

The Role of NGOs and Civil Society in Global Environmental Governance

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SUMMARY

This chapter identifies five major roles that civil society might play in global environmental governance: (1) collecting, disseminating, and analyzing information; (2) providing input to agenda-setting and policy development processes; (3) performing operational functions; (4) assessing environmental conditions and monitoring compliance with environmental agreements; and (5) advocating environmental justice. Three case studies – the Crucible Group, TRAFFIC, and global ecosystem assessment processes – illustrate the success NGOs have had in stepping up to these roles.

International decisionmaking processes seek legitimacy through the involvement of civil society, yet formal mechanisms for NGO participation within the UN system remain limited. Ad-hoc civil society participation should be replaced by a strengthened, more formalized institutional structure for engagement. The chapter offers concrete suggestions for such measures, including:

- Wider use of the “commission” model for long-term, substantive involvement of civil society in global policymaking processes;
- Assistance for the development of NGO networks;
- Development of standards for civil society participation and engagement in international decisionmaking processes;
- Creation of a comprehensive database of information and analysis at different geographic and political levels;
- Involvement of a larger part of the public in issue spotting, assessment, and monitoring functions;
- Support for knowledge-generating institutions in developing countries.

INTRODUCTION

Globalization has considerably weakened traditional governance processes. Increasing global economic integration has reduced the power of national governments while granting other economic and political actors access to the world stage. The 1990s witnessed a dramatic increase in the involvement of non-governmental organizations (NGOs) in global governance (Charnovitz, 1997).

NGOs and other civil society groups are not only stakeholders in governance, but also a driving force behind greater international cooperation through the active mobilization of public support for international agreements.

Enabling the constructive participation of civil society in global environmental governance is thus one of the most important tasks for policymakers concerned with the effectiveness of global governance (Gemmill, Ivanova, and Chee, 2002).

This chapter explores the potential for strengthened roles for civil society, and especially non-governmental organizations, within a new or a restructured global environmental governance system. We argue that civil society should play a major role in five key areas:

- Information collection and dissemination;
- Policy development consultation;
- Policy implementation;
- Assessment and monitoring;
- Advocacy for environmental justice.

We further contend that existing structures do not enable civil society to fulfill these roles effectively and offer suggestions for reform measures to facilitate the participation of civil society in global environmental governance.

WHO AND WHAT IS CIVIL SOCIETY?

The first step in examining civil society participation is describing exactly who is included within the delineation of civil society. In the broadest sense, civil society has been characterized as a sphere of social life that is public but excludes government activities (Meidinger, 2001). Michael Bratton describes civil society as social interaction between the household and the state characterized by community cooperation, structures of voluntary association, and networks of public communication (Bratton, 1994). The term civil society is generally used to classify persons, institutions, and organizations that have the goal of advancing or expressing a common purpose through ideas, actions, and demands on governments (Cohen and Arato, 1992).

The membership of civil society is quite diverse, ranging from individuals to religious and academic institutions to issue-focused groups such as not-for-profit or non-governmental organizations. In the realm of environmental governance, NGOs are the most prominent actors and therefore comprise the main focus of this chapter. NGOs are:

Groups of individuals organized for the myriad of reasons that engage human imagination and aspiration. They can be set up to advocate a particular cause, such as human rights, or to carry out programs on the ground, such as disaster relief. They can have memberships ranging from local to global. (Charnovitz, 1997: 186)¹

NGOs involved in environmental governance are highly diverse, including local, national, regional, and international groups with various missions dedicated to environmental protection, sustainable development, poverty alleviation, animal welfare, and other issues.

The diversity of civil society and its value to official intergovernmental processes on the environment are acknowledged in Agenda 21, the comprehensive sustainable development blueprint adopted at the 1992 Rio Earth Summit. The document does not make use of the term civil society, although it expressly recognizes the members of civil society as a major constituency.

¹ Charnovitz further points out that, "Indeed, some NGO's are more 'global' than intergovernmental organizations. For example, the International Amateur Athletic Federation includes twenty-one more members than the United Nations" (Charnovitz, 1997).

The Commission on Sustainable Development (CSD), responsible for implementing Agenda 21, classifies civil society into the following Major Groups:²

- Women
- Children and Youth
- Indigenous Peoples and Communities
- Non-governmental Organizations
- Workers and Trade Unions
- The Scientific and Technological Community
- Business and Industry
- Farmers

All of the Major Groups are officially recognized by the United Nations through an accreditation mechanism developed specifically for NGOs (Pace, 2002).

