

**Aspects of Human Rights Non-Governmental Organizations-
United Nations Relationship**

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DECLARATION

I do hereby declare that the dissertation entitled “Aspects of Human Rights Non-Governmental Organizations-United Nations Relationship” submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or of any other University.


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List of Abbreviations

A	General Assembly
AI	Amnesty International
CEDAD	Convention on the Elimination Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CONF	Conference
CONGO	Committee on Non-Governmental Organizations
CSOs	Civil Society Organizations
Doc	Document
E	Economic and Social Council
ECOSOC	Economic and Social Council
FAO	Food and Agriculture Organization
FWCW	Fourth World Conference on Women
GONGOs	Governmental-Oriented Non-Governmental Organizations
HRNGO	Human Rights Non-Governmental Organizations
HRW	Human Rights Watch
IADL	International Association of Democratic Lawyers
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICHR	International Conference on Human Rights
ICHRP	International Council on Human Rights Policy
IFHR	International Federation of Human Rights
IGOs	Inter-Governmental Organizations

IOJ	International Organization of Journalists (IOJ)
ILGA	International Lesbian and Gay Association
ILHR	International League for Human Rights
INGOs	International Non-Governmental Organizations
ISHR	International Service for Human Rights
NGOs	Non-Governmental Organizations
NHRIs	National Human Rights Institutions
OHCHR	Office of the High Commissioner for Human Rights
RES	Resolution
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCHE	United Nations Conference on the Human Environment
UNCHR	United Nations Commission on Human Rights
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Program
UNESCO	United Nations Economic, Social and Cultural Organizations
UNGA	United Nations General Assembly
UNHCR	United Nations High Commission for Refugee
UDHR	Universal Declaration of Human Rights
UNHRC	United Nations Human Rights Council
UNICEF	United Nations International Children's Emergency Fund
UNSG	United Nations Secretary-General
UPR	Universal Periodic Review
VDPA	Vienna Declaration and Programme of Action
WCAR	World Conference against Racism
WCHR	World Conference on Human Rights

WCW	World Conference on Women
WFTU	World Federation of Trade Union
WHO	World Health Organization
WIDF	Women's International Democratic Federation
WILPF	Women's International League for Peace and Freedom

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CHAPTER ONE

Role of the United Nations and Non-governmental Organizations in Human Rights issues-areas

Human beings by virtue of their status as humans, are entitled to certain basic claims, which are known as 'Human Rights' to make their existence sustainable. Without these rights people cannot live with dignity, such rights are to be respected universally, regardless of socio-economic status, geographical origin, ethnicity and nationality. Many of these rights are guaranteed under legal sanction, which differentiates themselves from animals. Here, the concept of human rights has moral, social, cultural and religious dimensions. This concept goes back to the writings of several political philosophers such as Aristotle, Marcus Cicero, Jean Bodin, Hugo Grotius, Thomas Hobbes, John Locke, further down to the nineteenth century and contemporary thinkers like Karl Marx, John Rawls, Amartya Sen, etc. Many others scholars also stressed the promotion of the concept and practice of human rights (Talwar 2006: 22).

A defining nature of human rights refers to 'an universal moral rights, something which all men, everywhere, at all times ought to have, something of which no one may be deprived without a grave affront to justice, something which is owing to every human simply because he is human'. However, every country explains these rights in their own ways for instance, India codified them as fundamental rights in the constitution.

Types of human rights

Human rights are divided into two categories as Positive and Negative human rights. The first one, Negative rights (rights to be free from), came to mainly from the Anglo-American legal tradition that a government should not take actions on their citizen. These are codified in the United States Bill of Rights, the English Bill of Rights and Canadian Charter of Rights. The Positive Rights refers mainly East European legal tradition, which allows states to be obliged to protect their citizens. These rights include right to education, right to livelihood and to legal equality. Positive rights have been codified in

the Universal Declaration of Human Rights (1948) and in many twentieth century constitutions (Talwar 2006: 10).

Philosophical and Historical Dimensions to Human Rights

The scholars examine the origin of human rights in a number of ways. Respect for human rights has distinct conceptions about their philosophical and historical origins. Major religions such as Hinduism, Buddhism, Confucianism, Christianity and also Islam have stressed various elements of human rights although the religious traditions tend to focus on individual duties, prohibitions, and responsibilities (Haas 2008: 11).

Further more to the development of human rights system through philosophical tradition and historical tenets in the next section.

To start with Aristotle (384-322 BC.) believed that the best government acted to protect liberty of citizens, in which human can reach a fulfillment of their capabilities, while Marcus Cicero formulated the theory of natural law (Haas 2008: 17). Hugo Grotius (1583-1645 AD) stressed the unchangeability of what is naturally right and wrong, the law of nature is permanent, which cannot be changed even by the god himself (Talwar 2006: 21). Belonging to the social contractualists pioneered by Thomas Hobbes (1588-1679 AD), John Locke (1632-1704) made strong defense for natural rights in the late seventeenth century with the publication of his book 'two Treatises on Government', he argued that individual formed a government to protect their rights such as right to life, liberty, health and property. Another and perhaps most important philosopher, John Stuart Mill (1806-1873), felt that there is a need for free society to live in proper dignity. He also differentiated between positive and negative liberty. Karl Marx (1818-1883) denounced rights as a fabrication of bourgeois society in which the individual was separated from his or her society rights, which were needed in capitalist states in order to provide protection from state. In the Marxist view of society, an individual is essentially a product of society and they should be seen in a rival of relationship, where rights are needed (Talwar 2006: 25). These philosophical approaches are highlighted in the table below:

Table 1.1 the Philosophical basis of human rights

Philosophers	Period	Principles Remarks
Aristotle	384-322 BCE	Idea of Liberty
Marcus Cicero	140-43 BCE	Natural Law
Hugo Grotius	1583-1645 AD	International law, Right to Security and Justice
Thomas Hobbes	1588-1679 AD	Social Contract for Security
John Locke	1632-1704 AD	Right to life, liberty, health and property
J. J. Rousseau	1712-1778 AD	Popular Sovereignty, Against slavery
John Stuart Mill	1806-1873 AD	Freedom of speech, government to prevent harm to citizens
Karl Marx	1818-1895 AD	Worker's Rights
Isaiah Berlin	1909-1997 AD	Concept of two liberties
John Rawls	1921-2002 AD	Right to subsistence, security, personal property
Robert Nozick	1938-2002 AD	Reclaim for liberation of political thoughts
Amartya Sen	1933-	Right to development, social justice

Source: Haas, Michael (2008), *International Human Rights, a Comprehensive Introduction*, Routledge Taylor and Francis Group: New York

In the twentieth century, John Rawls (1921-2002), refers the idea of social justice in his book 'A Theory of Justice' (1971). His core human rights advocacy emphasizes right to subsistence, security, personal property and formal equality before the law, as well as freedom from slavery, protection of ethnic group against genocide and some measure of liberty of conscience and right to democratic participation. Indian Economist, Amartya Sen promoted through his extensive research on welfare economics and social choice theory, the idea of justice and Development as Freedom.

The historical development of human rights can be traced through certain documents that emerged over time (see Table 1.2). To start with Cyrus the great entered into Babylon in 539 BCE, proclaimed, what is known as the 'Charter of Cyrus', which is cited as the first human rights document because the word 'rights' specifically appears therein. The text

codified a few rights such as religious freedom, cultural toleration, rights against forced labour and against slavery (Haas 2008: 38).

Table 1.2 the historical origin of human rights

Document	Adopted
Charter of Cyrus	539 BCE
Asoka's edicts	280 BCE
Charter of Liberties	1100 AD
Magna Carta	1215 AD
English Bill of Rights	1689 AD
American Constitution	1787 AD
American Bill of Rights	1791 AD
The Covenant of the League of Nations	1920 AD
The Charter of the United nations	1945 AD
International Covenant on Civil and political Rights	1976 AD
International Covenant on Economic, Social and Cultural Rights	1976 AD

Source: Haas, Michael (2008), *International Human Rights, a Comprehensive Introduction*, Routledge Taylor and Francis Group: New York

In the 1215, the King John of England signed on the Magna Carta, which stressed that Monarch no longer had absolute power. It was document about democratic change and political participation in the human rights discourse (Haas 2008: 41). The next major document 'the American Bill of Rights' was ratified by the American Congress in 1791. The bill provided protected several rights such as freedom of religion, press, assembly, petition, rights to bear arms and others.

In the 1920, the establishment of the League of Nations signaled important step towards national and international efforts to promote human rights. The word human rights did not appear into the covenant, it touched upon rights to self-determination, freedom of religion and conscience, fair and better human condition of labour for men and women,

improvement of health and prevention of disease (Haas, 2008: 65). Later in the mid twentieth century, the Charter of the United Nations inaugurated an innovated framework for universal and non-discriminatory human rights regime in international affairs (Talwar 2006: 144) (see Table 1.3).

Aspects of the work of the UN in human rights

By eloquently taking up the case of human rights in various parts, the Charter gave inspiration to worldwide movement of human rights. Today, the UN has created a global structure for protecting human rights, based largely on its Charter, non-binding declarations, legally binding treaties, and national legal organizational structure monitoring state policies, all these constitute the United Nations Human Rights System. The UN human rights system has three main components: first it establishes international standards through the norm-creation activity. Secondly, it undertakes consciousness-building among member-states through various activities. Finally, numerous special rapporteurs and experts, and groups such as working group, committees and treaty bodies to monitor and report on human rights situations.

The Charter remains the springboard for norm-creation activity of the UN. The breadth and depth of the Charter's commitment to human rights starts from the preamble, which states, 'We the people of the United Nations, determined to reaffirm faith in fundamental human rights, in the dignity and worth of the human person... in the equal rights of men and women of nations large and small, and.....' (UN Charter Preamble: 1).

Along with the maintenance of international peace and security, the protection of human rights is the second original area of responsibility for the United Nations.

Article 1 (3) of the Charter states in list of purposes, "promoting and encouraging respect for human rights, without discrimination as to race, sex, language, or religion."

The General Assembly (UNGA) shall initiate studies and make recommendation for the purpose of promoting human rights (Article 13(b)).

Article 52, the responsibility of promotion and protection of human rights has been given to ECOSOC". Under Article 55, the ECOSOC shall promote higher standard of living, full employment, and condition of economic and social progress and development; solution of international economic social, health and related problems and universal respect for human rights and fundamental freedom for all without discrimination as to race, sex, language, or religion. Article 56 affirms that "all members pledge themselves to take joint or separate action in co-operation with the organization for the achievement of the purpose set forth in the article 55."

Giving responsibility to ECOSOC for protection of human rights, Article 62 provides that 'ECOSOC may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly to the Members of the United Nations, and to the specialized agencies concerned'.

Under the provision of article 68 of the Charter, ECOSOC is empowered to set up recommendation to sub organs which led to the establishment of a commission for promotion of human rights.

UN Deliberative and Administrative Bodies

The UNGA addresses to human rights issues, according to article 10 of the Charter, which allows discussing any question or matters regarding human rights and make recommendation to the member-states. The article 13 (1) of the Charter, specifically allows UNGA to initiate studies and make recommendation for the purpose of promoting international cooperation in the human rights fields. Responding to these articles, the UNGA established a body for protection of refugee in 1949, which is known as the United Nations High Commissioner for Refugees (UNHCR).

Racism has been major concern of the UNGA, which ended by a resolution on Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 1969. The UNGA adopted a resolution 49/184 (1994) for establishing a UN Decade for Human

Rights Education and resolution 56/115 (2001) announced a Comprehensive World Program of Action on Human Rights and Disability (Mertus 2005: 46).

Like the UNGA, the ECOSOC has considerable power to address the human rights issues. The article 62 of the Charter, states, 'ECOSOC may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly to the Members of the United Nations, and to the specialized agencies concerned'. And article 68 of the Charter, which states, 'ECOSOC shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions'.

In pursuance of these articles, the ECOSOC set up the United Nations Commission on Human Rights (UNCHR) in the 1948, but this has been replaced by the United Nations Human Rights Council (UNHRC) in 2006. Another development led to in the regard, the Commission on the Status of Women was set up by the ECOSOC in 1946. The CES has drafted many important declarations under the auspices of ECOSOC over the years. The most notable is the Declaration on the Elimination of Discrimination against Women (1967), which led to Convention on the Elimination Discrimination against Women (CEDAD) (Haas 2008: 200). ECOSOC has other functional commissions for supervision of other aspects of the UN issues.

Under brightness of Secretariat, the United Nations Secretary-General (UNSG) may address the issues relating human rights violations. While the office around 1997-2006, the UNSG, Kofi Annan urged all UN agencies to be stressed on promotion of human rights. He made bold reclamation to condemn human rights abuses across the globe (Haas, 2008: 197). for the work of the secretariat in the concern of human rights assistance, the Office of the High Commissioner for Human Rights (OHCHR) established in 1993 after the World Conference on Human Rights in Vienna by resolution 48/141 on December 1993 (Mertus 2005: 12).

Three years after the founding of the United Nations, the UN came up with the Magna Carta of human rights. Unanimously adopted on December 10, 1948, the 'Universal Declaration of Human Rights' (UDHR) may be rightly considered as document pertaining to human rights. The Declaration specifies a common standard of human rights for members and a number of the UN bodies are responsible for implementing its contents (Haas 2008: 80-81).

