The Role of Civil Society Organisations in the Former UN Commission on Human Rights and the UN Human Rights Council

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The United Nations Commission on Human Rights (hereinafter ‘the Commission’) was created in 1946 as a subsidiary organ of the United Nations Economic and Social Council (ECOSOC).¹ Sixty years later, it was replaced by the United Nations Human Rights Council (hereinafter ‘the Council’), an organ placed under the aegis of the United Nations General Assembly (UN GA).² Both the Commission and its successor were made up of representatives of the UN member states, elected by ECOSOC and subsequently UN GA. Contribution to their work by civil society was made possible by virtue of Article 71 of the UN Charter, authorising ECOSOC to ‘make suitable arrangements for consultation with non-governmental organisations which are concerned with matters within its competence’.³ A consultative status with ECOSOC was made prerequisite⁴ for formal contribution of non-governmental organisations (NGOs) to the Commission’s and, subsequently, the Council’s work.

Although, in theory, the notion of civil society is constituted on its distinction from the state, family and market, the frontiers between these institutional forms in practice are ‘often complex, blurred and negotiated’.⁵ This is true especially in the context of its relationship with the UN, commonly described as ‘one of controversy and fluctuation’.⁶ For sake of clarity and the prevailing logics of the UN system, this analysis shall not include stakeholders occupying the conceptual space between government and civil society, eg national human rights institutions (NHRIs).⁷ Civil society in the UN fora is most notably represented by a great variety of NGOs and for the purposes of this inquiry they remain its only relevant segment.⁸

NGOs themselves are far from being a homogenous group. Human rights, international (INGOs), donor organised (DONGOs), religious international (RINGOs), environmental (ENGOs),

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¹ See UN Charter, Article 68. See also M N Shaw, International Law (5th edn CUP, Cambridge 2006), p 283.
² UN General Assembly Resolution 60/251 (2006).
quasi non-governmental (QUANGOs; ie partially created/supported by states) and indigenous peoples organisations (IPOs; they are given a separate cluster in the official UN list) represent only a few predominant typological solutions relevant in the context of ECOSOC consultative status.9 Such systematisations, however, can hardly stand the scrutiny of reality. NGOs have epitomised momentous societal changes, whether challenging or conforming to ideological, political, cultural and economic traits of the time.

Opinions on the role of NGOs in the UN key inter-governmental body on human rights span from commending panegyrics to fierce criticism. NGOs have been praised as the ‘universal conscience of human rights’,10 ‘a driving force’11 and ‘the eyes and ears of the Commission’.12 It has been asserted that the Commission was ‘only effective because NGOs take an active interest’ in it or ‘conduct lobbying’.13 In contrast, they have also been accused of reinforcing rather than countering ‘existing power structures’14 and held ‘unaccountable, self-appointed [and] unrepresentative’,15 since they ‘do not include all members of global civil society’.16 An overarching and unprecedented significance of their influence in a predominantly inter-state human rights organ, however, has been widely acknowledged. This influence has been won in a decades-long historical process that shaped the development of international human rights system.

The Commission

During its troublesome 60 years of existence, in spite of highly politicised and often flawed working methods, the Commission has been at the heart of developing international human rights regime. It has drafted, inter alia, the International Bill of Human Rights and established the Special Procedures, described as ‘the crown jewel of the [UN human rights] system’.17 By taking an active, often fundamental part in these and other significant developments, NGOs have managed to vastly increase their presence as well as to outstrip the scope of their originally envisaged influence.

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9 See, eg, supra n 6, p 271. See also UN Department of Economic and Social Affairs website, NGO section, available at www.un.org/esa/coordination/ngo/ (retrieved on 08 Feb 2009).
13 Supra n 10, p 258.
14 Supra n 11, p 272.
16 Supra n 11, p 292.
17 Kofi Annan, the former UN Secretary General, remarks on Human Rights Day, 10 Dec 2006.
The number of NGOs in consultative status with ECOSOC has been constantly growing, totalling 41 in 1948, 377 in 1968, 928 in 1991 and 3187 organisations in 2008. This salient phenomenon has been called ‘the barefoot revolution’ and ‘people power’, analogous to an overall proliferation of civil society in the post cold war era.