A noteworthy question connected to the definition of civil society is whether business and industry should be included in this social grouping. While Agenda 21 considers business and industry part of civil society, some observers contend that, because they already have considerable influence over international governance processes through informal lobbying opportunities and formal influence channels, business and industry should not be included in civil society (Meidinger, 2001). Because this chapter focuses on the participation of NGOs, it is not essential to resolve the business and civil society delineation question within these pages, although determining how business should participate within governance is clearly of great importance.

OVERVIEW OF CIVIL SOCIETY PARTICIPATION: EXPANDING NGO INVOLVEMENT

The participation of civil society in global governance is increasing in significance, but is not unprecedented. NGO involvement is usually considered a late-twentieth-century phenomenon, but in fact it has

² The CSD also recognizes the role of local authorities, which are removed enough from the international intergovernmental process to be considered civil society in the context of the institution.

occurred for over two centuries (Charnovitz, 1997). The recent rate of proliferation of non-governmental organizations, however, is notable. In 1948, for example, the United Nations listed forty-one consultative groups that were formally accredited to participate in consultative processes; in 1998, there were more than 1,500 organizations with varying degrees of participation and access (Simmons, 1998). Numerous factors, from the development of information technology to the greater awareness of global interdependence to the spread of democracy, explain the rise of NGOs.³

The United Nations is the intergovernmental organization that has most openly recognized and endorsed the need to collaborate with the non-governmental sector (Weiss, 1999).⁴ Historically, the UN cooperated with NGOs primarily as partners in the implementation of certain programs, particularly in the areas of emergency response, human rights, and election monitoring.

Due to their critical role in service delivery and implementation, civil society organizations have long been recognized as “partners” of the UN system, especially in environmental negotiations.

Over the past decade, environmental NGO activity within UN processes has intensified. Prior to the 1990s, while various social movements may have utilized the UN as a global forum to call attention to particular agendas, the focus was not on influencing the official UN deliberations. Through the process leading up to the 1992 United Nations Conference on Environment and Development (UNCED), environmental organizations began intense internal capacity building efforts to gain more sophisticated understanding of the international policymaking process (Conca, 1996). Some of the innovations at the time – most notably, parallel NGO fora held alongside UN conferences – are now a routine element of intergovernmental deliberations (Fomerand, 1996).

³ Interestingly, the first intergovernmental environmental summit, the 1972 UN Conference on the Human Environment, is cited as one factor behind the rise in NGOs (Conca, 1996).

⁴ Other intergovernmental bodies, such as the World Trade Organization, the International Monetary Fund, and the G-7 have no provisions for formal involvement of non-governmental organizations, see Esty (1998) and Charnovitz (1996).

The UN Conference on Environment and Development was of particular significance to NGOs. Agenda 21 declared the need for new forms of participation:

The United Nations system, including international finance and development agencies, and all intergovernmental organizations and forums should, in consultation with non-governmental organizations, take measures to . . . enhance existing or, where they do not exist, establish mechanisms and procedures within each agency to draw on the expertise and views of non-governmental organizations in policy and program design, implementation and evaluation. (UN, 1994: Chapter 27)

The 1992 Earth Summit thus affirmed that the commitment and genuine involvement of non-state actors are critical to reaching sustainable development goals.

Throughout the 1990s, NGOs continued to focus on official UN deliberations and the international policy arena. A variety of channels have served NGOs in their purpose of participating and influencing international deliberations. NGOs sought accreditation at international intergovernmental conferences where they could lobby government delegates, organize briefings, and even officially address plenary sessions. A number of government delegations to international conferences are now formally including NGO representatives. In the preparatory process for the 1996 UN Conference on Human Settlements (Habitat II), for example, NGOs and local authorities participated in the informal drafting groups that drew up the *Declaration and Programme of Action*. Within the policymaking circle of the United Nations Economic Commission for Europe (UNECE), NGOs had a say in establishing the agenda and other aspects of the negotiations process for the 1998 Aarhus Convention on Public Access to Information, Participation in Decisionmaking and Access to Environmental Justice. In both of these cases, a special, semi-official status was accorded to civil society representatives.