The UDHR contains a preamble with thirty articles in the document. The document stresses on general principles of the human rights. The most basic principles are as following:

- Right to life, liberty, and security of a person,
- Right to education,
- Right to employment, paid holidays, and social security,
- Right to full participation in cultural life,
- Freedom from torture or cruel, Inhumane treatment or punishment,
- Freedom of thought, conscience and religion,

The UDHR was not to be a culmination of the work of the UN in human rights, but only a grand beginning of further long and still continuing process of codification in the first such major initiative, in 1967, the UNGA adopted two covenants as International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR), they entered into force in 1976 (Haas 2008: 82). International Human Rights system of the UN developed institutional mechanism to check human rights violations by individuals, groups or states. The most prominent institutions are the Charter based organs for monitoring mechanism of human rights. The term consciousness refers to a variety of aspect of the relationship between mind and the world in which it interacts. It is kind of awareness, sharing of ideas and

responsive. The UN build up consciousness between members by focusing on human rights, social justice, ecological sustainability and evolution of awareness of humanity but also maintaining strategic global alliances and partnership with other inter-governmental actors.

A few other bodies set up to promote adherence to non-binding treaties or the UN Charter based treaties are listed in Table 1.3. At the heart of the UN monitoring system, these are also nine Charter based treaties that monitor the implementation of core human rights norms. The United Nations human rights treaties transform lists of human rights into legally binding state obligations. The first attempt of the UN was the Genocide Convention approved in 1948 just one day before of UDHR declared for the promotion of human rights.

After the adoption of the UDHR, the Commission on Human Rights proceeded to create treaties to make rights into norms of international law. But during the cold war, the ideological division between those who believed in the importance of social rights and others who thought that social rights could not be enforced in same way as civil and political rights. Then the Commission at last stepped into creates two separate treaties and drafts of these treaties were submitted to the UNGA for approval in 1953. But it took almost twenty years after the UDHR. The UNGA finally approved two treaties in 1966 named as International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR), but entered into force in 1976.

The International Covenant on Civil and Political Rights (ICCPR) is a multilateral agreement between state parties, which stressed that women and men enjoy all the civil and political rights in the covenant on the basis of equality. The Covenant consist a preamble and thirty three articles, divided into six parts. It binds all parties to respect the civil and political rights of individuals, including right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and right to fair trial. The Covenant is monitored by the “Human Rights Committee”, a body of 18 experts that meets three times in a year in New York (Buergethal 2001: 348).

Table 1.3 the UN treaty Bodies and their Parent treaties for protection of human rights

Treaty body	Parent Treaty	Year of Entering into Force
Human Rights Committee (HRC)	International Covenant on Civil and Political Rights (ICCPR)	1976
Committee on the Economic, Social and Cultural Rights (CESCR)	International Covenant on Economic, Social and Cultural Rights (ICESCR)	1976
Committee on the Elimination of Racial Discrimination (CERD)	Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1969
Committee on the Elimination of Discrimination Against Women	Convention on the Elimination Discrimination Against Women (CEDAD)	1981
Committee Against Torture (CAT)	Convention Against Torture and other Cruel, Inhuman of Regarding Treatment or Punishment	1987
Committee on the Rights of the Child	Convention on the Rights of Child (CRC)	1990
Committee on the Rights of All Migrant Workers and Members of their Families (CMW)	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	1993
Committee on the Rights of Persons with Disabilities (CRPD)	Convention on the Rights of Persons with Disabilities	2006
Committee on Enforced Disappearance (CED)	International Convention for the Protection of All persons from Enforced Disappearance	2006

Source: Vandenhoe, Wouter (2004), *the Procedures before the UN Human Rights Treaty Bodies*, Morsel: Intersentia Publishers.

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Similarly the International Covenant on Economic, Social and Cultural Rights (ICESCR), is also a multilateral treaty, adopted by the UNGA on 1966. The Covenant aims to ensure the protection of economic, social and cultural rights. The draft has one preamble and thirty one articles, divided into five parts. These articles include the rights to self determination of all people (article 1), the right to non-discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other states (article 2). The Covenant is monitored by the “Committee on Economic, Social and Cultural Rights” (CESCR). It is a body of independent experts, established under ECOSOC Resolution 1985/17 on 28 may 1985 (Tomuschat 2008: 3). There are two major step of the UN in promotion of human rights (see Table 1.3).

Another step in this regard, is that Convention on the Elimination of All Forms of Racial Discrimination (CERD) was adopted by the UNGA on 1965 but entered into force on 1969. It eliminated all form of racial discrimination between individual. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life (Article 1). The Convention is monitored by “Committee on the Elimination of Racial Discrimination (CERD)” (Mertus 2005: 102). The Convention on the Elimination Discrimination against Women (CEDAW) was adopted in 1979 by the UNGA but entered into force on 1981. The convention described as an international bill of rights for women and the draft is consisting a preamble and thirty articles. After the convention, there was a need for a body to consider the women issues. The UN Committee on the Elimination of Discrimination against Women established in 1982, comprising of 23 expert’s women on

women's issues from different states (Vandenhole 2004: 09). The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment was held under the umbrella of the UN in 1984. It aims to prevent the torture against human beings around the world. The Convention committed to take effective measures to prevent torture. It is monitored by Committee against torture (Mertus 2005: 105).

The division of human rights was first proposed by Karel Vasak in 1979, which are known as three generations of human rights. These are summarized below:

- A. First generation of human rights, this deals with liberty and political participation in political life. These are civil and political rights. In which include freedom of speech, right to life, right to a fair trial and freedom of religion, these are codified in UDHR in 1948, and also International Covenant on Civil and Political rights in 1976 (Haas 2008: 101).
- B. The second generation of human rights, this category redrafted to equality and started to be recognized by states after WW II. These are social, economic and cultural in nature, such as right to work, right to choose occupation freely, right to sustain culture and others (Haas 2008: 117).
- C. Third generation of human rights, this category reformed to those rights that go beyond the civil and social rights. These rights are more controversial and lack both legal and political recognition, which are right to peace, right to clean environment, right to self-determination, right to natural resources and right to inter-generational equality and sustainability (Haas 2008: 117).

Human Rights NGOs as major actors in international affairs, with reference to protection of human rights

The term, Non-Governmental Organizations came into existence in the 1945, because of the need for the UN to make distinction in the Charter between participation of intergovernmental organizations and international private organizations (Willetts 2001: 375). There is no generally acceptable definition of an NGO, but in one term, NGOs are

defined as, “soft-governing, private, and not-for-profit organization that stressed improving the quality of life of disadvantaged people and facilitate welfare of society” (Willetts,1996: 02). They should not be part of government or not controlled by public body, but they are element of civil society. NGOs are also known as Trans-societal Actors (TSA).

The UNESCO also defined NGOs as international organizations which are not established by intergovernmental agreement. In international affairs, NGOs attained more recognition through definitive shifts from realist perspective to pluralist images about world affairs after the end of the cold war, the new concept of regionalism and trans-societal approach such as constructivism, inspired for discussion and research on the impact of non-states actors (Martens 2005: 13). The trans-societal approach mainly emerged in the 1990s, especially after the end of cold war for the study of these actors in human rights issues and environmental regime.

International Non-Governmental Organizations (INGOs) have become important actors in international affairs over last two decades. Their growth has provided a new dimension to the relationship with inter-governmental organizations (IGOs), which made them visible actors in global affairs. NGOs helped in the development of the League of Nations and the UN as well as in the adoption of the UDHR (Haas 2008: 93). The number of NGOs has increased from almost 6600 by the year of 2004 (Martens 2005: 02). The UN, an inter-governmental organization, has envisaged a relationship of partnership with non-governmental organizations in human rights issues (Article 71).

NGOs have developed a range of new skill and competences in public communication, and work with inter-governmental entities in recent years. NGOs have been involved in the emergence of several international treaties concerning human rights in 1970s (Thakur 2000: 215). The end of cold war in 1990s provided greater opportunities for NGO's participation in the international affairs.

NGOs are categorized by their characteristic feature namely trans-boundary functions such as Advocacy and Service.

- The advocacy function refers to government do not advises the issues regarding human rights; they promote in order to give them their alternative. These NGOs are the Amnesty International, International Federation of Human Rights (FIDH), International League for Human Rights (ILHR), Human Rights Watch and others (Martens 2005: 30).
- The secondly, as part of their service function NGOs provide support to people in need, which means, they provide a service to people to get out of problems. The service NGOs are primarily concerned with the well-being of their target group. Those NGOs are Care International, Oxfam International, International Save the Children Alliance, Action Aid Alliance and others (Martens 2005: 31).

Politics of human rights at the UN in the era of the Globalization

The United Nations was established with an eye to a new world order. A centerpiece of this new world order was to be the promotion and protection of human rights. Not only the human rights concern of the UN but the establishment of the United Nations Commission on Human Rights was a major step for prevention of human rights abuses on the one hand, the politics of human rights between east and west was going on the other hand. In the early years, the UN work involved finalization of the Universal Declaration of Human Rights (1948), Convention against Genocide (1948), and Geneva Convention (1949), which are benchmark for promotion of human rights. But the failure of the Commission was unable to save itself from the politics of human rights especially in reacting to human rights abuses in 1960s. The UN largely turned a blind eye to human rights violations in both the east and the west during the cold war politics.

Civil rights were not protected in the Soviet bloc. Soviet disregard for human rights was already evident in Stalin's government prior to World War II through the oppressive policies of Stalin's government. The Soviet bloc did not hold a monopoly on violations of the Universal Declaration during the Cold War. Discrimination against blacks in the U.S. amounted to apartheid on the one hand, but U.S. actions during the Vietnam War became major concern in the light of human rights abuses on the other hand. The hope for

effective action by the UN to support human rights did not materialise. In fact, only three months after the Tehran Conference¹ for promotion of human rights in 1968, Soviet tanks were rolling through Czechoslovakia to crush the Prague Spring. The UN General Assembly did nothing.

In 1976, the two conventions finally came into force with thirty-five states ratifying them. These conventions were the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The Cold War was still firmly in place, and the focus of the two political blocs (U.S. and the USSR). The U.S. bloc focused on civil and political rights, while the Soviet bloc focused more on economic and social rights. The UNCHR became paper generating work-shop during the Cold War politics, and turned a blind eye to the atrocities around them. (Robertson 2006: 25).

The process of globalization has stressed on the implementation of human rights, especially economic and cultural rights. In fact, in the new global era of world affairs, new threats relating to emerged as military, social (human rights and ethnic), ecological and economic issues on the one hand, the globalization of human rights consciousness brought in new expectations and pressures on the other hand (Thakur 200: 222). The impact of globalization on human rights refers to three types of factors, firstly, the type of globalization involved; second one, the level of analysis associated with economic, social and cultural aspects, finally the type of states function either soft or hard, that were to filter globalization flows (Rai 2006: 04).

Globalization is most positive approach for the promotion and protection of human rights when it enables the exchange of information and the formation of new identities. That generates new norms and standards, which become institutionalized as evolving human rights standard. Finally the impact of globalization on promoting of human rights is filtered through the types of receiving the states. The powers are moving from states to

¹ Proclamation of Teheran, Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968, U.N. Doc. A/CONF. 32/41 at 3 (1968).

market and away from state authority to global civil society (Rai, 2006: 06). New aspects of international politics, which are flagged by globalization since the 1990s. Those aspects signified new paradigm of Politics of West vs. Rest, Governmental vs. Non-governmental, inter-governmental vs. non-governmental, human rights vs. terrorism.

The emergence of non-governmental entities showed that states could not fulfill their responsibility of providing cater to social justice or promotion of human rights. Inabilities of states to enhance the welfare of society led to origin of NGOs as a Societal Actors. NGOs have come to take over the space of development discourse and its practice, where governmental politics are critically contested and complemented on it. These developments led to reconceptualisation of civil society and readjustment of global governance mechanism across the world (Willets 1996: 36). But the role of NGOs is not substitute state institutions or even inter-governmental organizations. They must rely on the power of publicity and persuasion. Many states have used their coercive activities against NGOs activities and also forbid external funding of NGOs or have started governmental procedure of registration to prevent their work, for instance, in 1970s the Soviet Union and Argentina were the branding NGOs as anti-government. During the 1990s, when the nineteenth members were elected to the CONGO², eight were Catholic states, four Orthodox, four Islamic countries and three other states. But the Islamic countries did not agree to provide the consultative status for a NGO, International Lesbian and Gay Association.³ Actually the Islamic countries cast ethical and moral questions against this NGO (ILGA) (Willets 1996: 36). Other examples will provide in the further chapter about politics of governments over NGOs.

The psychology about of super-human and sub-human categories is basically caused for the politics of west vs. rest across the global. The human beings are grouped into two

² The Committee on NGOs (CONGO), a standing committee of ECOSOC was established by ECOSOC Resolution 3(II) 21 June 1946. The committee, which began with a membership of seven states, today comprises 19 member states (UN Doc.1981/80). This provides a detailed set of rules for NGOs-UN relationship.

³ For details see the report of the CONGOs, the UN ECOSOC resolution 63 of 1993. This decision was approved by the council on 30 July 1993.

major categories: those who were considered as human being and another group who were considered as outside of the circle of humanity. This makes the sense of master and the slave. The trade of slavery as an institution came to end into twentieth century in European countries including the US (Ahmed 2008: 02). In this case, the slaves from Asia, Africa and Latin America, are inferior races or sub-human. However, the human rights movement was started in the west but not in the rest of the world's countries. This should consider that the UDHR and others covenant are the outcome of a long history of human rights movement of western countries. The world is still divided into humanized minority in the west and dehumanized majority in the rest of the world in the twenty first century (Martens, 2006: 978).