Originally open to both international and national NGOs, consultative status has been narrowed by ECOSOC Resolution 288B(X) of 27 February 1950 to include ‘[a]ny international organisation which is not established by inter-governmental agreement’. ECOSOC Resolution 1296(XLIV) of 27 May 1968 has allowed the entry of ‘national organisations’ of a ‘recognised international standing’. Otto contends that the resolution was ‘shaped by cold war paranoia about the political allegiances that some NGOs [...] were perceived to have’, even though a closer look reveals that the issue was far more complex. Whatever the case, no NGO subject to revision following the adoption of the resolution has lost consultative status and some states even ended up apologising for an undue investigation. This demonstrates the strength of civil society organisations even in the times of great political turmoil and stands in contrast to Archer’s suggestion that the consultative status relationship plunged to its lowest ebb in the late 1960s. The status, in fact, has been equally misused by states throughout the Commission’s history, with recent examples including their opposition to human rights related to sexual orientation and gender identity [the case of ILGA (1994) and other human rights NGOs (2006)].

During the first 15 years of the Commission’s work, the role of NGOs has been ‘restricted, in formal terms, to stiff, cameo appearances’. Apart from its work on drafting the first human

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18 Supra n 11, p 283. See also Y Beigbeder, Le rôle international des organisations non gouvernementales (Bruylant, Brussels 1992), p 34. See also UN Department of Economic and Social Affairs website, NGO section, available at www.un.org/esa/coordination/ngo/ (retrieved on 07 Feb 2009).
20 Article 71 of the UN Charter stipulates that national NGOs may be considered ‘after consultation with the Member of the [UN] concerned’. See RC Plumer, ‘Specialized Agencies, Commissions and Non-Governmental Organizations under the United Nations Charter’ (1945-1946) 19 Temple Law Quarterly 296, p 305.
21 Supra n 6, p 110.
22 The crisis precedent to the adoption of the resolution has been marked, inter alia, by the change in the ECOSOC membership composition as a result of the end of the long period of western dominance. See P Willetts, ‘Consultative Status for NGOs at the United Nations’ in P Willetts (ed), The Conscience of the World: The Influence of Non-Governmental Organisations in the UN System (Hurst & Co, London 1996), pp 41-43.
25 ‘The ECOSOC arrangements for NGOs were to be greatly influenced by attitudes to fascism in the first years of the UN, the Cold War in the late 1940s and the 1950s, nationalism in developing countries from the 1960s onwards and environmental crises in the 1990s’ (Willetts, supra n 22, p 31).
27 P Alston, ‘The UN’s Human Rights Record: From San Francisco to Vienna and Beyond’ (1994) 16 Human Rights Quarterly 375, p 376.
rights treaties, the Commission itself has been paralysed and powerless to respond to human rights violations. Among NGOs in consultative status, trade unions, both pro-western and pro-communist, have occupied a prominent place in the Commission’s work, albeit merely as pawns of dominant ideological streams. Entire system was dubbed as ‘the world’s most elaborate waste-paper basket’.

In the mid-1960s, partly because of the entry of newly independent countries of the third world into Commission and partly because of the pressure of NGOs, it has begun responding to human rights violations. Despite being ‘notoriously selective’, these responses have paved the way to two separate Commission procedures on scrutiny of an individual country allegedly engaging in gross human rights violations. ECOSOC Resolution 1235(XLII) adopted in 1967 has introduced the ‘public procedure’ allowing the Commission to debate situation in a given country in open session and take adequate action. ECOSOC Resolution 1503(XLVIII) of 1970 has established the so-called ‘1503 procedure’ by which communications (complaints) on human rights violations submitted by individuals and NGOs have been considered by the Commission in a four-stage process behind closed doors. The role of NGOs in these procedures has always been crucial, both in terms of provision of information and the necessary public critique, springing from the Commission’s continuous political selectivity in responding to situations of massive human rights violations, especially when they have been ‘perpetrated by powerful states and, increasingly, their allies’.