Successes and Challenges in Civil Society Participation: Differing Roles and Rules for Engagement

New forms of NGO participation have changed the nature of international environmental policymaking. The international

community has begun to recognize that effective global action requires meaningful stakeholder involvement in international policymaking and implementation (Wapner, 2000). NGO involvement in global environmental governance can take a variety of forms (Esty, 1998, 2002; Charnovitz, 1997):

- *Expert advice and analysis.* NGOs can facilitate negotiations by giving politicians access to competing ideas from outside the normal bureaucratic channels;
- *Intellectual competition to governments.* NGOs often have much better analytical and technical skills and capacity to respond more quickly than government officials;⁵
- *Mobilization of public opinion.* NGOs can influence the public through campaigns and broad outreach;
- *Representation of the voiceless.* NGOs can help vocalize the interests of persons not well-represented in policymaking;
- *Service provision.* NGOs can deliver technical expertise on particular topics as needed by government officials as well as participate directly in operational activities;
- *Monitoring and assessment.* NGOs can help strengthen international agreements by monitoring negotiation efforts and governmental compliance;
- *Legitimization of global-scale decisionmaking mechanisms.* NGOs could broaden the base of information for decisionmaking, improving the quality, authoritativeness, and legitimacy of the policy choices of international organizations.

Civil society's involvement in global environmental governance has enriched the process and strengthened outcomes in a number of places and in a number of ways.⁶ In fact, it is the participation of non-governmental groups that makes the process "global" and not simply

⁵ For a further discussion of the need for both "competition" and "cooperation" from NGOs in global-scale policymaking, see Esty and Geradin's argument in *Regulatory Competition and Economic Integration: Comparative Perspectives* (2001).

⁶ For a detailed assessment of the value of multi-stakeholder participation in environment and sustainable development policymaking processes, see Hemmati (2001).

**CHANNELS FOR NGO PARTICIPATION
IN INTERNATIONAL ORGANIZATIONS**

1. NGO representatives can be included on a national delegation to an international conference to advise delegates from their government (Cairo Population Conference in 1994);
2. Representatives from a NGO can be included on a national delegation to an international conference to represent the NGO and conduct negotiations (International Labor Organization);
3. NGOs can send delegates to semi-public international conferences (IUCN has a membership that includes 699 NGOs as well as states and government agencies);
4. An international organization can set up an advisory group that includes experts from NGOs, who do not represent the NGO (UN Advisory Board on Disarmament Matters);
5. An international organization can give NGOs an opportunity to participate in ongoing policy development (Convention on International Trade in Endangered Species);
6. An international organization can enlist NGOs to help in implementing programs (UN High Commissioner for Refugees);
7. An international organization can give NGOs an opportunity to participate (not necessarily in a negotiating role) in an official conference to draft a treaty (ECOSOC);
8. An international organization can give NGOs an opportunity to participate in preparatory committees for an international conference (Rio Earth Summit in 1992, Johannesburg Summit on Sustainable Development in 2002);
9. An international organization can hold a special session to give NGOs an opportunity to make presentations (General Assembly on sub-Saharan Africa in 1986);
10. An international organization can include NGOs as members (International Commission for Scientific Exploration of the Mediterranean Sea).

Source: Charnovitz, Steve. 1997. "Two Centuries of Participation: NGOs and International Governance." *Michigan Journal of International Law* 18(2): 281-282.

“international.” While many governments agree that NGO participation is indispensable,⁷ many also feel that the drawbacks of civil society participation may outweigh the benefits. Arguments and concerns abound on both sides. Some are fretful that NGOs might constitute special interest groups, and that their participation would invariably result in policy distortions. Others fear that intergovernmental decisionmaking processes would become bogged down by NGOs, which are not necessarily representative of or accountable to their particular constituencies (Nichols, 1996). Decisionmakers are also anxious that NGOs may seek to usurp the sovereign powers of governments.

However, some of these concerns may be overstated, considering the advantages of civil society involvement. Civil society can help build the political will for a new approach to development that integrates environmental and social goals. Non-governmental organizations can serve as alternatives to weak or inadequate democratic institutions, as avenues for more inclusive dialogues, and as conduits for disseminating information on activities and issues within the international system.

These and other significant characteristics of civil society participation in governance are explored in the following three case studies.