The politics of governments made differentiation over IGOs-NGOs relationship. This could lead to the idea that inter-state politics and transnational relations are distinct from each other. Notwithstanding that the NGOs are not mention in the original draft of the UN, they expanded their engagement with the UN system (Stephenson, 2000: 271). The NGOs have not had full right of participation in policy-making including right to vote on the final decision (Willetts 2001: 378). Another aspect of politics of human rights in the era of globalization is origin of terrorism in the 1980s. Terrorism is a violation of fundamental rights, which are our right to life and a serious threat to democracy and rule of law. Terrorist activities are attack on human rights movement, which cannot be justified by any ideology or cause. In any case, the promoting and protecting of human rights must be integral part of fight against terrorism.

However, the chapter two deals NGOs relationship with the UN bodies. It examines how consultative arrangement with NGOs work at the UN. This chapter also looks at the political effects of these societal actors at the United Nations bodies like the ECOSOC. It provides a broad understanding of NGOs access into the UN through the ECOSOC, whereas chapter three examines the human rights NGOs role at the United Nations Human Rights Council in promotion and protection of human rights. This chapter also looks at the work of United Nations Commission on Human Rights in 1960s. Chapter four analyzes the human rights NGO's role at the United Nations Conferences in

promotion and protection of human rights like World Conference on Human Rights 1993 and World Conference against Racism 2001. This chapter also looks at the work of NGOs in making the outcome of these conferences at the United Nations.

CHAPTER TWO

Non-governmental Organizations at the ECOSOC

This chapter examines how consultative arrangement with NGOs work at the UN. This chapter also looks at the political effects of these societal actors at the United Nations (UN) bodies like the ECOSOC. Non-governmental Organizations (NGOs) were not mentioned in the original draft of the UN Charter, but the first time where the NGOs took a role in final version that was agreed at the San Francisco conference. NGOs were allowed a role in contributing to the deliberations of one of the principal organs, the ECOSOC. Over the roughly 65 years of existence of the UN, the role of NGOs has become important in global affairs. The nature and scope of NGOs-the UN relationship is guided by article 71 of the Charter, which states that "The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned." NGOs are interested in gaining consultative status at the UN because this status provides them with several opportunities to obtain information and promote their own interests. Actually consultative status is an official way to participate in international policy making process for NGOs. It also provides a legitimate recognition of NGOs as international actors (Martens 2005: 134).

Non-governmental organizations (NGOs), also known as civil society organizations (CSOs), have existed for hundreds of years, but since the mid-nineteenth century they have been increasing in number and gaining international recognition, particularly in regard to the work of intergovernmental organizations (IGOs). NGOs were accepted and consulted with by the League of Nations during its existence, and were often able to participate in the League's meetings and committees. They interacted with the League of Nations and gave presentations before committees, submitted reports and participated in discussions. NGOs were also involved in early phases of the UN conferences because the

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US delegation invited 42 NGOs to send representatives as consultants to the founding conference in San Francisco (Charnovitz 1997: 251).

Institutional Framework for the NGOs-the UN relationship

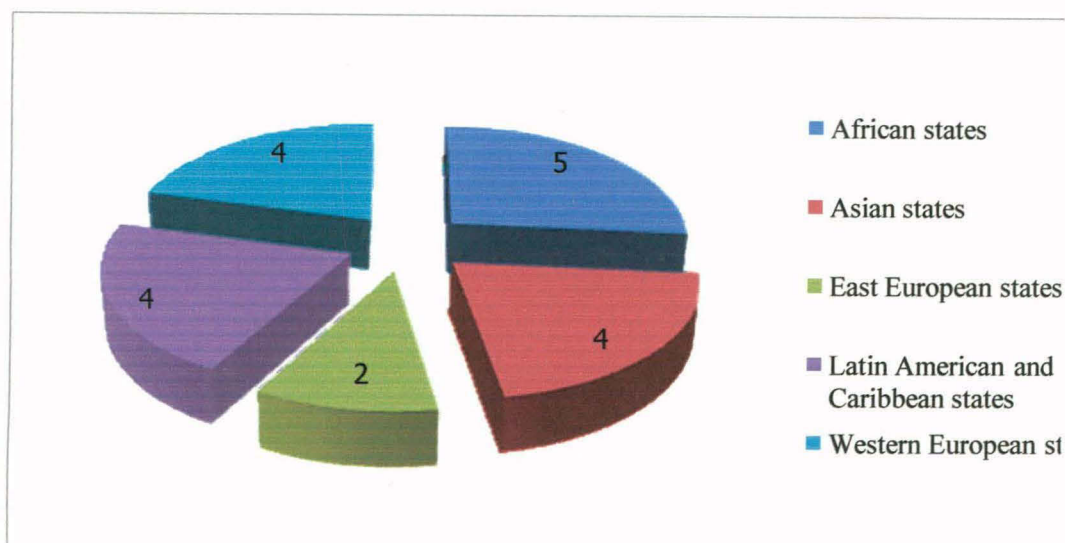
The process of the UN-NGOs relationship started in January 1946 at the ECOSOC. The UN General Assembly (UNGA) took up the question of consultative arrangement with NGOs and asked the ECOSOC to initiate measures for actions for participation of such as World Federation of Trade Union (WFTU) and the International Co-operation Alliance (ICA).

The first session of ECOSOC took place in 1946, and this session discussed on various aspects of NGO's participation in the United Nations. Finally, the member states of the ECOSOC decided to set up a committee to consider the arrangements for NGOs. This committee was to be called the Committee on NGOs (CONGO). The CONGO began with a membership of seven states, today it consists of nineteen members (UN Doc.1981/80).⁴ These members are elected by the ECOSOC on the basis of the equitable geographical representations, thereby giving representation to five African states, four Asian states, two eastern European, four Latin American and Caribbean, and four Western European and other states (UN Doc.1996/31) (Figure 1.1). The current member states of the CONGO are Belgium, Bulgaria, Burundi, China, Cuba, India, Israel, Kyrgyzstan, Morocco, Mozambique, Nicaragua, Pakistan, Peru, Russian Federation, Senegal, Sudan, Turkey, United States of America, Venezuela (Bolivarian Republic). The CONGO is mandated to establish consultative relationship with international, regional, sub-regional and national non-governmental and voluntary organizations. The committee meets twice a year to consider NGO's requests for consultative status, before making a suitable recommendation to the ECOSOC. When the Council finally approves

⁴ ECOSOC Resolution 1099 (XL) of 4 March 1966 increased the size of the Committee on NGOs from seven to thirteen member and ECOSOC Resolution 1981/50 of 20th July 1981 increased it to nineteenth members.

to the committee's recommendation then NGOs will be granted for consultative status at the ECOSOC (UN Doc. 1996/31).

Figure 2.1 Geographical representation in CONGO



Sources: UN Doc.1996/31

There are three categories of consultative status for NGOs at the ECOSOC. The category first, which is known as General Consultative status, covers those NGOs, with wider interest in the issues, on the agenda and activities of the ECOSOC and its subsidiary bodies across the board. These have to be fairly large recognized as international NGOs with a broad geographical reach. The second category is known as Special Consultative status, in which NGOs have special competence in, and are concerned specifically with, only a few of the activities, covered by the Council. Those organizations do not fit in any of the above categories are called Roster Consultative status. These tend to be a narrow and technical focus, for example those NGOs have formal status with the UN specialized agencies such as the UN Food and Agriculture Organization (FAO), the World Health Organization (WHO), the United Nations Conference on Trade and Development (UNCTAD), can be included in the Roster status (Willetts 1996: 32).

Table 2.1 Categories wise list of NGO's Consultative Status at the ECOSOC

General Consultative status	Special Consultative status	Roster Consultative status
1. Amnesty International (1964)	1. All India Women's Conference (1999)	1. Association for World Education (1979)
2. Green Cross International (1997)	2. Gram Bharati Samiti (1998)	2. International Educational Development (1973)
3. International Alliance of Women (1947)	3. Human Rights Internet (1983)	3. Abaawa Hagar Saah Memorial Foundation (2010)
4. International Association of Lions Clubs (1998)	4. Human Rights Watch (1993)	4. Asian Youth Council (1977)
5. International Council of Women (1947)	5. India Vision Foundation (2004)	5. Catholic Women's League Australia (1997)
6. International Save the Children Alliance (1993)	6. International Commission of Jurists (1957)	6. China Association of Women Entrepreneurs (2000)
7. Rotary International (1993)	7. Islamic Human Rights Commission (2007)	7. International Society for Human Rights (2003)
8. Women's International Democratic Federation (1969)	8. Maharashtra Foundation (2005)	8. Refugees International (1989)
9. World Federation of Trade Unions (1946)	9. Pax Romana (1949)	9. World Council of Muslim Communities (2006)
10. World Vision International (2004)	10. Stree Aadhar Kendra (1999)	
	11. Women's International League for Peace and Freedom (1948)	

Sources: UN Document E/2010/INF/4, (Online: web) Accessed on 18 Nov. 2010 URL: <http://csonet.org/content/documents/E2010INF4.pdf>.

The four-fold functions of the CONGO are the following:

1. The Committee is primarily responsible for regular monitoring of the evolving relationship between NGOs and the UN.

2. The second function of the committee is to consider and recommend requests of NGOs for consultative status of various categories and to make recommendations to the ECOSOC. CONGO holds meetings as required to its mandates.
3. Applications should be granted within two years since receipt of an application (UN DOC1996/31: Part IX, Para. 1-4).
4. The committee consults with UN Secretary-General on matters of participation of NGOs.

Though the CONGO was initially established on a temporary basis in 1946, it became a permanent standing committee of the ECOSOC, responsible for administering NGOs-the UN relationship. The number of NGO's with consultative status with ECOSOC has grown steadily over time. Starting from 41 in 1947 to 3413 in 2011 NGOs, among them 750 international human rights NGOs are bestowed the consultative status till now in the ECOSOC. They include International Federation of Human Rights (FIDH), International League for Human Rights (ILHR), Human Rights Internet, Association for World Education, International Educational Development, Women's International League for Peace and Freedom, Centre for Human Rights and Peace Advocacy, India Vision Foundation, Colombian Commission of Jurists, Commission to Study the Organization of Peace, Stree Aadhar Kendra, the Human Rights Watch, Amnesty International, International Commission of Jurists, International Federation of Human Rights League, Union of Arab Jurists, International Movement Against All Forms of Discrimination and Racism, Indian Council of Education and others.

The expansion of NGOs have risen tremendously maintaining official relations with the UN in the 1990s. When the consultative system for NGOs was introduced in the 1946, 41 NGOs were accredited. In late 1960s, this numbers risen up to 377, and by the early 1990s, the number of NGOs increased up to 744, whereas in 1996, 1226 NGOs were got the consultative status at ECOSOC. After ten years, number of NGOs had almost doubled (see Table 2.2).

Table 2.2 Expansions of NGOs Consultative Status with ECOSOC

Year	General	Special	Roster	Total
1948	13	26	1	40
1968	17	78	85	180
1992	18	297	409	724
1993	40	334	410	784
1994	40	334	410	784
1995	65	406	415	886
1996	76	468	497	1041
1997	85	582	517	1184
1998	100	742	663	1505
1999	111	918	909	1938
2000	122	1048	880	2050
2001	124	1132	895	2151
2002	131	1197	906	2234
2003	131	1316	903	2350
2004	134	1474	923	2531
2005	136	1639	944	2719
2006	136	1780	952	2869
2007	136	1956	955	3052
2008	137	2072	976	3187
2011	141	2217	1055	3413

Sources: UN Department of Economic and Social Affairs (2011).

The most dramatic growth in numbers of NGOs occurred in 1999, when more than 400 new NGOs became enrolled at once (Martens 2005: 129). Right now, there are 3413 NGOs granted consultative status with the ECOSOC including 750 human rights NGOs to Human Rights Council and other subsidiary bodies of the ECOSOC.

The impact of cold-war politics over NGOs at the ECOSOC

Just as human rights has become an integral issues on cold war politics at the UN, the NGO participation in the ECOSOC got entangled in those contentions. A large number of NGOs located in the Western countries. As a corollary of the liberal values of freedom espoused by the Western bloc, a large number of NGOs with interest in human rights problems are active in those countries, it is as natural that bulk of NGOs with consultative status at the ECOSOC are for the West. On the contrary, the East with their totalitarian political systems did not allow CSOs but began to suspect the credentials of Western NGOs. Within this perspective, human rights NGOs took on very important roles. NGOs have come to be seen as vehicles for democratization and are an essential component of a thriving civil society within cold-war politics, whereas the Socialist bloc was averse to allowing CSOs within their countries, because they could undermine the supreme authority of states. In other words, the East had disadvantage in comparison to the West. The Western world used their voting majority against communist world. For example, in July 1955, when the USSR boycotted ECOSOC on the question of Chinese representation in the UN system, then the Western bloc called all NGOs to unite against USSR, while those few NGOs sympathetic to the USSR. But the International Association of Democratic Lawyers (IADL) and the International Organization of Journalists (IOJ) lost their consultative status (Willetts 1996: 34). The women's international Democratic Federation (WIDF), an eastern bloc organization that had initially been granted category B, had lost his status in 1954.