During the 1970s, the leading human rights INGOs have focused on lobbying the Commission and other relevant inter-governmental bodies to take serious steps against state-sponsored torture and other cruel, inhuman or degrading treatment or punishment. In 1975, following Amnesty International’s world-wide actions, conferences and campaigns, UN GA has finally adopted Declaration against Torture. Chile, Portugal and Argentina in particular have been under the limelight of disturbing reports on state-sponsored torture, submitted to the Commission by NGOs. In turn, the accused states and their allies have launched two counter-campaigns in the Commission, in 1975 and in 1978, based on allegations of breaches by NGOs of

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30 See Rajagopal, supra n 28, p 9. See also supra n 27, p 377.
33 Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by UN GA Resolution 3452 (XXX) of 09 Dec 1975. See also supra n 31, pp 189-190.
the confidentiality requirements of the ‘1503 procedure’.\textsuperscript{34} Their campaigns have yielded no success.

Increasingly dominant position in the 1970s and onwards of the third world countries in the Commission has made this body an important venue for raising concerns related to colonialism, inequality and racial discrimination.\textsuperscript{35} The same states, however, have misused their power to ‘hide their own increasingly bad human rights records’.\textsuperscript{36} At the end of this decade, human rights NGOs involved in the Commission’s work have begun quiet transformation towards more pluralistic cross-bloc organisations, gradually abandoning old ideological concepts. This process has successfully continued over two subsequent decades, resulting, in particular, in stronger cross-regional co-operation and increased participation of human rights NGOs from the global south.

The 1980s have been marked by the Commission’s mixed record in handling the very last yet dramatic phase of the cold war.\textsuperscript{37} Political coalitions of the third world countries have begun to break down, resulting in the Commission’s almost exclusive focus, apart from ‘the usual suspects’ of South Africa, Israel and Chile, on human rights violations occurring in countries such as Kampuchea (Cambodia), Iran, Afghanistan or El Salvador. These states, as Rajagopal suggests, have ‘had the misfortune of being caught up in the maelstrom of the formal end of the [c]old [w]ar’.\textsuperscript{38} NGOs have failed to effectively address this situation, in spite of their increased resources and coalitions.

In 1979, an ‘open-ended Working Group’ has been set by the Commission on the initiative of the Polish government to draw up a Convention on the Rights of the Child. After ten long years of its work, in 1989, the Convention has finally been adopted.\textsuperscript{39} As many as forty-one NGOs have participated in the Working Group’s work and their impact has been ‘both quite unprecedented in degree and particularly useful and constructive’.\textsuperscript{40} Despite mixed feelings about the final outcome of this work, it is still considered one of the most important contributions of civil society to the work of the Commission and its successor, the Council.\textsuperscript{41}

In 1980, the Commission has established its first Special Procedure, the Working Group on Disappearances, as a response to large-scale political ‘disappearances’ that have occurred in

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\textsuperscript{35} Rajagopal, \textit{supra} n 28, p 9.

\textsuperscript{36} Ibid.

\textsuperscript{37} Rajagopal, \textit{supra} n 28, pp 9-10.

\textsuperscript{38} Ibid, p 10.

\textsuperscript{39} UN GA has adopted the Convention on the Rights of the Child by Resolution 44/25 of 20 Nov 1989.