The Crucible Group: Harnessing the Power of Diverse Voices

The Crucible Group is a multinational, multidisciplinary gathering of experts that first met officially in 1993 to discuss the control and management of agricultural genetic resources. The initial goal was to identify issues, trends, and use options. While agricultural genetic resources are of crucial importance to biotechnology and genetic engineering, there are serious debates surrounding their ownership and control as well as the equitable sharing of benefits. The group – twenty-eight individuals from nineteen countries – included grassroots organizers, farmers, trade diplomats, agricultural research scientists, intellectual property specialists, and agricultural policy analysts from both the North and South.⁸

Recognizing the diversity of perspectives and priorities, the group did not seek consensus, but was able to agree on twenty-eight recom-

⁷ Many European governments, for example, provide a very significant part of the budget of non-governmental organizations.

⁸ For more information on the Crucible Group and its activities, see <http://www.idrc.ca/books/725/preface.html>

mendations for policymakers. The first summary of the deliberations and the recommendations, *People, Plants, and Patents: The Impact of Intellectual Property on Trade, Plant Biodiversity, and Rural Society*, was published in 1994 (IDRC, 1994). Having now evolved into the Crucible Group II, with more than forty-five participants from twenty-five countries, the group has continued to meet to revisit many unresolved issues and consider a number of new ones. As a neutral forum, the Crucible Group II has promoted open discussion among participants who might otherwise never have been at the same table. The Group launched a second volume, *Seeding Solutions: Policy Options for Genetic Resources*, at the April 2002 Conference of Parties to the Convention on Biological Diversity. The report provides valuable input into the debate and development of guidelines on intellectual property issues, rights of farmers, mechanisms for benefit sharing, and appropriate governance structures for conservation of plant genetic resources.

Several conclusions can be drawn from the Crucible Group experience:

- A dialogue does not have to produce consensus to be useful for governance purposes;
- A process designed to include non-state actors will reflect a broader spectrum of views and may generate more creative approaches to solving problems;
- A process where government and non-government participants are equal partners in a project is more likely to generate "buy in" and thus useful results.

Not all governance projects involving civil society, however, have achieved a balance of influence among participants. In fact, multi-stakeholder dialogues – especially those that are of very short duration – are losing favor with many in civil society. Some feel that the term stakeholder undermines communities and individuals struggling for their rights and that it implies equality among participants, which is not always the case. Clearly, for multi-stakeholder processes to serve as a vehicle for meaningful civil society participation, they must provide mechanisms for open, long-term discussions and deliberations.

The Global Environment Outlook and the UN Millennium Ecosystem Assessment: Helping to Fill Research and Analytical Gaps

One of the most important roles that NGOs can play in global environmental governance is to provide up-to-date information on critical issues. Governments often turn to NGOs to fill research gaps that stand in the way of effective decisionmaking. Certain NGOs, such as the World Resources Institute (WRI) and IUCN – The World Conservation Union,⁹ have crafted their mandates around the role of information provider. These groups are dedicated to the production of accurate, up-to-date research and data on the most pressing environmental issues.

Whereas governmental bodies and intergovernmental organizations often lack analytical capacity or are hampered by bureaucratic constraints and other obligations, NGOs can focus on a dynamic research agenda, and move quickly to address new issues.

The Global Environment Outlook (GEO) of UNEP and the recently launched UN Millennium Ecosystem Assessment are good examples of formalized non-governmental assessment processes and inter-organizational networking.¹⁰ At the core of these processes lies a global network of collaborating groups responsible for regional inputs. Global system assessment is integrated with local environmental reporting. NGOs and other non-state actors such as academic and research institutions are the main contributors, providing reports and data analysis. In the case of the GEO assessment, the final reports are reviewed by government representatives before publication. NGOs have not yet been allowed participation in the verification process.

These large-scale assessments require considerable amounts of funding. The contributions of charitable organizations, such as the

⁹ IUCN – The World Conservation Union is an important example of collaboration between state and non-state actors. While formally an NGO, this organization includes a number of state agencies among its members.

¹⁰ Different reports of the UNEP's Global Environment Outlook Report Series can be viewed at <http://www.unep.org/GEO/index.htm> For more information about the Millennium Ecosystem Assessment, its activities, and publications, see <http://www.millenniumassessment.org/en/index.htm>.

United Nations Foundation, for international environmental research are indispensable. Funding matters do raise some concerns in terms of the autonomy of NGO research and analysis. The complicated dependence that NGOs and many academic and research institutions have on governmental and other donor funding concerns some observers in terms of the freedom civil society members have in conducting the research and analysis they contribute to governance processes. The funding situation, however, is not likely to change. Financial relationships and dependencies should therefore be transparent and open to scrutiny.