The pro-Communist human rights NGOs were targeted and expelled on the ground that they were paralyzing of NGOs-the UN relationship. Through such steps, the Western bloc was attempting to limit the number of communist NGOs, during the 1970s, the CONGO was affected by the division between Geneva and New York (Stephenson 2000: 270). But during the period of Détente, this arrangement was revised in May 1968.

Governmental politics against NGOs at ECOSOC

Some member states of the CONGO working to deny certain human rights NGOs access to the UN, fearing great interference into internal affairs, governments have prepared their own representatives on the committee, for example in 1970s the Soviet Union and Argentina led states for anti-governmental NGOs. For example, the Islamic countries did not agree to provide the consultative status for a NGO, International Lesbian and Gay Association. Actually the Islamic countries resorted to ethical and moral values arguments against this NGO (ILGA) (Willetts 1996: 36).

This trend continued beyond the cold war years. In the 1990s, for example China and Cuba, have been members for decades, and they stopped successfully the applications of many anti-Chinese and anti-Cuban NGOs. For governments membership in CONGO is the best to block participation of unwanted NGOs. It is also used to support and oblige friendly governments. Besides the CONGO became something like political palestra House during 1990s, where governmental-oriented NGOs (GONGOs) from different countries such as Cuba, Tunisia, China, Pakistan and India, have obtained consultative status on the one hand, but also these countries stopped the anti-governmental NGOs from obtaining consultative status on the other hand (Martens 2005: 131). There are many Tunisian and Chinese NGOs, who in succeed consultative status at the ECOSOC. These organizations that do not have any conflict in particular and indeed have supported the position of the state with which they share nationality from time to time in 1990s on the hand but the Chinese government and Tunisian government always tried to oppose their activities in the UN on the other hand.

The US has been opposed to numerous Cuban NGOs within the CONGO, why a state more offensive to a particular state NGOs, because freedom of association is very limited in Cuba, while no NGO can be created without the consent of Cuban government and Communist party. However, the main reason behind US opposition of Cuban NGOs, the USA thought that these NGOs are government-oriented NGOs and very less majority in public concerns (Dupuy 2008: 73).

But two questions arise from the current debate above, the first is the merit in the criticism regarding the work of the CONGO, the secondly, the problem of the current institutional framework of the UN, which allows only a limited participation of NGOs at the ECOSOC (Aston 2001: 945).

Review of consultative status system in 1960s and 1990s

Starting from 1946 to 1960s, the NGOs-the UN relationship, which is guided by the ECOSOC resolution of 1946. But in 1960s, the newly independent developing countries began questioning the West, while at the same time, NGOs from those developing countries added to the dynamics. This cause demands of the existing practices of UN-NGOs relationship, favoring a review. Finally this procedure was again reviewed through ECOSOC Resolution 1296 (XLIV) of 23rd May 1968. The resolution makes distinction between the rights of states, UN Agencies and NGOs. It sought to balance representation of world public opinion with the prerogatives of states over NGO's rights. This resolution also laid down procedures of consultation for categories I and II including the participation of authorized representatives as observers in the ECOSOC meetings or providing submission of written statements to the Council.

In February 1993 the ECOSOC initiated a review of NGOs consultative arrangements and to provide new guiding principles for NGOs participations in the UN deliberations through this review process, the UN system tried to enhance the CONGO's activities and practical arrangements. On 25 July 1996, the forty nineteenth meeting of the ECOSOC approved a new resolution, which is recalling, 'article seventy one of the Charter of the UN, in which it requested a general review of arrangements for consultation with NGOs and together a view to updating, if necessary, council resolution 1296 (XLIV) of 23 May 1968, as well as introducing coherence in the rules governing for the participation coherence in the UN system' (UN Doc. 1996/31: 01). The resolution, which is divided in eleventh part of the draft, but the part- III, IV, VII and VIII, are most significant for the current discussion of this chapter.

It substitutes resolution 1296 (XLIV) dated 23 May 1968, which provides consultative relationship with NGOs at the ECOSOC. The main innovation in resolution 1996/31 is the possibility for international, regional, sub-regional and national NGOs to apply for consultative status to ECOSOC. Furthermore, the Committee on Non Governmental Organizations remains an inter-governmental body in charge of recommending consultative status to the ECOSOC (Duppy 2008: 81). The reformative process of the 1996 Resolution is that now national NGOs can be granted consultative status to the ECOSOC in the same capacity as international NGOs. The main feature of this resolution is the expanded consultative status from not just international but including the regional, sub-regional, and national NGOs at the ECOSOC. It provides that consultative relationship to be granted after consultation with member states and encourages greater participation of NGOs from developing countries in international conference at the UN system (UN Doc. 1996/31: Part-I, Para: 4-8).

Reform procedure of NGOs-UN relationship in twenty first century

Many Scholars strongly criticized the way in which various UN bodies, especially Commission on Human Rights and ECOSOC, have established a more formal relationship with national, regional or international NGOs. The system was based on an assumption that the NGOs have a role to play in the UN's inter-governmental process but deliberately NGOs were excluded from the decision-making process of the UN. However, there were three different guidelines for improving existing accreditation procedures: NGO's participation should be extended at the UN bodies, the accreditation procedures should be streamlined and depoliticized, a new role of self-regulation and self-organization for NGOs-UN relations (Duppy 2008: 55).

The United Nations during the tenure of Kofi Annan as Secretary-General (UNSG) was keen to strengthen the relations with NGOs, especially in acknowledgement of their growing salience in the new millennium. The former UNSG presented a Millennium Report in March 27, 2000, which called 'we the people: the role of the UN in the twenty-first century'. In this Millennium Report, the UNSG encouraged NGOs to participate and

cooperate more extensively in the decision-making process of the UN. He sought to give full opportunities to NGOs and other non-state actors (NSAs) to the UN's work (Martens 2005: 04). He stressed six principles to be shared by all nations and others. Those are freedom, equality and solidarity, tolerance, non-violence, respect for nature and shared responsibility, but the last one is most important for the UN-NGOs relationship (UN Doc. A/54/2000).

Further, Kofi Annan established in 2003 a 'Panel of twelve Eminent Persons on the United Nations-Civil Society Relations' under the chairmanship of former Brazilian president, Fernando Cardoso. The objective of the Panel was to formulate a report for encouraging interactions between the UN and Civil Society, including private sectors, local authorities and parliamentarians (Duppuy 2008: 52). The Panel will look at the relationship between the United Nations and civil society with the objective of formulating proposals for submission to the Secretary-General for enhancing interaction between the Organization and civil society, including parliamentarians and the private sector. The Panel was stressed following recommendations:

- Review existing guidelines, decisions and practices regarding civil society organizations' access to and participation in United Nations deliberations and processes
- Identify best practices in the United Nations system and in other international organizations with a view to identifying new and better ways of interacting with non-governmental organizations and other civil society organizations
- Examine the ways in which the participation of civil society actors from developing countries can be facilitated,
- Review how the Secretariat is organized to facilitate, manage, share experiences and evaluate the relationships of the United Nations with civil society (Willettts 2006: 307).

The report underlined the case for change in the current consultative system of the UN for NGOs. In the Panel report, interactions have been extended beyond the participation of NGOs in the inter-governmental processes. The panel suggested that there is a need of direct relationship with the UN and it should keep formal (Dupuy 2008: 53).

The Cardoso Report made a set of recommendations, aiming to enable new engagement with NGOs in the UN system. The report states, “The United Nations should realign accreditation with its original purpose, namely, it should be an agreement between civil society actors and Member States based on the applicants’ expertise, competence and skills. To achieve this, and to widen the access of CSOs beyond Economic and Social Council forums, Member States should agree to merge the current procedures at United Nations Headquarters for the Council, the Department of Public Information and conferences and their follow-up into a single United Nations accreditation process, with responsibility for accreditation assumed by an existing committee of the General Assembly” (UN Doc. A/58/817/2004: 19). Proposal 20 of the report, aims to increase the technical focus of the accreditation process for NGOs. Amnesty International urged the Secretary-General to use the Cardoso report as a basis for taking all practical steps that will make depoliticisation of the accreditation process a reality.

The Panel states that the United Nations can make an important contribution to strengthening democracy and widening its reach by helping to connect national democratic processes with international issues and by expanding roles for civil society in deliberative processes. The Panel suggests five practical principles such as a process of change building on the best practices of the United Nations but out of five principles, the Third one, is most important for enhancing NGOs role in the UN, which stressed that ‘the main civil society partners of the United Nations, especially the networks of accredited non-governmental organizations and United Nations associations, have already done a great deal to help strengthen the outward orientation of the Organization and would be invaluable allies in helping to implement the suggested strategy’ (UN Doc. A/58/817/2004: 30).

The Panel also suggests that The ECOSOC categories of NGO status (General, Special and Roster) have been used for quite a long time, with minor changes having been made as a result of a review in 1996. There is a need for revision of the accreditation process; it should be started in new categories:

- Network partners: transnational networks and caucuses that include a significant number of organizations either active on a given issue or from a particular constituency.
- Consultative partners: a merging of the Economic and Social Council categories, including international, regional or national actors, focusing on advocacy, research or representation of particular sectors.
- Programme support partners: constituency organizations supporting United Nations programmes, such as those currently engaged in operational field projects (UN Doc. A/58/817/2004: 57-58).

The report was received with mixed reactions on the one hand, NGOs like the Amnesty International welcomed the recommendation and sought their implementation. On the other hand, many governments were not excited according to them, there is a need of greater engagement with NGOs from developing countries, but the Panel's proposals were mainly focused on country-level activities rather than how participation can be extended and facilitated society (Willettts 2006: 308). The panel did not seem to know how the consultative system works. The report emphasized that participation was essentially restricted to NGOs and to fix rules of accreditation processes. The private sector, trade unions, professional associations, religious groups, indigenous people, parliamentarians, and local authorities cannot come under the flag of UN, in the form of NGOs. These entities cannot get equally representation within the UN on the one hand, but the panel report addressed equally representation for all groups (Willettts 2006: 311).

In response to the Cardoso Report, the UN Secretary-General presented a report in September 2004 called the Report of the Secretary-General on the implementation of the Report of the Panel of Eminent Persons on United Nations–Civil Society Relations. In which he proposed some measure actions for improving relations between the UN and NGOs (UN Doc. A/59/354). He also proposed in his report that the General Assembly would require a clear definition of rights and responsibilities of NGOs (Martens 2006: 04).

Annan's report consists a few recommendations for enhancing the UN-NGOs relationship, there are as following:

- Establishing a trust fund to support financially the participation of representatives of NGOs from developing countries,
- Improving the NGO accreditation process at the ECOSOC and formally opening the General Assembly to NGO participation,
- Enhancing country-level engagement with NGOs,
- Exploring the enlargement of the Partnerships Office with the NGOs,

CHAPTER THREE

Human Rights Non-Governmental Organizations at Human Rights Council

The present chapter is in continuation of the preceding chapter which contained discussion on participation of NGOs in the principal organ, dealing with human rights issues (apart from other issues) the Economic and Social Council. This chapter examines the role of human rights NGOs at the United Nations Human Rights Council (UNHRC) presently the most important forum in the United Nations system in promotion and protection of human rights. This chapter also looks at the work of United Nations Commission on Human Rights (UNCHR) the Council's predecessors. The UNCHR had served as the main political body of the UN, which addressed human rights issues at the UN. Not with standing its many achievements, the UNCHR came under several criticisms in the last few years. The main criticism was about its membership and selective monitoring of countries (Abraham 2007: 04). At the threshold of the twenty first century, a large number of NGOs demanded for the replacement of the UNCHR. Since the Commission worked in the promotion of human rights for more than five decades with various degrees of credibility, before its replacement, the long association of Human Rights NGOs (HRNGOs) with the Commission would be a useful exercise.

Participation of HRNGOs prior to HRs Council: the Human Rights Commission

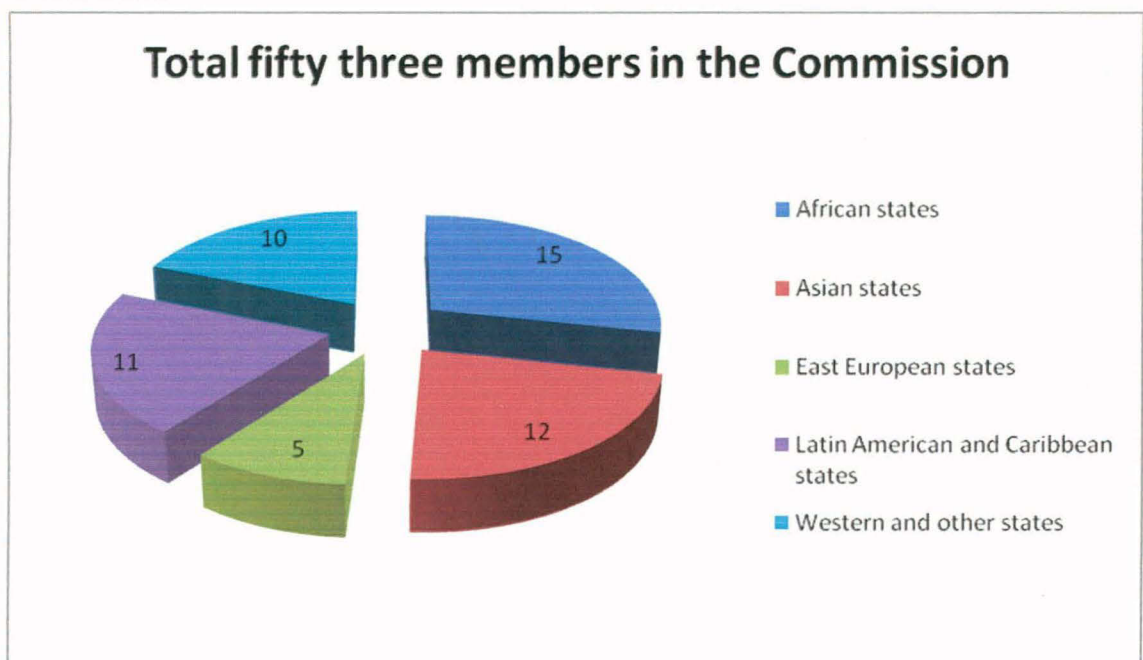
The Commission was established under article 68 of the Charter of the United Nations as a functional Commission to the ECOSOC. The Commission was established to prepare and make recommendation as following:

- An international bill of rights;
- International declarations or conventions on civil liberties, the status of women, freedom of information, and similar matters;

- The protection of minorities rights;
- The prevention of discrimination on grounds of race, sex, language or religion (UN Doc. E/RES/9(II)/1946).

