Christian Solidarity invited John Garang, the leader of a Southern Sudanese rebel group to speak to the Commission under its auspices. Garang inevitably annoyed the Sudanese government. And by speaking in the name of his rebel group, not the accredited NGO, he broke the Commission's rules and opened the way for rule-based reprisals. Many other delegations were annoyed at more ordinary NGO critics, who again pointed out abuses in countries world wide. In 1999, with Amnesty International highlighting the human rights abuses in the United States in its special annual report, even those delegations usually supportive of human rights NGOs were inclined to find fault.

Soon after the end of the Commission session, two ambassadors seen as "NGO friendly" took surprisingly negative steps. Ambassador Paolo Fulci of Italy, President of ECOSOC, and Ambassador Anne Anderson of Ireland, the Irish representative to the UN in Geneva and Chair of the Human Rights Commission, both wrote letters to the Chairman of the ECOSOC Committee on NGOs calling for steps to limit NGO access at the Commission, so as to make its deliberations more efficient and orderly. Human rights NGOs quickly obtained these texts and reacted with hurt and astonishment. Particularly annoying to the NGOs was the claim made by Amb. Anderson that 1,800 NGOs had "attended" the Commission. NGO research discovered that, while that number of passes had been approved, the number of passes actually issued was much smaller and that at any single session only a couple of hundred NGOs were typically present. Clearly,

exaggeration on NGO numbers had become a standard means of expression government fear of excessive NGO influence.

A Contradictory Picture

The situation of NGOs at the end of the century is very contradictory, with movement both backward and forward. In many countries, under pressure from the political right, national legislatures changed laws, restraining the areas of legitimate NGO activities and restricting the tax-exempt status so vital to NGOs' funding base. Further, after a few years of rapid increases in government funding of NGOs, new rules and restrictions choked off the financial flows that many NGOs had come to depend on.

During 1996-98 at the UN there were also many NGO setbacks. In addition to the loss of global conferences and the ODS debacle, NGOs working in some fields found their access reduced, while others found that programs in their area suffered severely from the UN financial crisis. Disarmament NGOs, for example, faced a far more closed and less welcoming environment during the Conference on Disarmament than they had in the past. Environment NGOs felt that the status they had achieved at Rio was substantially eroded. Women's NGOs watched in frustration as many women's programs at the UN took budget cuts.

But at the same time, in certain areas, NGOs continued to move ahead and set new precedents for participation in the intergovernmental process. Outside the UN system, NGOs proved their growing influence by engineering a new international treaty on the abolition of land mines (signed at an intergovernmental conference in Ottawa in December 1997) and by torpedoing negotiations towards a Multilateral Agreement on Investments (abandoned -- for the time being at least -- by governments in the summer and fall of 1998).

At the UN, during negotiations towards an International Criminal Court, NGOs achieved unprecedented access and influence and many observers hailed them as key to the eventual success of the negotiation process, as the treaty was adopted in Rome in July of 1998. At a more informal level, the NGO Working Group on the Security Council in New York opened up an effective channel for regular dialogue between NGOs and the Council -- a step that had seemed impossible only a short time before. Even in the inner-sanctum of the intergovernmental process, NGOs were proving the importance of their presence -- and were being treated by delegations as necessary and even welcome partners.

The NGO movement has many potential resources and its global grassroots base appears stronger than ever. Reinforced by the internet and woven together in networks of cooperation and joint action, the NGO community is clearly not going to be an easy target for hardliners on the government side. Furthermore,

governments are far from being consistently hostile to NGOs. While inclined to keep NGOs "in their place," they are also keenly aware that NGOs are valuable partners, sources of information, links to the public, sources of ideas and analysis. In short, NGOs are annoying but indispensable. So delegations are constantly closing the door, only to open it again still wider. With the right kind of organization and mobilization, and with an enlightened approach from delegations, NGOs could well take another significant step forward on access to UN decision-making at the dawn of the new Millennium.