\textsuperscript{41} For a detailed account on the Working Group and the Convention, see Longford, \textit{supra} n 40, pp 214-240.
\end{footnotesize}
Argentina in the 1970s. This, in fact, has been result of a compromise, since states have been unwilling to publicly ‘name’ Argentina for various reasons.\textsuperscript{42} Such ‘thematic mechanisms’ have become the Commission’s great success and, by the end of the decade, six of them have been established. NGOs have played, and still do, an extremely important role in this process, both in terms of its development and its sustainability. Since the Special Procedures are composed either of groups or individuals who are independent experts, co-operation with civil society is not burdened with state interests and political games. The Procedures have acknowledged civil society contribution as an ‘invaluable support’, since NGOs, in particular, ‘provide information and analysis, help to disseminate the findings of the Special Procedures, and assist in follow-up activities, and thus help also formulate and implement relevant national policies and programmes’.\textsuperscript{43}

In the 1990s, human rights, democracy and globalisation have become the favourite dish in international political post cold war cuisine.\textsuperscript{44} NGOs have seized the momentum and increased their presence and influence in the Commission to an unprecedented extend. It is only now that large human rights INGOs, such as Human Rights Watch, have begun to understand that economic, social and cultural rights should not have been thought of as ‘solely confined to the Soviet bloc’.\textsuperscript{45} Reluctance of human rights civil society organisations to engage with this set of rights has resulted, \textit{inter alia}, in proliferation of RINGOs and other NGOs in consultative status with ECOSOC who have sided with some states in promotion of dangerous cultural relativist agenda in the Commission. As Alston observes, ‘[i]t is [...] regrettable that attacks by human rights NGOs on the very notion of economic, social, and cultural rights have all too often been met with a resounding silence on the part of other NGOs’.\textsuperscript{46}

Struggle to protect human rights activists and civil society organisations from governmental persecution has finally gained momentum in the 1990s. UN GA has adopted a Declaration on Human Rights Defenders in 1998. As Nowak recalls, ‘[i]t took the Human Rights Commission 13 years to draft this Declaration, with NGOs as the driving force behind it’.\textsuperscript{47} This ‘driving force’, however, has encountered a massive opposition of states in the process. In 2000, pushed by NGOs, the Commission has appointed a thematic Special Rapporteur, Ms Hina Jilani (succeeded by Mrs Margaret Sekaggya as of March 2008), to monitor adherence to the Declaration.\textsuperscript{48}

\textsuperscript{44} See Rajagopal, supra n 28, pp 10-11.
\textsuperscript{46} \textit{Supra} n 27, p 385.
\textsuperscript{47} \textit{Supra} n 10, p 262.
\textsuperscript{48} \textit{Ibid.}
In May 2001, partly because of obvious lack of support from other western countries, partly because of the general attitude of the Bush Administration to international treaties and organisations and partly because of China’s quiet lobbying, the USA has failed, first time in the history, to be elected to the Commission.\textsuperscript{49} However, Sudan, Libya, Pakistan and other countries with distinctively bad human rights record have managed to get elected. This has given rise to accusations that the Commission has completely lost its credibility. In the following years, after its return, the United States chose not to sponsor any resolution on China or Russian Federation. In return, the Commission’s response to ‘war on terror’ has been minimal. ‘Unholy partnerships’ have once again become a means to maintain impunity of gross human rights violations, at least within the Commission’s mandate. As Reporters Without Borders put, the Commission ‘that is supposed to defend and protect fundamental freedoms is sinking in a maelstrom of culpable insignificance where George Orwell’s newspeak reigns supreme’.\textsuperscript{50} Even the Special Procedures have no longer been safe from condemnation by the Commission members. In 2002, the Special Rapporteur on racism, Maurice Glélé-Ahanhanzo, has been summarily dismissed for referring in a report to a document which some Muslim majority states had regarded as a ‘blasphemy against the Qur’ân’.\textsuperscript{51}

During the Commission’s final five years of work, international human rights NGOs have engaged in an extensive networking with national and local human rights groups, requesting and often facilitating their increased presence in Commission-related activities. They have felt that showcasing a universal support for ‘controversial’ issues, such as the right not to be discriminated on the basis of sexual orientation and gender identity or the rights of persons with disabilities, might win support from ‘indecisive’ and transitional states. The strategy has worked, at least with states undergoing a deep socio-ideological transformation. For instance, thanks to the joint efforts of national and international human rights defenders, all South East European states and the vast majority of Latin American states have supported a resolution put forward in 2003 by Brazilian government (the Brazilian resolution) on human rights and sexual orientation. Even though at the end the resolution has been withdrawn, mainly thanks to the Vatican and the Organisation of the Islamic Conference (OIC), whose representative has described it as ‘politically incorrect’ and as a ‘direct insult to the 1.2 billion Muslims throughout the world’,\textsuperscript{52} human rights NGOs have realised how far-reaching their global coalitions have become. However, these events have also signalled to cultural relativist RINGOs, particularly those with headquarters in the United States, to opt for similar coalitions, albeit with a moderate success.