The UNCHR created mechanisms for promoting and protecting human rights and monitor human rights violations worldwide. These mechanisms include as the sub-commission on promotion and protecting of human rights, special rapporteurs, working groups and technical cooperation (LeBlanc 2002: 09). The UNCHR was the main human rights body of the UN. As a subsidiary body of the ECOSOC, its first session held in 1947. The UNCHR constituted 53 members that are elected to the Commission as a regional basis as 15 African, 12 Asia, 5 Eastern Europe, 11 Latin America & Caribbean and 10 Western and other states (LeBlanc 2002: 01) (see figure 3.1).

Figure 3.1 Geographical Representation of states in the Commission



Source: <http://www2.ohchr.org/english/membership>

The Commission was intended to examine, monitor and publically report on human rights abuses in specific countries or territory. Its first notable achievement was the

formulation of the Universal Declaration of Human Rights, which was adopted by the General Assembly Resolution 217 (III) in 1948. From beginning, the UNCHR concentrated on the promotion and protection of human rights (Yeboah 2008: 79). Its annual meeting usually held in Geneva, where a large number of states, UN specialized agencies like as UNDP, UNHCR, UNICEF, UNESCO and the most importantly NGOs participated in commission meetings as the Amnesty International, the International Commission of Jurists and Human Rights Watch and others (LeBlanc 2002: 01).

NGOs with interest in human rights have been active participants in all aspects of the work of the United Nations Commission on Human Rights (UNCHR). The UNCHR's works developed over time to allow NGOs in its meeting and conferences, while some states have tried to restrict NGO's participation. But NGOs have played a significant role in the work of the Commission. NGOs accredited to the ECOSOC could attend public sessions of the Commission and make oral statements under different issues and submit written statements, which were circulated to members of the Commission and made available to all participants (Nader 2007: 01). According to Rules of Procedure of the Commission seventy five, which states, "non-governmental organizations in category I or II may designate authorized representatives to sit as observers at public meetings of the commission and its subsidiary organs. Those on the Roster may have representatives present at such meetings when matters within their field of competence are being discussed". That means, non-governmental organizations are having consultative status with the ECOSOC, are eligible to attend the meeting of the UNCHR.

A number of opportunities exist for NGOs to engage with activities of the Commission. NGOs are useful to the work of the Commission in many ways, as indicated below:

- NGOs provide information on alleged human rights abuses to the Commission
- NGOs promote human rights through seminars and workshops and gaining international recognition for example, in 1990, Amnesty International and Human

Rights Watch collaborated with the Commission to enhance the human rights education in many developing countries.

- NGOs were acting as partners to implement national or regional projects of the Commission.

Approximately two thousand representatives of NGOs attended Commission's public meetings and raise a number of country situations and speak out on thematic issues such as torture, human rights defenders, children's rights and indigenous people. The role of NGOs at the Commission was a key in providing information from different countries and working directly in the field of human rights. If the Commission was made up only of states, it would create a situation where states would complement each other on their human rights records rather than raising the issue of violations, but the NGOs were committed to their role in protecting human rights. For NGOs involved in defending human rights in a country or region, the Commission had an important role to defending NGOs by any state's actions but unable to do so. It allowed them to bring information to the attention of Commission members and to advocate on behalf of the victims of human rights violations in their countries, thereby bringing national issues to an international level and able to questioning on government's status (LaBlanc 2002: 02).

HRNGOs also played significant role in the strengthening the human rights obligations of the Commission. For example, much NGOs as the Amnesty International, Human Rights Watch, International Save the Children Alliance played important role in making the International Convention on the Right of the Child and the International Convention against Torture. Amnesty International and the International Commission of Jurists tried to utilize the Commission, in order to sustain process of protection of human rights (Edwards 2009: 15).

The Commission was frequently criticized on account of very poor human rights record of some of its members, including states whose had been elected to chair the UNCHR. Many NGOs as Amnesty International, International Commission of Jurists, International

Federation of Human Rights and others frequently targeted People's Republic of China, Zimbabwe, Saudi Arabia, Algeria, Syria, Libya, Uganda, and Pakistan for human rights violations and lack of effective corrective action by those countries. They also pressed for adoption resolutions at the commission condemning human rights violations. Some of the world's most abusive regimes of human rights sat on the Commission. For example, Sudan, which was carrying out genocide, Nepal whose absolute monarch suspended basic rights of citizens and Saudi Arabia, where women have few rights (New York Times 2006: 01).

The Human Rights Watch (HRW) expressed disappointment that Sudan was elected to the Commission despite the known large scale human rights violations. In its last session, the Commission did not take any action on human rights violations in China, Chechnya, Iran or Zimbabwe (HRW Report 2005: 01). In 2004, United States walked out of the Commission in protest against re-election of Sudan at the UNCHR. One major reason of the election of Sudan was that many countries were not willing to work with the UNCHR, because of the Commission's activities. The many NGOs of Africa submitted their written statements at the UNCHR to opposing the Sudan's membership. The commission was also criticized from the HRNGOs for its unwillingness to address real human rights violations (Terlingen 2007: 172). The Commission lacked effective mechanisms to prevent human rights violators of gaining a seat in international affairs.

These states sought membership on the Commission not to strengthen human rights, but to protect themselves against criticism or criticize others. Such members always tried to discuss those issues of human rights violation, which was not related to their activities. For example, Libya was a member of the Commission for a long time, but discussion on some of the numerous and serious abuses by the Libyan government with reference to the prison conditions, freedom of speech, press, assembly, association and religion were thwarted. Another pattern in the Commission's functioning is the negative nature of discussion of human rights issues, which made the Commission a forum politically selective figure-pointing (FAS's Network 2007: 01).

NGOs had limited access at the Commission in terms of rights and participation. The most obvious limitation on NGO's activities was that the members are the main actors in the deliberations leading to policies; and it is the states that enforce rules on the NGOs in their respective territories. Of course, NGOs tried to influence the Commission with their activities but unable to its consideration, for example, AI criticized publically Kenya's harassment of its domestic activities, several non-governmental actors such as Human Rights Watch, International Commission of Jurists, International Federation of Human Rights League, International Alliance of Women, International Council of Women strongly criticized suppression of political dissent and other human rights abuses by Kenya, but little effect in the Commission (Brett 1995: 104).

A serious criticism of the Commission by NGOs was concerned its failure to establish efficient mechanisms to allow it to deal with urgent human rights crises. It was often unable to respond until its annual meeting, permitting states to act with relevant issues in the meantime. NGOs demanded extension of Commission session meeting because the Commission met each year in regular session for six weeks during March and April in Geneva, Switzerland (LeBlanc 2002: 01). These and others limitations prompted a campaign both among governments and human rights NGOs for appropriate reforms.

The establishment of Human Rights Council: contribution of the HRNGOs

The UN Human Rights Council (UNHRC) is an inter-governmental body within the UN human rights system, was established on 15 March, 2006 by the UNGA resolution 60/251, as a replacement to the UN Commission on Human Rights. The creation of new Council is most important milestone in the UN inter-governmental discussion of human rights prior to 1946. At the finalization of prolonged negotiations, the UNGA adopted a resolution with 170 votes in favor, 4 against (Israel, US, Palau, and Marshall Islands) and 3 abstentions (Belarus, Iran and Venezuela) (Yeboah 2008: 83). The former UNSG Kofi Annan set a more comprehensive detailed plan to establish a new Human Rights Council in his report 'In Larger Freedom' published in March 2005. In his report, he proposed a

new body that would be a standing subsidiary organ of the UNGA, with a smaller number of members and they will be elected by 2/3 majority of the UNGA (Arroba 2006: 69).

The functions of the UNHRC will carry out (UN Doc. A/RES/60/251), these are following:

- The Council shall promote human rights education and learning as well as advisory services, technical assistance and capacity-building and provide in consultation with NGOs with the consent of member-states,
- The Council will make recommendations to the General Assembly for the further development of international law in the field of human rights,
- The Council will also promote the full implementation of human rights obligations undertaken by states and follow-up to the goals and commitments related to the promotion and protection of human rights come up from conferences and summits,
- The Council will undertake a Universal Periodic Review, based on objective and reliable information, of the fulfillment by each state of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all states,
- The Council will take up the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR),
- The Council will work in close cooperation in the field of human rights with governments, regional organizations, national human rights institutions and civil society organizations,
- The Council will work in close cooperation in the field of human rights

with governments, regional organizations, national human rights institutions and civil society organizations,

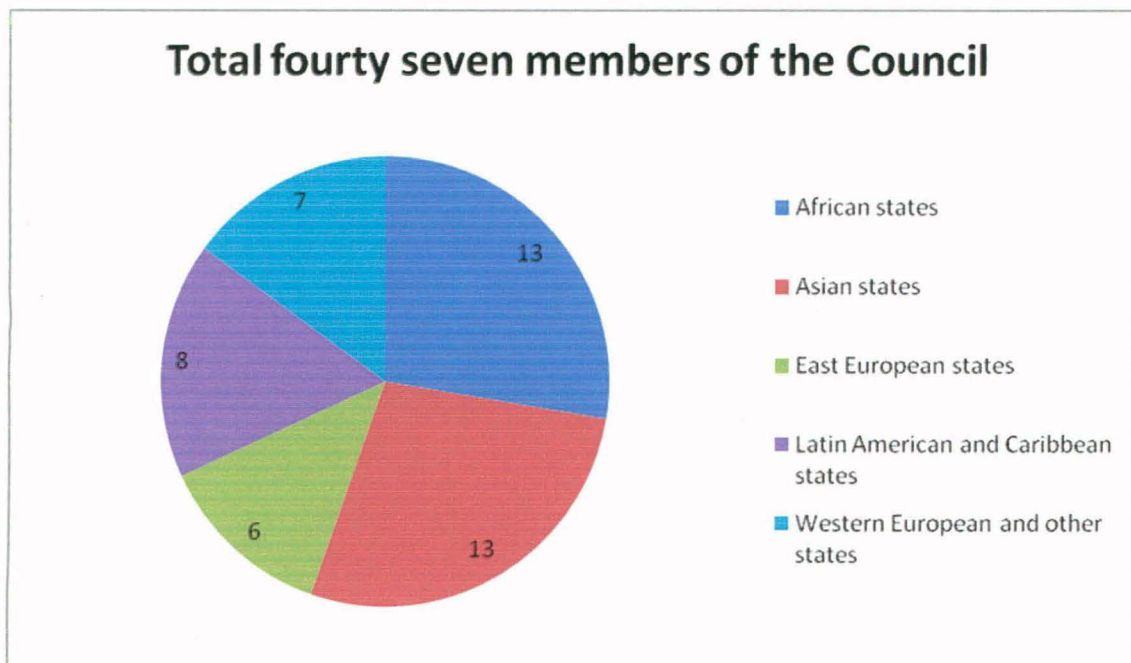
- The Council will make recommendations with regard to the promotion and protection of human rights;
- The Council will submit an annual report to the UNGA;

The major and perhaps most significant work of the UN is that the former Commission was a subsidiary body of the ECOSOC but the new Council is a subsidiary body of the UNGA and accountable to the UNGA. A number of proposals were considered that should contribute to improving the membership of the Council, in comparison to the existing Commission. During deliberations on the formation of the new Human Rights Council, membership criteria and composition were discussed as key element, which determine the Council's effectiveness. There were a number of proposal made by the states and NGOs, those are following:

- Exclusive membership provisions based on formal positive criteria;
- Exclusive membership based on procedural rules as similar to Commission;
- All-inclusive membership.

There was another argument that states could be selected not only according to geographical distribution principle, but also with due regard to their contribution to the promotion and protection of human rights. For example, the Human Rights Watch has proposed that member states of the Council also be the first states to be subject to peer review, a process by which the human rights of each state will be scrutinized in the Council. The HRW made additional suggestions concerning voting procedures and methods that should also contribute to improving the Council's membership (Yeboah 2008: 81).

