



**INTERGOVERNMENTAL
NEGOTIATIONS AND
DECISION MAKING
AT THE UNITED NATIONS**



A Guide

**UN Non-Governmental Liaison Service (NGLS)
with Gretchen Sidhu**

**INTERGOVERNMENTAL
NEGOTIATIONS AND
DECISION MAKING
AT THE UNITED NATIONS**

A Guide

**UN Non-Governmental Liaison Service (NGLS)
with Gretchen Sidhu**

NGLS



**UNITED NATIONS
New York and Geneva, 2003**

Gretchen Sidhu, who collaborated with NGLS on this publication, has worked as a journalist and NGO activist covering the United Nations and an array of intergovernmental negotiations since 1994. She currently writes and edits publications on development issues for international institutions including the United Nations, the United Nations Development Programme, the United Nations Children's Fund, and the Inter-American Development Bank.

The views expressed in this publication do not necessarily represent those of the United Nations Non-Governmental Liaison Service (NGLS), or any other part of the United Nations system.

The designations used do not imply the expression of any opinion whatsoever on the part of NGLS or any part of the United Nations system concerning the legal status of any country, area or territory or its authorities, or concerning the delimitation of its frontiers.

This publication is published for non-governmental, civil society organizations and others interested in the institutions, policies, and activities of the UN system and the issues on the UN's agenda, including development, human rights, peace and disarmament. It can be found on the NGLS website (www.unsystem.org/ngls). Organizations are welcome to use NGLS publications in their own work and information activities. Please credit NGLS and provide a copy.

NGLS would like to thank the United Nations Foundation for its generous financial support for this publication.

UNCTAD/NGLS/245

Published in November 2003 by
the United Nations Non-Governmental Liaison Service (NGLS)
Palais des Nations, CH-1211 Geneva 10, Switzerland and
Room DC1-1106, United Nations, New York NY 10017, United States

Table of Contents

Preface	v
Introduction	vii
About the Book	xi
Section One	
Decision Making at the United Nations: How It Works	1
The UN: Who Makes Decisions?	3
Negotiations: How Are Decisions Made?	15
The Negotiators: Building “Blocs” of Power	25
Tracking Negotiations and Decision Making Through Documents	31
Outcomes: The Nature of UN Decisions	39
Section Two	
A Guide to NGO Participation	45
Accreditation	51
Preparing for a Meeting	59
Follow-up and Implementation	63
Annexes	75
Annex I — Websites of the United Nations	77
Annex II — Institutional Resources	105

Preface

Evolution of NGO participation in the past decade?

In its work on the UN system-NGO interface, NGLS has witnessed at first-hand the bewilderment of many NGO and civil society representatives at the seeming complexity of the intergovernmental negotiating and decision-making processes in which the United Nation's Member States engage. Time after time, countless non-governmental representatives have asked NGLS: What is a "non-paper?" What does "*ad-referendum*" mean? Who are the "Friends of the Chair?" and other questions. Many UN staff have also posed the same questions.

This NGLS publication is a response to a well-articulated need for a volume that, in a concise way, explains the governance and decision-making fora and processes of the United Nations system. Thus, the first chapter of Section One explains the principal UN organs of intergovernmental decision making in the ongoing work of the system. Another chapter explains the negotiating blocs of Member States at the UN while another describes the various types of documentation that constitute the lifeblood of the decision-making system. The final chapter of this section of the book looks at the nature of UN decisions and the weight they carry internationally. It must be borne in mind that despite strict legal definitions, the nature and weight of UN decisions are often subject to interpretation by UN Member States in its deliberative processes.

Section Two of this volume, written by Gretchen Sidhu, provides practical knowledge, advice and guidance to non-governmental representatives who wish to constructively and effectively engage with the United Nations system, ranging from accreditation to the preparatory process, to networking, and engaging in follow-up activities after a meeting.

NGLS believes this publication will fill an information void in UN system-NGO relations, and would like to thank Navid Hanif, Paul Hoeffel, Hanifa Mezoui, and Andrey Vasilyev for reviewing and commenting on the penultimate draft of this text.

Given the breadth and complexity of the subject matter of this publication, NGLS considers it a work in progress to be developed and amplified in future editions. NGLS welcomes, therefore, comments, observations and suggestions from readers.

Tony Hill
Coordinator
UN Non-Governmental Liaison Service (NGLS)
November 2003

Introduction

The United Nations, from its inception, has served as the primary international arena for governments to come together, discuss common concerns, and make decisions on collective actions to take in response. Nearly every government in the world is now a UN Member State, and can offer its voice on subjects from poverty to peace and security, from disputed borders to women's rights to the protection of fish in the sea. Despite the often complex interplay of differing political perspectives, Member States work together to reach consensus decisions in the belief that strong collective support can help transform written agreements into effective action.

While only governments actually negotiate to make decisions at the UN, in the form of resolutions, treaties, plans of action and so on, the decision-making process itself has increasingly opened to an array of other players, including non-governmental organizations, the private sector, foundations, think tanks, local authorities and academic researchers. In particular, through their preparation for and participation at world conferences, civil society has come to be seen both as sources of expertise that can inform decisions, and as partners that can help carry them out.