TRAFFIC: Ensuring Effective Implementation

A third example of civil society fulfilling an essential environmental governance role is provided by TRAFFIC, the wildlife monitoring network for the 1975 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).¹¹

TRAFFIC is a partnership between WWF — World Wide Fund For Nature and IUCN — The World Conservation Union. It was established in 1976 to assist the CITES Secretariat in implementing the provisions of the Convention. The Convention covers more than 30,000 species of animals and plants and has been endorsed by over 150 countries (Rosser, Haywood, and Harris, 2001). The diversity of the traded goods covered under CITES, which range from medicinal herbs to exotic pets, requires a level of international, on-the-ground coordination that would be difficult for a single intergovernmental institution (Wijnstekers, 2001).

TRAFFIC is a key component in the implementation of CITES. The NGOs behind the partnership are able to utilize their resources worldwide to operate twenty-two offices in eight regional programs, making TRAFFIC the world's largest wildlife trade monitoring organization (TRAFFIC, 2001). Its program priorities are threatened species and ecoregions, resource security, and international cooperation. Members lobby decisionmakers to ensure that trade in plant and animal species does not pose a threat to species conservation, and collaborate with governments and the private sector in developing economic incentive programs to encourage sustainable trade. TRAFFIC has been particularly successful in data collection, on-the-ground inves-

¹¹ For more information about TRAFFIC, see <http://www.traffic.org/>

tigative tasks, and in-depth research. Through its research and outreach initiatives, TRAFFIC has become a key resource for governments and other NGOs, providing decisionmakers with critical information and analysis and prompting initiatives to ensure sustainable trade.

STRENGTHENING CIVIL SOCIETY PARTICIPATION IN GLOBAL ENVIRONMENTAL GOVERNANCE

As indicated by the three cases discussed above, civil society – namely, the NGO community – has particular strengths to bring to global environmental governance. The creativity, flexibility, entrepreneurial nature, and capacity for vision and long-term thinking often set NGOs apart from governmental bodies. A revitalized global environmental governance regime would thus benefit from greater participation of NGOs in global policy processes. What follows is a discussion of five key potential roles for civil society organizations in a strengthened global environmental governance system.

Information-Based Duties

As shown by the Global Environment Outlook and Millennium Ecosystem Assessment processes, NGOs have much to offer in the way of information collection, dissemination, and analysis. Numerous other examples exist in which NGOs serve a key information-based role. One of the most significant relates to the Conferences of Parties and other meetings held in conjunction with multilateral environmental agreements such as the UN Convention on Biological Diversity and the UN Framework Convention on Climate Change. Often, the meetings are distinguished less by what is said in plenary session than by the wealth of research and policy documents produced by NGOs and other civil society constituents and released specifically to coincide with the official events. Many conference delegates read these opinion papers and other documents, which often shed new light on the costs of inaction and the options for change. Another common opportunity for civil society members to provide input into intergovernmental negotiations comes in the form of a single statement developed by NGOs present and released at the close of the official event.

Measures to improve the utility of information exchange could include:

- *Wider acceptance and use of the “commission” model.* Short-term consultations often yield less valuable information than do multi-stakeholder commissions (similar to the World Commission on Dams) provided with sufficient investment of time and resources.¹²
- *Assistance in the formation of networks.* UN convention secretariats, for example, could facilitate ongoing, high-level multi-stakeholder knowledge networks that make a directed effort to bring expertise to bear on science and policy challenges, including perspectives from marginalized groups.
- *Mechanisms to support “give and take.”* While officials may read the opinion pieces and research documents NGOs release, there is often little feedback and very limited opportunities for back and forth dialogue. The institution of “notice and comment” processes, formal advisory panels, and other informal mechanisms for information exchange between government officials and NGOs could pay real dividends.
- *Efforts to agree to disagree.* Seeking “consensus” is often a mistake. Consensus can be difficult to reach, resulting in prolonged discussions of watered-down conclusions, “forced” agreements, and a failure to communicate valid perspectives. An acceptance on the part of intergovernmental decisionmakers of a civil society statement reflecting *multiple* opinions would often be more useful.