Figure 3.2 Geographical Representation of states in the Council

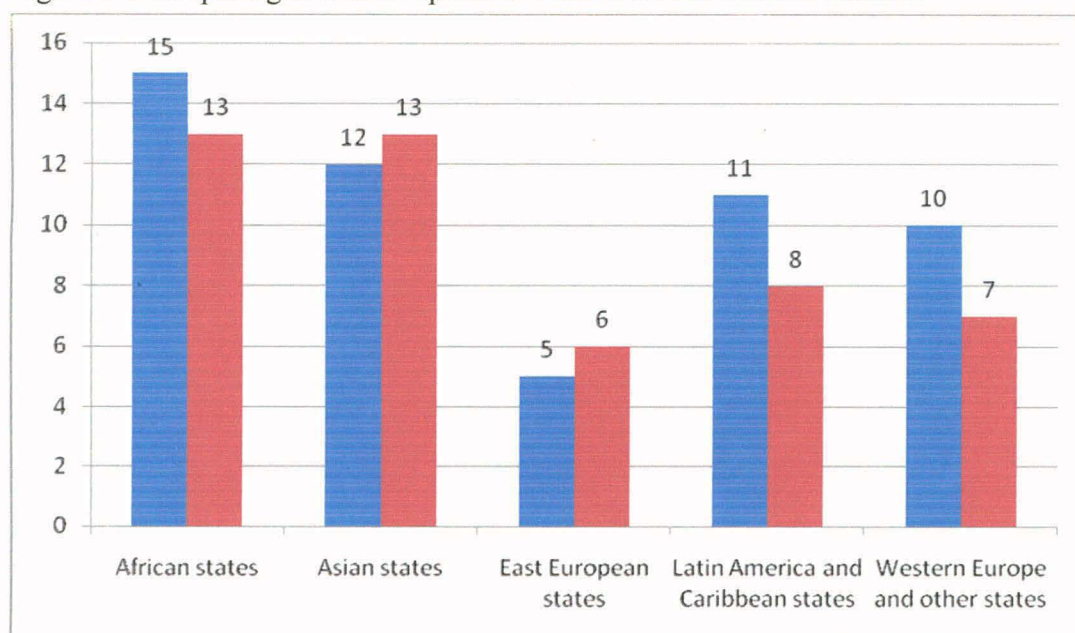


Source: <http://www2.ohchr.org/english/membership/council>

After a long discussion of the membership, the UNGA decided that the Council shall consist of forty-seven member-states, which shall be elected directly and individually by secret ballot and by the two-third majority of the members of the General Assembly. The membership shall be based on equitable geographical distribution and seats shall be distributed as follows among regional groups: thirteen from group of African states, thirteen from group of Asian states, six from group of Eastern European states, eight from group of Latin American and Caribbean states and seven from group of Western European and other states (see Figure 3.2). The members of the Council shall serve for a period of three years and shall not be eligible for immediate re-election after two consecutive terms (UN Doc. A/RES/60/251).

The current members of the Council are following: Angola, Benin, Botswana, Burkina Faso, Cameroon, Congo, Djibouti, Libyan Arab Jamahiriya⁵, Mauritania, Mauritius, Nigeria, Senegal, Uganda from group of African states, Bangladesh, China, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Malaysia, Maldives, Philippines, Qatar, Saudi Arabia, Thailand from group of Asian states, Czech Republic, Hungary, Poland, Republic of Moldova, Romania, Russian Federation from group of Eastern European states, Chile, Costa Rica, Cuba, Ecuador, Guatemala, Mexico, Peru, Uruguay from group of Latin and Caribbean states and Austria, Belgium, Italy, Norway, Spain, Switzerland, and United States from Western Europe and other states. Laura Dupuy Lasserre is the current president of the Council from Uruguay. The comparison of membership from the Commission to the new Council has figured below.

Figure 3.3 comparing membership from Commission to the new Council



Source: the United Nations Office of the High Commissioner of Human Rights.

⁵ The General Assembly met 1 March 2011 to consider a draft resolution on suspending Libya's membership in the Geneva-based United Nations Human Rights Council, because of ongoing clashes between anti-Government protesters and forces loyal to Muammar Al-Qadhafi. Libya was suspended by the General Assembly Resolution A/65/265 adopted on 1 March 2011.

The issue of new Council meeting has been addressed by the states and several NGOs, because of the Commission met only once in year. But the Council shall meet regularly throughout the year and schedule no fewer than three sessions per year, including a main session, and shall be able to held special sessions, but special session is to be held only, at the request of a member of the Council with the support of one third of the membership of the Council (UN Doc. A/RES/60/251).

Profile of NGOs at the UN Human Rights Council

Like the Commission, the Council remains an exclusive body of governments. The non-governmental organizations are to be associated with the work of the new body, not enjoying status or privileges in any way comparable to the elected members. In the former Commission, HRNGOs played an active ad significant role in protecting human rights across the globe. Without any doubt, the participation of NGOs in the Council, will continue to bring to its attention local situations of human rights violation to international scenario. The HRNGOs are also monitoring the human rights obligations, set up by the Council. But the role of NGOs is considered important to bring to its attention the reality in place, where human rights violations occur and contribute their own expertise to handling the situation.

NGOs are having consultative status with the ECOSOC, can be accredited to participate in the Human Rights Council's sessions as Observers. As Observers, NGOs are able to do activity as following:

- NGOs can attend and observe all proceedings of the Council with the exception of the Council deliberations under the Complaints Procedure
- NGOs will have to submit written statements to the Human Rights Council;
- NGOs can make oral interventions to the Human Rights Council,

- NGOs can participate in debates, interactive dialogues, panel discussions and informal meetings;
- NGOs can organize “parallel events” on issues relevant to the work of the Human Rights Council.

The profile of NGOs from the South in the Council is vital not only because most of the major fundamental rights abuses occur in these countries, but also because the geographic composition of the UNHRC gives them numerical superiority, which means, African and Asian states hold 26 seats out of 47 at the Council. Not only Africa and Asia but also Latin American and Caribbean states are included in the South and this figure becomes 72 percent of the Council’s membership. Many of these countries question the legitimacy of the action and the credibility of the information issued by HRNGOs but some of countries are very friendly of NGOs in the Council (Nader 2007: 02). Amnesty International welcomed many states activities in promoting human rights, for example, Ukraine has ratified most of the international human rights treaties and recognized the competence of treaty monitoring bodies to consider individual communications and undertake inquiries into systematic violations of human rights (Amnesty International Report 2005: 01). About 2000 to 3000 representatives of NGOs participate in every council’ session meeting.

Experience of HRNGOs at the Council

The UNGA resolution proposed that NGOs will play an important role at the national, regional and international levels, in the promotion and protection of human rights. However, some questions already raised by NGOs include: What role will NGOs play in the universal periodic review? How will NGO networking and interaction be affected by three separate sessions, rather than one main session? What role should NGOs have in the Council’s review of the Commission’s special procedures? How can communication be improved between the Council and NGOs?

These questions are relevant for the current debate of this chapter. In fact, NGOs are actively engaged in the election process and the Council's procedures in protecting human rights. They advocate and strengthen – its standard-setting, special procedures, complaints procedure. Also NGOs constructively engage with the Council in creating procedures that will best protect against politicisation, most effectively scrutinise state practice, and improve on the implementation of international human rights instruments. Amnesty International submitted its joint statement in response to creation of new Human Rights Council and asked for vigorous collaboration with NGOs in the new Council (Amnesty International Report 2006: 03). There are two mechanisms, where NGOs participate in the Council activities:

- Universal Periodic Review (UPR)
- Special Procedures

The UPR is a unique process which involves a review of the human rights records of all UN member-states once every four years. The UPR is a State-driven process, under the auspices of the Human Rights Council, which provides the opportunity for each State to declare what actions they have taken to improve the human rights situation in their countries and to fulfill their human rights obligations. As one of the main features of the Council, the UPR is designed to ensure equal treatment for every country when their human rights situation is assessed. The establishment of a new UPR mechanism ensures that all member-states of the United Nations will have examined their records in order to improve human rights conditions worldwide. All states must be held accountable for their shortcomings. The Commission lacked effective mechanisms to prevent human rights violators of gaining a seat in international affairs. To overcome this it will be necessary for its members to undergo a periodic review, a move which will increase the transparency of the body. The UPR is the most impressive institutional change within the Council (Moss 2010: 127).

The new mechanism in the Council offers new opportunities for NGOs to seek commitment from states to comply with their human rights obligations. In the world summit 2005, the member-states were agreed to periodic universal review process but did not want participation of NGOs (Moss 2010: 126). The HRW, International Service for Human Rights (ISHR), International Federation for Human Rights and others submitted their joint statements for UPR. The statements stressed that the establishment of UPR presents a historic opportunity for strengthening the promotion and protection of human rights and needs of HRNGOs to monitor human rights violations in all countries of the world (HRW 2006: 01). The NGOs have to submit a five-page summary of information to state's activities at the Council.

The UNHRC resolution 5/1 provided a variety of opportunities for NGOs to intervene directly or indirectly in the review process or beginning of the review process. The Council met in Geneva once in four years to discuss review of each state report on human rights obligations. The Council looks at state under review to discuss its domestic human rights framework, measures taken to promote and protect human rights in country and steps taken to address the violations. It is also an opportunity for NGOs to participate during the review but not take the floor. A Working Group of Council with has been formed in Uganda to draft and submit a report on human rights situation, where a number of NGOs are working with the Council in their interest area of human rights. The World Organization against Torture, International Federation of Human Rights (FIDH), Human Rights Watch, Amnesty International, Cairo Institute for Human Rights submitted their report on the Council's meeting June 2010 on the situation of Burundi (UN Doc. A/HRC/12/L.30).

“Special procedures” is a mechanism of the Council to examine, monitor, and report on human rights violations in specific countries or thematic issues in all parts of the world. Special Procedures can be either individuals, who are called “Special Rapporteurs”, “Special Representatives” or “Independent Experts”. They are leading experts in particular area of human rights, or working groups usually composed of five members. Various activities are undertaken by special procedures, including responding to

individual complaints, conducting studies, providing advice on technical cooperation at the country level, and engaging in general promotional activities (FAS's Network 2007: 03). Currently, there are 33 thematic and 8 country mandates. There are few listed below:

- Burundi - Fatsah Ouguergouz, Independent Expert on Human Rights
- Democratic Republic of the Congo - Titinga Frédéric Pacere, Independent Expert on human rights (2005-2006)
- Liberia - Charlotte Abaka, Independent Expert on human rights (2003-2006)
- Somalia - Shamsul BAR, Independent Expert on human rights
- Sudan - Mohamed Chande Othman, Special Rapporteur on human rights
- Violence against Women - Yakin Ertürk (2003-2006)

Special procedures carry out country missions, in which they meet with local authorities, NGOs, human rights defenders, national human rights institutions (NHRIs), communities, individuals, and other stakeholders. The Special Procedures provide new role to NGOs in the Council. These interactions give NGOs a new opportunity to enhance their activities in human rights issues.

The overall assessment of HRNGO's participation at the UNHRC, which based on two assumptions that the new Council opens doors with new mechanisms and enhancing participating rights on the one hand but somewhere the Council still limits their role with these new mandates on the other hand. For example, the International Service for Human Rights criticized that the UPR does not include a formal role for experts in the process. The involvement of NGOs is very restricted in the UPR and its outcomes are also much uncontrolled. NGOs also complained about the time allotted for each country's review. The review for every country, whether it is Sweden or Sudan, is limited to three hours (Yeboah 2008: 91). The Council altered to the duties of the Special Rapporteur on Freedom of Expression on 28 March 2008. That has given rise to a sharp criticism from

such human rights NGOs as Index on Censorship, Human Rights Watch and the International Humanist and Ethical Union and others.

HRNGOs remain unclear about their role they will play in the Council. However, the success of the Council is not guaranteed. Many states are still participated in unhelpful manner at the Council. Those mechanisms (Special Procedures, UPR) may have long-term consequences for the participation of NGOs in the work of the Council.

CHAPTER FOUR

Human Rights Non-Governmental Organizations' role in the United Nations Conferences

This chapter analyzes the human rights NGO's role at the United Nations Conferences in promotion and protection of human rights like World Conference on Human Rights 1993 and World Conference against Racism 2001. This chapter also looks at the work of NGOs in making the outcome of these conferences at international level. The UN attempts to create a culture of human rights movement around the world. The broadest legally binding human rights agreements negotiated under UN auspices are the UDHR, the ICCPR and the ICESCR. A majority of the world's countries are opening the door to international monitoring of their human rights practices. Since 1946, NGOs have contributed hugely to the work of the United Nations into promotion and protection of human rights as a source of information and a force for meaningful change in international affairs.

The increasing role of NGOs at the international level is evident in their participation in the UN deliberations. The UN provided a political space for NGOs' participation in various conferences held at Tehran (1968), Stockholm (1972), Mexico (1975), Vienna (1993) and Durban (2001), on such issues like human rights, women, environment and racism. Besides, NGOs could arrange parallel events to discuss human rights issues and situations. These parallel events served as forums to present and discuss information and make a network with other organizations.

Political space for NGOs at the UN conferences prior to 1993

First International Conference on Human Rights (ICHR) was held in Tehran. The United Nations called the conference to evaluate the failures and successes of human rights promotion since the adoption of the UDHR and to work toward the elimination of racial discrimination and apartheid. The ICHR started from April 22 to May 13 1968. It was the first world conference on human rights to review the progress in the twenty years since the adoption of the UDHR. Most importantly, the Conference restated world's

commitment to the rights and fundamental freedoms preserved in the UDHR and urged members of the international community to fulfil their solemn obligations to promote and encourage respect for those rights. In the conference, around 76 NGOs with nearly 200 representatives attended as observers only. Those few are named as International Council of Women (ICW), Amnesty International, International Federation of Human Rights League, Women's International League for Peace and Freedom, Pax Romana, International League for Human Rights and several others. But at that early conference, the range of NGOs was markedly small (Clark 1998: 11).