NGOs have successfully advocated for major shifts in policy related to women's rights and sustainable development, raised important proposals such as a global currency transaction tax, and worked nationally and locally to change laws and offer services in areas such as health and education. They now address plenary meetings of UN Member States, contribute alternative reports and strategic information to treaty bodies, brief the members of the Security Council on occasion, and increasingly sit on government delegations at UN sessions.

The 1945 UN Charter itself calls upon the UN to work with non-governmental organizations. In the intervening years, as the door to multilateral government debate has opened on a broad range of issues

and subjects, the number and strength of NGOs has flourished as well, with organizations forming and forging links across countries and regions. By UN estimates, the number of international NGOs alone has grown forty-fold over the last decade, to over 37,000 in 2000. Countless thousands—possibly millions—more work regionally, nationally and locally.

NGO involvement in the UN expanded considerably through the series of UN world conferences held during the 1990s. These large-scale conferences on key development issues such as sustainable development and population and women, sometimes drew as many as 40,000 participants. With some exposure to the mechanisms and possibilities of intergovernmental decision making, many NGOs took a new interest in the UN as an arena for policy dialogue and advocacy. Others came forward through intensive organizing around emerging issues such as the creation of the International Criminal Court, the critical problems of landmines, child soldiers and the devastating worldwide pandemic of HIV/AIDS.

In May 2002, a new UN body—the Permanent Forum on Indigenous Issues—began its work at UN Headquarters in New York (see box page 10). The Permanent Forum is largely the result of NGO efforts to bring indigenous issues into the UN.

At the close of the UN General Assembly's Special Session on HIV/AIDS in 2001, Secretary-General Kofi Annan noted, "I am ... even more impressed by the strong participation of non-governmental activists—within national delegations, at a wide range of parallel events, in the roundtables, and as observers in the plenary sessions. You can feel their presence ... everywhere, and they really have transformed the atmosphere of the building, as they do at all the best United Nations events. I am more than ever convinced that such partnerships are essential to our success in the new century."

Member States of the UN have responded to this upsurge both with encouragement and some measure of caution. Several years ago, the Economic and Social Council revised its guidelines for NGO consultative status—the main official avenue for making regular contributions to UN debates and decision-making processes—to foster more diverse participation, especially from developing countries (Resolution 1996/31 *Consultative relationship between the United Nations and Non-Governmental Organizations*).

Another step has been the introduction of innovative meeting formats that enlarge the scope of participation, such as hearings, multi-stakeholder dialogues, and roundtables where NGOs and governments sit side by side and present their views to each other.

Despite this greater openness, the United Nations remains an institution governed by its Member States and is structured by the UN Charter primarily to support opportunities for governments to debate and make decisions. Not all governments have readily or in some cases consistently embraced a wider role for civil society. Strict rules protect government prerogatives and procedures, while the guidelines for NGO access remain fairly general, which allows for differing interpretations across different forums. Depending on how they have been accredited, NGOs can also be held accountable to abide by certain stipulations, such as filing quadrennial reports confirming the relevance of their work to the UN.

In the 2000 Millennium Declaration, Member States agreed to give greater opportunities to the private sector, NGOs and civil society in general to contribute to realizing UN goals and programmes. Two years later, the Secretary-General, in his report on reforming the UN, addressed a number of issues that have arisen as a result of the “explosive growth” of civil society involvement, including physical resources and accreditation procedures. To achieve “greater coherence, consistency and predictability” in policies and procedures governing

civil society interaction, the Secretary-General has now set up a high-level panel of eminent persons to discuss practical recommendations and to report to him by March 2004.

About This Book

The purpose of the following chapters is not to assess and analyze the place and role of NGOs in intergovernmental decision-making processes, but to provide basic, practical information to individuals and organizations that are interested in understanding the nature and dynamics of intergovernmental decision making at the United Nations. The UN can seem a vast and bewildering place, full of undecipherable language, meetings behind closed doors, strange regulations and unwieldy organizational structures. However, understanding how it all works is the critical first step to make in order to be able to participate effectively, whether advocating a position at a world conference or the regional monitoring of an international body or global programme of action. This book does not address operational cooperation between the UN and NGOs working together in humanitarian crises and emergencies, in jointly implementing development projects and programmes and in other activities, although this too is an area where interaction and cooperation between the UN and civil society has intensified greatly over the past decade or so.

In its first section, the book presents the bare bones of UN decision making, and how it functions. Chapter one provides essential information on key UN bodies and processes, while chapter two details the lifecycle of a decision, different types of meetings, the system that supports negotiations and how new processes begin. Chapter three chronicles the government blocs that form the negotiating system at the UN, and the way they work. Chapter four lists different kinds of UN documents—the lifeblood of the system—and explains how they are numbered and where to find them. The last part of the section, chapter five, offers definitions of different UN decisions, including how they are commonly used and the level of their political significance.

Section two is a guide to NGO participation, starting with chapter one on the basics of accreditation for groups that decide to attend meetings,

or want to maintain a regular presence at UN Headquarters or with one of the UN funds, programmes or specialized agencies. Chapter two makes suggestions for preparing for meetings. Chapter three explores strategies for participation and follow-up during and after a meeting, looking at how to approach governments, decode language, collaborate with other organizations and tap the power of the press. The chapter closes with a description of some of the forums where NGOs have been most active in the past, touches upon emerging arenas for attention, and provides some general ideas for follow-up, including through monitoring at the local, national and regional levels.

The Annexes provide a list of selected UN websites and focal points where available, as well as institutional resources.