\textsuperscript{49} Supra n 42, p 793.
\textsuperscript{51} Ibid, p 10.
\textsuperscript{52} Supra n 50, pp 12-13.
Despite stark statism encountered at every level of their engagement with the Commission, except for the Special Procedures, NGOs have played both highly an operative and visionary role in its development. This is particularly due to their own transformation, from mere followers of their governments’ political and ideological agendas, in the early years, to sophisticated agents of (global) social change today. Their interaction with the Commission has yielded both expertise and frustrations, but, above all, it has showcased that the statist concept, in the long run, stands little chance against international participatory democracy based on universal human rights.

**The Council**

The UN General Assembly has established the Council on 15 March 2006, by adopting a Resolution 60/251, as its own subsidiary organ. Article 5(h) of the resolution obliges the Council to ‘[w]ork in close cooperation in the field of human rights with […] civil society’. Amidst negotiations on the structure of new inter-governmental human rights body, the leading human rights NGOs have all made their proposals. At the end, the most important innovations adopted for the Council (and warmly welcomed by NGOs) have been new procedures regarding election of its members and the Universal Periodic Review (UPR). The Council’s Resolution 5/1 on Institution Building of 18 June 2007 has stipulated that the UPR should ‘[e]nsure participation of all relevant stakeholders, including non-governmental organisations’.

Indeed, numerous NGOs have taken part in the UPR since its first session in April 2008. Their critique is mainly directed towards states’ subjectivity (‘double standards’) evident in the set of questions/recommendations they put forward to their allies under review. As one commentator observes, ‘[t]hese early inconsistencies have led a few NGOs to roundly criticise or dismiss the UPR at early stage, although many remain willing to engage in the hope that the UPR can build on some of the positive outcomes already witnessed.’ Another commentator has ascertained that, due to its very nature, the UPR cannot achieve immediate results, but it ‘will be effective in the long term’. NGOs participating in the UPR have been criticised for an inadequate allocation of their resources and lack of systematic approach based on cross-movement co-operation.

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The USA and Israel have voted against UN GA Resolution 60/251. In addition, the Bush Administration has decided not to seek a seat on the Council, because it ‘had lost its credibility with repeated attacks on Israel and a failure to confront other rights abusers’.\(^{58}\) The Council’s continuous focus on Israeli-Palestinian conflict, consistent with the decades of similar practice in the Commission, has been criticised by the former UN Secretary General, Kofi Annan, as ‘disproportionate’.\(^{59}\) Human Rights Watch has called on the Council to ‘avoid the selectivity that discredited its predecessor’.\(^{60}\) Other human rights NGOs have reacted in similar manner. The lack of strategic approach of NGOs to the Council’s selectivity, however, is clearly evident and reflected in an obvious unenforceability of the Council’s resolutions.

Whilst the Special Procedures continue to be under attack by some members of the Council, NGOs have endeavoured to document and widely publicise such assaults.\(^{61}\) This has strengthened and expanded the NGO’s monitoring role within the system.

Three years after its inception, the Council is still undergoing the process of consolidation of its mechanisms and procedures. It seems, however, that the final result will be ‘far less than what was needed and desired but far more than what had been feared’.\(^{62}\) Civil society has managed to permeate all the evolving structures, but it failed to establish stronger cross-movement and cross-sector links within its own system. This has backfired wherever its coalesced contribution has been required, eg at the UPR sessions.