The Proclamation of the Conference emphasized the link between civil and political rights and economic, social and cultural right. The Proclamation encouraged respect for human rights and fundamental freedoms for all with-out any distinctions. It also restated that the UDHR is a common standard of achievement for all people. It constitutes an obligation for the members of the international community. It also called all states to conform to new standard and obligations set up in international instruments and condemned apartheid and racial discrimination. States will take major steps to implement the Declaration on the granting of Independence to Colonial states. All states will make an effort to bridge the gap between developed and developing countries and increasing efforts to eradicate illiteracy, to eliminate discrimination against women and to protect and guarantee rights of children (UN Doc. A/CONF.32/41/1968). At the conference, NGOs raised their voices to greater respect for human rights and fundamental freedoms without any distinction (Clark 1998: 10).

The United Nations Conference on the Human Environment (UNCHE) also known as the Stockholm Conference was held under the UN auspices in Stockholm, Sweden in June 1972. It was the UN's first major conference on international environmental issues, and marked a turning point in the development of international environmental politics. The conference was attended by 400 representatives of NGOs, it is widely recognized as the beginning of modern political and public awareness of global environmental problems (Greene 2005: 454).

At the conference, NGOs held their first parallel forum, simultaneous with the official governmental conference (Clark 1998: 10). The Stockholm Declaration and Action Plan defined principles for the preservation and enhancement of the natural environment and highlighted the need to support people in this process. Some of the specific issues addressed at the conference that industrialized countries should have played an important role in the process of protecting the environment. The industrial countries should help to close the gap between them and underdeveloped countries while keeping their own priorities and the protection and improvement of the environment in mind. The UNCHE developed a long set of recommendations to act as goals to pursue its mission (Greene 2005: 455).

Similarly, a large number of NGO's representatives appeared in the World Conference on Women (WCW) in 1975. It was the first world conference on the status of women held in Mexico City to observe 1975 as International Women's Year. The conference wanted to remind the international community that discrimination against women is continued across the world. The Conference launched a new era in global efforts to promote the advancement of women by opening a worldwide dialogue on gender equality. The UNGA proclaimed the United Nations Decade for Women (1976-1985) five months later at the urging of the Conference. A number of NGOs participated in the conference. But only a few were involved in the preparatory process at the Mexico City (Lund 1995: 01).

Prior to the World Conference on Human Rights (WCHR) in 1993, another and perhaps most important conference, where a large number of NGOs participated that is the United Nations Conference on Environment and Development (UNCED), which was held in Rio de Janeiro, Brazil in June 1992 as a major United Nations conference, that is also known as the Rio Summit or Earth Summit. Some 2,400 representatives of NGOs, who had consultative status with the ECOSOC, attended the Conference. Approximately 17000 representatives of NGOs organized the Global Forum parallel to this conference. In the 1990s, NGO's participation had expanded in both the official conferences and parallel forums. NGOs were started such new strategies as lobbying and networking. Most

effective lobbying NGOs came from the Global North, while networking from the Global South (Clark 1998:12).

The UN Conferences are the result of a highly complex chain of events. These conference meetings is preceded by various kinds of activities, such as Preparatory Committees, regional meetings, expert seminars and other conventions and also many parallel events often take place. One feature of UN deliberations is that **only** those NGOs with consultative status with the ECOSOC can participate in the event and the meetings. When NGO representatives are invited into governmental gathering then they become visible in global affairs. NGO's access is possible to the plenary session with observer rights and the right to speak on a behalf of their organization's activities. This also gives opportunity to NGOs to assist the working groups where the actual tasks of the conference are discussed, for example, the plan of action and the political declaration (Sadoun 2007: 06).

A large number of NGOs representatives came together at UN gatherings from all geographical regions. Within the preparation process, the meeting offered NGOs with many opportunities to either become active in the international policy sphere or strengthen their international commitment. But the UN conferences can also give the impression of exclusion, when an NGO that would like to participate and is not able to do so. This means that NGOs are normally excluded from actual participation rights as members and only as observer to enter the venues of formal meetings and speak about their activities. It is hard to find the number of NGO's participation in particular conference.

World Conference on Human Rights (WCHR) in 1993

The World Conference on Human Rights (WCHR) was held by the UN at Vienna, Austria in June 1993. It was first human rights conference under the UN auspices since the end of cold war. The idea of a world conference on human rights was first suggested in 1989, as the cold war was coming to an end. The WCHR was the second world

conference to focus exclusively on human rights, while the first ICHR was held in Teheran, in 1968 to mark the twentieth anniversary of the UDHR. The WCHR was attended by 171 representatives of states and 800 NGOs in all 7000 participants attended. (Boyle 1995: 79).

There was much discussion ahead of the conference on universality of human rights. The discussion a preference against mentioning specific countries or places, including those involved in current conflicts such as Bosnia and Herzegovina, Angola, and Liberia on account of alleged human rights abuses. But NGOs strongly criticized this new bogey. The Amnesty international was concerned that conference might represent a backward step for human rights. It added that it is not surprising that governments are not overenthusiastic on human rights protection. After all, they are the ones violating human rights. In particular, the ongoing Bosnian War was taking place only an hour's flight from Vienna testified dramatically that no new era of international cooperation had come into place. But with respect to the role of NGOs, the WCHR was generally positive, though it encouraged NGO's involvement in protecting human rights (Posner 1997: 317). The WCHR reviewed the development of human rights standards, and examined new ways to advance respect for human rights. The WCHR was witnessed the extraordinary success of efforts by women's rights groups to end the historic disregard of human rights violations against women. The NGOs participated in the official preparatory meetings. At the regional preparatory meetings, NGOs demanded that government declarations and resolutions ensured women's human rights as major concerns of the world conference (Sullivan 1994: 152).

The Vienna Declaration and Programme of Action (VDPA) marked a culmination of a long process of review and debate on the status of the human rights mechanism across the globe. It also signified the beginning of a renewed effort to strengthen human rights instruments, which had been thoroughly constructed since 1948. The VDPA restated the universality of human rights and the international commitment to the implementation of human rights. It also proclaimed that democracy, development and respect for human rights and fundamental freedoms as interdependent and mutually reinforcing are the

agenda of the conference on the other hand. Many NGOs underscored link between democracy, development and economic, social, cultural, civil and political rights and an evaluation of the effectiveness of the UN methods and mechanism for protecting human rights.

Profile of NGOs at the Vienna Conference

In the WCHR process, human rights NGOs piloting concrete proposals for better implementation of human rights measures in the conference. For example, AI renewed the idea of a High Commissioner for Human Rights (HCHR), who could oversee an integrated UN response to human rights violations, while restating the principles of universality, interdependence, and indivisibility. A large number of NGOs joined this campaign. This campaign led the creation of the position of UN High Commissioner for Human Rights at the Vienna Conference. The AI also built up a constant guard outside the drafting meetings, closely following progress on issues of concern. But these NGOs were excluded from drafting meetings (Clark 1998: 14). The attention of the WCHR was drawn to the attraction of the NGO Forum "All Human Rights for All" which was held at Vienna from 10 to 12 June 1993 outside of the Conference. At the Vienna conference, Women's NGOs launched the global Campaign for Women's Human Rights. This group consisted of ninety NGOs, which focused on domestic violence against women as global human rights issue. A large number of NGOs made it a special theme of the conference (Clark 1998: 15).

The women's NGOs urged that NGOs should be authorized to report on violence against women and its causes with relationship to the UN (Sullivan 1994: 157). Joint statements were made by many NGOs on the following themes: disabled persons, indigenous people, refugees and displaced persons and torture at the WCHR. NGOs also contributed to the development of the VDPA and submitted a number of written statements. The NGOs were extremely influenced in shaping the agenda of the Vienna conference (Mertus 1999: 1369). The VDPA provided a new role of NGOs that these actors especially women's NGOs could played a major role to implementation of the 'right to

development (UN Doc. A/CONF./157/23). The VDPA also represented a commitment from the states, national human rights institution and most importantly non-governmental organizations for protecting human rights. They can make all effort to protect human rights in all parts of world (Boyle 1995: 81).

the VDPA directed the Secretary-General of the United Nations to utilize the occasion of the fiftieth anniversary of the UDHR in 1998 to invite all states, all NGOs and agencies of the United Nations system and report to him on the progress made in the implementation of the present Declaration. As the review in 1998 showed, a number of positive developments took place as progress achieved in terms of human rights oriented changes in national legislation, enhancement of national human rights capacities, including the establishment or strengthening of national human rights institutions.

The Vienna Conference undoubtedly constituted one of the major events in the United Nations history of human rights. The High Commissioner for Human Rights includes the coordination of the implementation of the VDPA by the United Nations system. The UNCHR at its fifty-fourth session (March-April 1998) reflecting on the role of the Universal Declaration of Human Rights, undertook an initial review of the implementation of the Vienna Declaration and Programme of Action, which based on the Interim report of the United Nations High Commissioner for Human Rights on the Five-Year Review of the Implementation of the Vienna Declaration and Programme of Action.

The Economic and Social Council at its substantive session in 1998 examined the implementation of the VDPA, and made following suggestions:

- methods of achieving a concerted system-wide approach to human rights;
- examples of best practices by the UN system in the implementation of the VDPA;
- areas of responsibility in which efforts should be made to implement fully the VDPA;

- plans for improving inter-agency cooperation and coordination to achieve better results in the implementation of the VDPA.

Table 4.1 Written Statements of the non-governmental organizations, during the Vienna Conference in 1993

Name of NGOs	
1.	Ambedkar Centre for Justice and Peace
2.	Amnesty International
3.	Arab Organization of Human Rights
4.	Asian Students Association
5.	Baha'i International Community
6.	Forum for the Protection of Human Rights
7.	Friends of the Earth
8.	Habitat International Coalition
9.	Human Rights Commission of Pakistan
10.	Human Rights Internet
11.	Human Rights Movement of Kyrgyzstan
12.	International Federation of Human Rights
13.	International League for Human Rights
14.	Palestinian Human Rights Information
15.	Centre Peoples' Union for Civil Liberties in India
16.	Sikh Human Rights Group

Source: Report of the World Conference on Human Rights (UN Doc. A/CONF.157/24)

The Economic and Social Council has decided to devote the coordination segment of its substantive session in 1998 to the coordinated follow-up to implementation of the VDPA. The United Nations Secretary-General submitted a report on the coordinated follow-up to implementation of the VDPA at fifty-third session of the UNGA. While, The UNGA in

1998 carried out a comprehensive analysis of the progress achieved in the implementation of the Vienna Declaration and considered recommendations made by the Commission on Human Rights, the Economic and Social Council, the Secretary-General and the High Commissioner for Human Rights (UN Doc. E/CN.4/1998/104). However, the Commission resolution 1998/78 "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action" welcomed the preparations and contributions made so far to the five-year implementation review of the Vienna Declaration. The Commission called upon all states to contribute actively to this process and encouraged regional and national human rights institutions as well as non-governmental organizations.

World Conference against Racism (WCAR) in 2001

Prior to the World Conference against Racism (WCAR), The United Nations Fourth World Conference on Women (FWCW) or Beijing Conference held in Beijing, China, September 1995. It was the largest and most influential of all the World Conferences on Women. Nearly 180 government delegations and 5000 representatives from 2100 NGOs met to discuss a broad range of issues concerning women. The FWCR was a turning point in the world's understanding of women's human rights (UN Doc. A/CONF.177/20). A number of NGOs made written statements on various topics during the Beijing Conference⁶.

After this major conference, another major conference took place in the beginning of the twenty first century, indicating new role of the NGOs. That is known as the World Conference against Racism (WCAR). The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa from

⁶ To name a few of them as All India Women's Conference, International Right to Life Federation, International Cooperative Alliance, Women's International Democratic Federation, Women's International League of Peace and Freedom, Arab Organization for Human Rights, International Gay and Lesbian Human Rights Commission. The Indian NGO All India Women's Conference circulated statement on behalf of seven Indian National Women's Organizations with an overall membership of nearly eight million women at the conference.

Table 4.2 list of NGO's participation at the Durban Conference

General Consultative Status	Special Consultative Status	Roster Consultative Status	Not Consultative Status
1. Al-Khoei Foundation	1. African Commission Of Health And Human Rights Promoters	1. Asia Pacific Forum On Women Law And Development	1. Antirasistisk Senter
2. Brahma Kumaris World Spiritual University	2. All Indian Women's Conference	2. Indian Law Resource Centre	2. Buraku Liberation League
3. Franciscans International	3. Amnesty International	3. Minority Rights Group International	3. Chinese Canadian National Council
4. International Confederation Of Free Trade Union	4. Human Rights Internet	4. Movement Against Racism And For Friendships Among Peoples	4. Human Development Organization
5. International Alliance Of Women	5. Human Rights Watch	5. Pan African Movement	5. International Council On Human Rights
6. International Council Of Women	6. Indian Council Of Education	6. World Union For Progressive Judaism	6. Lawyers Committee For Civil Rights Under Law
7. International Save The Children Alliance	7. Indian Movement "Tupaj Amaru"		7. Prajwala - Sangham
8. United Nations Association Of China	8. Oxfam		8. Sikh Human Rights Group
9. World Federation Of Democratic Youth	9. Pax Romana		9. Women's Health In Women's Hands
	10. Susila Dharma International Association		10. Youth Against Racism

Source: UN Doc. A/CONF.189/PC.2/INF.1

August 31 to September 8, 2001. The UNGA authorized the conference (in Resolution 52/111 in 1997) to explore effective methods to eradicate racial discrimination and to promote awareness in the global struggle against intolerance. However, the aim of the WCAR was to take major steps against racism and intolerance. The Representatives supported the "Zionism is Racism" viewpoint and aimed to delegitimize Israel (Braun 2010: 01). Some 18,810 individuals from 170 countries, including 16 heads of State, 58

foreign ministers and 44 ministers, and nearly 7000 non-governmental representatives and over 1300 media representatives attended the Durban conference⁷.

