

submission of written statements, and provisions for NGO oral presentations to meetings of the Council. Part VII of the resolution addresses the broader question of the “participation of non-governmental organizations in international conferences convened by the United Nations and their preparatory process.”

Whether or not NGOs are invited to participate in particular meetings is up to Member States to decide on a case-by-case basis, but it is clear that a strong culture of participation has emerged, especially through the several world conferences held during the 1990s. In instances when NGOs have thus been invited to participate, Resolution 1996/31 identifies certain conditions and key features of participation which Member States may apply:

- I. Accreditation of NGOs is decided by Member States of each conference (para 41);
- I. Participation of NGOs, “while welcome, does not entail a negotiating role” (para 50);
- II. Accredited NGOs may be given “an opportunity to briefly address the preparatory committee and the conference in plenary meetings and their subsidiary bodies” (para 51); and
- III. NGOs “may make written presentations during the preparatory process in the official languages of the United Nation as they deem appropriate,” although “those written presentations shall not be issued as official documents except in accordance with United Nations rules of procedure” (para 52).

Res. 1996/31 makes accreditation and eligibility of NGOs the prerogative of Member States (para 41), based largely on the “relevance” (para 42) to and “background and involvement in the subject areas of the conference” (para 45). NGOs with ECOSOC consultative status “shall as a rule be accredited” (para 42), and an application/accreditation process for “other” NGOs is described.¹³

Multiple models for NGO participation

Under the broad mandate of the Charter and ECOSOC guidelines, a wide variety of practices has emerged. The following examples indicate that current practice regarding NGO participation in the UN system is consistent only in the sense that most of the relevant formal rules of procedure assume only minimal NGO access to official multilateral processes.¹⁴

In the case of the CD, there is no specific provision for NGO participation – Rule 20 simply states that the CD will convene plenary meetings to be held in public, unless otherwise decided. NGOs can obviously attend such meetings, and under Rule 42 communications from NGOs are retained by the Secretariat and made available to delegations on request.¹⁵ Similarly, Rules of Procedure of the Biological Weapons Convention (BWC) and the Convention on Certain Conventional Weapons (CCW) permit NGO attendance at public meetings. The BWC has adopted an informal arrangement in which NGOs are given an opportunity to address review conferences, while CCW Rule 49 allows the chair of the plenary to invite NGOs, with the approval of the body, to “make oral statements on questions in which they have a special competence in plenary meetings.”¹⁶

Environmental events and forums have typically involved NGOs in levels of access and participation similar to the landmines experience. NGOs are able to intervene in plenary forums as well as in subsidiary bodies and informal working groups. “In the case of the International Maritime Organization, the principal UN body dealing with the safety of shipping and the protection of the marine environment, for example, the rules explicitly provide for NGOs with Consultative Status to take the floor in order to introduce their own documents, make formal proposals on topics on the agenda, respond to papers or statements by governments and allow them to take part in intersessional work or correspondence groups.”¹⁷

¹³ The April 8/02 document (“List of non-governmental organizations,” NPT/CONF.2005/PC.I/INF.2) lists 62 organizations linked to the NPT review process.

¹⁴ A very helpful *Note by the President of the Conference on Disarmament* (May 15, 2003) provides an “informal compilation of rules governing the participation of representatives of NGOs in various disarmament conferences,” prepared by the Secretariat of the Conference on Disarmament. The compilation addresses the rules and practice related to NGO participation with regard to the CD, NPT, BWC, CCW, and the Mine-Ban Convention.

¹⁵ *Note by the President of the Conference on Disarmament*.

¹⁶ *Note by the President of the Conference on Disarmament*.

¹⁷ Simon Carroll, “NGO access to multilateral fora: does disarmament lag behind?” *Disarmament Forum* (UNIDIR, No. 1, 2002), p. 21.