**Specific Roles**

Civil society represented by NGOs in the Commission and subsequently in the Council has assumed specific roles, which are being generally assessed here. To borrow from the lingo of international relations, they may be classified as *standard-setting, standard formulation* and *standard implementation*.\(^{63}\)

**Standard-setting.** NGOs have successfully tabled numerous human rights issues before the Commission/Council and restlessly lobbied the member states and the UN officials before it was ready to take them on. Concern for the issues related to torture, political ‘disappearances’ and human rights defenders, to name but a few, have all been brought up and ‘mainstreamed’ by NGOs. Even the issues that they have seemingly failed to ‘set as a standard’, ie provoke the

\(^{59}\) *Supra* n 17.  
\(^{63}\) I choose to use the term ‘standard’ in order to circumvent usage of both ‘agenda’ and ‘policy’, which I find less pertinent to this debate. See, however, Willetts, *supra* n 22, pp 45-49.
Commission’s or Council’s immediate action, have been taken on, albeit in more subtle manner, by the Special Procedures. Such is the case, for instance, with human rights pertinent to sexual orientation and/or gender identity.\(^6\) Serious shortcomings, however, are evident in pursuing economic, social and cultural rights, as well as the right to development along with the entire collection of so-called ‘third generation’ rights, whereby ideological differences within civil society and its reluctance ‘in taking on matters of pure distributive justice [sic]’\(^6\) have made quite a strong negative impact on the Commission/Council’s work.

**Standard formulation.** Apart from political and ideological interests, one of the primary reasons for establishing ECOSOC consultative status with NGOs has been to use their particular expertises and access to public opinion. This auxiliary role, however, has soon exceeded the envisaged boundaries. Not only have NGOs participated in the Commission’s working groups set up to draft new human rights standards, they often have been their ‘principal actors’.\(^6\) Patience and commitment they have demonstrated in this process has highly influenced the quality of its outcomes, but their concerns and priorities have too often been dominated by west-centric worldview. Alston, for instance, recalls an obvious lack of will in the past to engage with issues pertinent to indigenous communities, and concludes: ‘Too many [w]estern NGOs act as though they believe that respect for human rights in the world will be won or lost in a handful of [w]estern capitals’.\(^6\) Emerging global NGO coalitions focusing on the Council’s work seem to have tackled this problem, but it is far from being solved.

**Standard implementation.** Monitoring of implementation of human rights standards and information provided to the Special Procedures and before the Commission/Council on human rights abuses has become one of the most important roles of NGOs. Gaer has gone so far to ascertain that, ‘[i]n fact, the [Commission’s] mechanisms rely almost exclusively upon NGO information’.\(^6\) Some human rights NGOs have dedicated their full capacity to this noble mission and achieved excellent results. Still, NGO reporting is sometimes of dubious quality, mainly because of lack of professional skills. Capacity building programmes are being used to address the matter. The former UN Secretary General, Kofi Annan, in one of his official reports, observes that NGOs ‘are no longer seen only as disseminators of information, but as shapers of policy and indispensable bridges between the general public and the inter-governmental process’.\(^6\) His

\(^6\) See, eg, O’Flaherty & Fisher, supra n 26, pp 230-231.  
\(^6\) Supra n 27, p 389.  
\(^6\) FD Gaer, ‘Reality Check: Human Rights NGOs Confront Governments at the UN’ in TG Weiss & L Gordenker (eds), NGOs, the UN, and Global Governance (Lynne Rienner Publishers, London 1996), p 55.  
predecessor, however, has warned that in that process they 'must not mix humanitarianism and politics'.\textsuperscript{70} Whilst statements like this have often been used by governments as a kind of political weaponry against civil society, one must admit that there are numerous NGOs in consultative status with ECOSOC with hidden political agendas. NGOs have played an important role in attempts to increase accountability and transparency of the UN system, the Commission/Council in particular. They have also 'shamed and blamed' the member states ever since it has become possible (or even when it has not been the case). The UPR mechanism opens up new avenues for improving this process. However, their own accountability, despite a few valiant initiatives,\textsuperscript{71} remains very problematic. As standard-shapers and standard-implementers, they have a duty to stand public scrutiny. How this can be achieved remains to be seen. Their own internal minimum standard procedures have been inadequate to redress the issue.