The conference was headed by the United Nations High Commissioner for Human Rights, Mary Robinson. The WCAR was also meant to produce a declaration with the plan of action upon which all governments present would agree. The NGOs could monitor state's practical steps for improvement of this situation across the world (Selby 2002: 02). The WCAR was a follow up to two world earlier conferences, held in 1978 and in 1983. The official nomenclature of those previous conferences was the World Conference to Combat Racism and Racial Discrimination. This was expanded for Durban to include 'xenophobia and related forms of intolerance' (Schoenber 2002: 85). The international community agreed upon five themes that would be addressed in Durban, these are following:

- Sources, causes, and forms of racism, racial discrimination, xenophobia and related in-tolerance.
- Victims of racism, racial discrimination, xenophobia and related intolerance.
- Measures of prevention, education and protection against racism racial discrimination, xenophobia and related intolerance, at the national, regional and international levels.
- Provision of effective remedies and other measures, at the national, regional and international levels.

⁷ These include Indian Council of Education, World Federation of Trade Unions, International Institute of Non-Aligned Studies, Islamic Women's Institute of Iran, International Save the Children Alliance, Human Rights Watch, Amnesty International, Guyana Human Rights Association, International Council of Jewish Women, Human Rights Association of Turkey, Indian Movement "Tupaj Amaru", Susila Dharma International Association, World Organization Against Torture, International Centre for Human Rights and Democratic Development, International Federation of Social Workers, Sikh Human Rights Group (United Kingdom) and others (UN Doc. A/CONF.189/11). Others are listed in table 4.2.

- Promotion of education aimed at the eradication of racism and racial discrimination
- Major strategies to achieve full and effective equality, cooperation with the UN in combating racism, racial discrimination, xenophobia and related intolerance (Narang 2001: 2497).

Durban Conference registered a new, activist trend in NGO presence in international gathering, where the involvement of NGOs previously was stated to be limited and little (Selby 2002: 04). The International Human Rights Law Group has produced an excellent guide to participating in the WCAR and circulated its written statement to all participants of the conference. The International Council on Human Rights Policy (ICHRP) tried to maintain a relationship between governments and NGOs, and among NGOs. But the conference ended in disappointing note. Because, the Israeli-Palestinian issue blocked important channels of communication between NGOs and government delegations, between NGOs and the general public (ICHRP 2001: 03). Many of the Arab representatives of NGOs were not satisfied with the language on the issue of Zionism during the conference. They were trying to underline that the actions of Israel against Palestinians were a form of racism. As many as 80 NGOs from 35 countries issued their joint statements and condemned to anti-racist activities of Israel on the one hand. But AI and HRW sharply criticized to the NGO Forum declaration for their cooperation against racism on the other hand (Selby 2002: 06).

Parallel to the WCAR, a NGO Forum also held at Durban to produce a Declaration and Programme of its own, which was not an official conference document. Bu it was criticized by the United Nations High Commissioner for Human Rights Mary Robinson and many others. At the NGO Forum nearly 7000 civil society actors met in Durban to finalize the NGO Declaration and Programme of Action which was to be presented to the governmental delegations. In their discussion, the role of NGOs was the main agenda in eradicating racism. At the NGO forum, NGOs had the following expectations:

1. The UN should enable with new opportunities for NGOs to strategize and coordinate their lobbying efforts at the official conference;
2. This Conference will provide a global platform for non-state actors to enhance their work in eradicating racism;
3. It also will allow non-state actors with similar interests to network and exchange;
4. Media coverage of global forums educates the public about the official negotiations and the issued
5. Establishment of follow-up measures and coordination procedures for non-state actors to pursue after the conference.

But unfortunately, the September 11, 2001 attacks cancelled many of the potential political effects of NGOs at the conference. The attacks took place just three days after the conference ended, entirely this news were affecting significantly to international politics. Anti-Israel NGOs highlighted the dangers of humanitarian NGOs from the Israeli activities, which did depart from common agenda to promoting universal human rights across the globe. The status of the Palestinians in the West Bank and Gaza Strip is subject to a final document of the WCAR. These reasons did not help in making any such consciousness among Palestinian people. The NGO Forum also was not able to take any of these facts .

International conferences have a function of legitimizing activities of actors. NGOs may utilize international conferences to highlight their activities in gaining legitimacy. The Human Rights Watch published its report on new measures to break the chain of discrimination, while some others were unhappy on discussing very specific issues of concern (Selby 2002: 14). At the Conference, NGOs have also turned floodlights on significant issues of their concern. These are following:

- Globalisation, racism and discrimination against minorities: the globalisation has an important impact on racial discrimination practices and relationship between South and North, because of the activities of transnational corporations.
- Ethnic conflicts occurred between people of the same colour, which represent a kind of suppression by one group of another.
- Racism and citizenship issues particularly involving migrant people, who are harassed, frightened, arrested, detained and deported.
- Women always discriminated by a large number of groups; therefore, gender issues needed to be considered in their own right.
- In many countries the question of racism or ethnic discrimination revolved around the concepts of religion versus secularism, as for example, the caste discrimination in the Indian context could be a form of racism.
- Discrimination on basis of descent happened in many countries in Asia and Europe.

Along with all the above issues, NGOs also made other suggestion in the agenda of WCAR, such as trafficking in human persons and citizenship and many others. The African group of NGOs brought forth demands of the African people for compensation from the former colonial powers and for other crimes also committed against them in the past. They are supported a number of International NGOs (Narang 2001: 2498). Major debates took place on caste discrimination, the legacies of the slave trade and colonialism, and indigenous rights. The Indian Council of Education an NGO, raised the issue of untouchability against Dalits in Indian society at the conference, whereas, other NGOs as Human Rights Watch and Amnesty International, demanded that US should

drop its reservations and "comply" with the UN Convention on the Elimination of Racial Discrimination (Selby 2002: 14).

Several Jewish and non-Jewish NGOs warned against the possible revival of Zionism as racism at WCAR. Major Jewish organizations pointed to the harm that a new condemnation of Zionism would have on the Jewish people and Israel. Whereas, Amnesty International and Human Rights Watch opposed Jewish NGOs raising voice of Zionism as racism but they tried to bring up such measures to stop these activities against everyone, everywhere on the other hand (Schoenberg 2002: 93). During the WCAR, there were a huge number of NGOs opposing racist activities with printed banner as "Stop the Massacre of the Palestinians and Racism of Israel rule". A joint statement of 77 NGOs criticized strongly the process by which the declaration and program of action were adopted. The language of the chapter on "Palestinians and Palestine" was main focus of these NGOs' criticism. Some of the most prestigious NGOs were hesitant in their comments about the anti-Israel declaration. For example, Human Rights Watch agreed that the language used, was not suitable but it acknowledged that Israel committed serious abuses as extrajudicial executions, torture, and arbitrary arrests, Whereas, Amnesty International refused to support the declaration (Schoenberg 2002: 97). Finally, On Monday, 3 September 2001, the delegations of Israel and the United States of America withdrew from the conference (UN Doc. A/CONF.189/12).

Overall, in preparation of final document in all the above discussed conferences, the NGOs played an important role and registered a positive trend in participation. The NGOs showed a greater responsibility towards protecting human rights. At the Beijing conference, women NGOs were exceptionally well prepared to engage in lobbying. These were involved in the crucial drafting of the conference documents. At the Vienna Conference, NGOs also involved in policy-initiating process of the UN but it was important a fact as they are kept off the final document, deliberations. At the same time, NGOs especially human rights NGOs formed the Global Campaign for Women's Human Rights, which took up new methods for protection of women's rights in the VDPA. While

the Durban conference provided a platform for hate and violence, which ought to be controlled before, it corrupts the entire anti racism agenda of the United Nations.

Chapter Five

Overall Assessment

As the analysis in the preceding chapters demonstrates, the relationship between human rights non-governmental organizations and the United Nations has been mutually rewarding in the terms of progressing in the achievement of the shared objective. Yet the relationship suffers from problems which ought to be looked with a view to attaining greater effectiveness of partnership, but also legitimacy in the eyes of the world community. Although governments are responsible for protection of human rights, non-governmental organizations (NGOs) play significant roles in the real world of human rights protection. Many NGOs like Amnesty International, Human Rights Watch, International Federation of Human Rights, International League for Human Rights (ILHR), Human Rights Internet, play a vital role in protecting and promoting human rights. Being an integral part of international system, the NGOs see international relations as a process of social interactions and identity formation, which supplemented by attempts at institutionalization and socialization at the various levels. The NGO's involvement in the work of UN is enhanced through a process of institutionalization. Over last two decades and under the pressures of globalization, the UN opened up the opportunities for greater interaction with NGOs and increasing in opportunities for participation within its deliberations. The NGOs has opened their office in the UN location and tried to keep in touch with the staff of the UN, which changes the way NGOs work within the UN. For example, Amnesty International and Human Rights Watch both established their offices in New York and hired high level officials to work with UN bodies. They also maintain a strong relationship by providing important information to them. Not only in New York but they also set up their offices in other places. For example, the Amnesty International maintains an office in Geneva with expert

personnel working exclusively on relations with the UN and during the session meetings of the UNHRC.

It is time that compared to member-states of the UN, NGOs have not gained much more strong participation in its bodies. In the twenty first century, only some of the NGOs are still with consultative status at the UN. They do not have unlimited right to intervene in the finalization of the Conference Documents, notwithstanding their capacity to contribute to the process of policy-making dynamics. Even so, they have taken initiative on many issues, where there was an international concern. For example, Amnesty International started a campaign against torture in 1981. The UN took up the issue in light of that campaign. Finally, the Convention against Torture and other Cruel, Inhuman of Regarding Treatment or Punishment was negotiated in 1984 to enter into force at 1987. Subsequently, the Committee against Torture (CAT) was set up to monitor compliance. In another example, the Amnesty International also campaigned for creation of office of High Commissioner for Human Rights prior to and during the 1993 Vienna Conference. However, it is significant that the member of representatives of NGOs expanded in the UN deliberations from time to time. Even after with this expansion, NGOs still are not able get full opportunities in the negotiation of final document in the UN meetings. They do not have right to vote on the UN. The analysis and findings in the present study prove the hypothesis that NGOs have acquired their own expertise and recognition in furtherance of human rights awareness, and yet they remain on the sidelines of the UN policy making dynamics due to the sovereignty related sensitivities of states.

No doubt the UN human rights system explores is committed to protecting of human rights across the globe and it strengthens a worldwide movement, whereas NGOs have become prominent players on the international level. Their growth has stressed that the intergovernmental organizations take up issues in support of their role in global affairs. The NGOs have for long showed interest in the promotion and protection of human rights, besides other concerns like development, environment and cultural exchanges. NGOs always responded to gross and systematic violation of rights by the state. As part of their role in promoting and protecting rights of individuals and groups, they often

mediate between them and the state over the years, the strength and stature of NGOs have also gone up.

There are many aspects to the UN-human rights NGOs relationship institutional, procedural, substantive etc. The Economic and Social Council has remained from the beginning the mainstay of NGOs participation in the UN deliberations across issues area including human rights. NGOs are allowed consultative status with the ECOSOC. While some states as elected members, at the Committee on NGOs (CONGO) serve as a gate keeper for NGO's entry into the ECOSOC, even for the limited consultative status. Some 750 NGOs out of 3400 who are granted consultative status in different categories are human rights NGOs. In the Cold War period, the member-states tried to limit the role of human rights NGOs in the ECOSOC. Besides, some member states on the CONGO worked to deny certain human rights NGOs access to the UN. Fearing unfriendly interference in their internal affairs, those governments have exercised caution their own representatives on the committee in recommending consultative status to every aspiring NGOs. The same conservative outlook of many governments including the Third World, governed opposition to adoption of recommendations of the Cardoso High level Panel that aimed to enable new engagement with NGOs in the UN system in the twenty first century.

The creation of the Human Rights Council is only part of a story that is still to be written. The nature of NGOs in the new body was no different, as compared to their status in the predecessor body the Commission on Human Rights. It was the hope of human rights NGOs that the UNHRC would find new ways to enhance the work of NGOs across the globe. The Council's functional mechanisms (UPR, Special Procedures) were a combination of continuity and change. They willy-nilly enable NGOs role in monitoring and maintaining pressure to upgrade the compliance record of member countries through independent informant.

Last but not the least, the arrangements for NGO consultation at the ECOSOC has limited impact on NGO activities within the UN. Although the UN's consultative status is

important as a means of access, but NGOs required unlimited rights to enter into policy initiating and making processes. NGOs must keep this process of accreditation with the UN.

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(*indicates primary resource)

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