Overall, it is clear that the rising role of NGOs in the Commission/Council is no longer confined to 'consultations'. It has epitomised the global process of power-shift, whereby a state-based supremacy slowly but surely gives way to diverse 'power centres' established throughout global polity and where civil society facilitates this exchange through participation of local societal levels in the international community.\textsuperscript{72} These 'power centres' take various forms of self-organisation and, if 'over-institutionalised', may become state-alike in their will to power and internal (bureaucratic) structure. Quite a few human rights mastodons among the NGOs working with the Council are critically close to this stage. Still, it would be unfair to conclude that it is a prevalent trend among all NGOs. In fact, their organisational, cultural and programmatic diversity has been one of their greatest assets.

\textbf{Conclusion}

Twenty years ago, at the annual session of the Commission, the Prime Minister of France, Michel Rocard, eloquently spoke of the role of NGOs in that inter-governmental body: 'When states keep silent, NGOs speak. When governments are powerless, NGOs act, unfettered by reasons of state. That is when the oppressors hesitate, the oppressed resist and excluded regain hope'.\textsuperscript{73} While this is not entirely true, at least it resonates as a concise manifesto of those civil society organisations whose contribution to the work of the Commission and the Council has been of fundamental importance for the development of international human rights system and

\textsuperscript{70} B Boutros-Ghali, Foreword to TG Weiss & L Gordenker (eds), NGOs, the UN, and Global Governance (Lynne Rienner Publishers, London 1996), p 10.
\textsuperscript{71} See, eg, 'International Non-Governmental Organisations’ Accountability Charter’ (June 2006), available, inter alia, at www.amnesty.org (retrieved on 09 Feb 2009).
\textsuperscript{72} See supra n 6, p 134. See also J Sawicki, ‘Feminism and the Power of Foucauldian Discourse’ in J Arac (ed), After Foucault: Humanistic Knowledge, Postmodern Challenges (Rutgers UP, New Brunswick 1988), p 164.
standards. Commitment and expertise of human rights NGOs have won effective partnerships, acknowledgement and, consequently, an important place in the UN system. This place is rightly deserved.

However, inability of civil society organisations to address problems in their own camp and their clustered approach to human rights may no longer be justified. Western hegemony, hidden political interests and cultural relativism have not been properly addressed and they still jeopardise the human rights project at the UN level. Unfortunately, some NGOs in consultative status with ECOSOC are at the forefront of a stark anti human rights advocacy.

Whilst some states still continue to see the presence of civil society organisations in a high-level inter-governmental body as a threat to their sovereignty and, perhaps, impunity before international human rights law, they are well aware that the process called 'quiet revolution',\textsuperscript{74} started in the former Commission and ameliorated and continued in the Council, is irreversible, and that it influences all levels of society. This 'revolution', however, is yet another form of democratisation, not vice versa.\textsuperscript{75} What NGOs must have taken more seriously is responsibility and accountability that this important shift entails.

Fifteen years ago, the former UN Secretary General, Boutros Boutros-Ghali, officially welcomed NGOs to the United Nations with a remarkable sentence: 'I want you to consider this your home'.\textsuperscript{76} It is evident, though, that there are still many steps to be taken – by the UN officials, governments and civil society organisations alike – before this truly becomes the case.

\textsuperscript{74} See supra n 6, p 127. See also Mogami, supra n 8.

\textsuperscript{75} Rubenfeld, for example, calls it 'anti-democratic worldview', as it supersedes democratically elected nation-state governments. See Rubenfeld, supra n 15, p 2018.

\textsuperscript{76} B Boutros-Ghali, 'Statement by the Secretary General on the Occasion of the Forty-Seventh Conference of Non-Governmental Organisations' (20 Sep 1994; UN Information Centre, London), p 3.
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