Inputs into Policy Development

Over the past decades, NGOs have assumed a more active role in the process of agenda-setting and policy development (Porter, 2000). NGOs have been instrumental in notifying the public, governments, and international organizations of critical new issues for many years. In 1945, NGOs pushed for inserting human rights language into the UN Charter and have been active in that policy domain since. Global environmental issues gained prominence in the 1970s also as a result of NGO activities. In the 1980s, forestry concerns were included on the agenda of intergovernmental deliberations under the pressure of NGOs (Humphreys, 1996). In 1997, six NGOs played a key role,

¹² For a discussion of the World Commission on Dams, see Streck, this volume.

through the International Committee to Ban Landmines, in convincing governments to embrace the successful intergovernmental landmine treaty (Weiss, 1999).

The ability of NGOs to place issues on the global agenda does much to enhance their ability to participate in the later stages of decision-making. As pointed out by former Canadian Foreign Minister Lloyd Axworthy, “Clearly, one can no longer relegate NGOs to simple advisory or advocacy roles . . . They are now part of the way decisions have to be made” (cited in Simmons, 1998). The question of what constitutes meaningful civil society participation in decisionmaking, however, is still being explored as NGOs and intergovernmental bodies continue to develop working relationships.

To this end, the development of a structure for civil society participation and engagement in international decisionmaking processes is necessary. Currently, modalities of involvement vary from being a full partner as in the case of the International Labor Organization¹³ to denial of access (even as observers) as in the case of the World Trade Organization. While each international agency would need to tailor participation standards to its particular objectives, a minimum set of criteria should be elaborated. The following elements need to be addressed:

- Clear *articulation of rules*, rights, and commitments to consultation with civil society beyond time-limited NGO fora;
- Clearly delineated *selection criteria* for NGO participation in consultations and advisory groups, placing an emphasis on diversity;
- Establishment of *guidelines* for the process of NGO contributions;
- Commitment to *respectful treatment* of NGO documents;
- *Support for publication* and dissemination of NGO submissions to delegates at relevant international meetings;
- *Formalized submission process* for NGO recommendations and comments to intergovernmental bodies;

¹³ The International Labor Organization was established in 1919 with a tripartite governance structure – governments, business, and labor are equal partners in the decisionmaking process of the organization.

- Provision for *feedback and response* to NGO submissions by inter-governmental bodies or national governments;
- *Mechanism for monitoring* the implementation of these components.

A more formalized structure for NGO participation would be useful in addressing some of the current obstacles to civil society involvement in global environmental governance. The wariness that governments and others have of NGO involvement might be reduced if baseline standards defined the rights and responsibilities of governmental and non-governmental entities in a clear and consistent manner.

Operational Functions

As demonstrated by the example of TRAFFIC, the UN system usefully engages civil society entities as operational partners in many circumstances. The role of NGOs in implementation of worldwide policy efforts has greatly increased since the mid-1980s, when NGOs began to fill gaps left in the provision of services by reduced roles for many development agencies (Simon and Dodds, 1998). Non-governmental organizations are particularly useful in an operational context, as they can provide implementation tailored to specific conditions and can “make the impossible possible by doing what governments cannot or will not do” (Simmons, 1998). This is especially true with regard to the management of natural resources, which is often best handled by community-based organizations who have a stake in local environmental conditions and are free from many of the conflicting demands experienced by governments. And, in fact, the preamble to Section III of Agenda 21 underscores the need for individuals and groups, especially at the local level, to participate in decisions that may affect the communities in which they live and work.

A significant portion of the world’s ecological “hot spots” are located in rural – often very poor – areas of developing countries. As a result, the burdens of ecological damage, as well as the burdens associated with ecological regeneration, are borne primarily by people in these areas (Agarwal, 1998). NGOs and other groups in the developing world typically are poorly funded, have little access to information,

and often lack a visible presence or audible voice in international governance processes (Breitmeier and Rittberger, 2000). The activities of Shack/Slum Dwellers International, a network of grassroots development groups in fourteen countries, are illustrative of one way in which Southern groups can build greater presence on the international stage. Through the use of micro-financing and other programs, Shack/Slum Dwellers International leverages the resources of its member groups to provide them with financial support, information, and advice on development strategies and related issues. Using their collective power, the federation has developed a voice on the global policymaking stage (Edwards, 2001).

The operational functions of NGOs within a reformed global environmental governance system could be strengthened by:

- Expanded efforts at *inclusion of local, community-based groups* with knowledge of the issues at hand;
- *Capacity building* targeted at enhancing communication between local groups and other governance partners;
- Support for *initiatives to measure and monitor service delivery* by NGOs – and the use of benchmarking and the identification of “best practices” as a way to improve performance.

Assessment and Monitoring

Performance assessments and monitoring of environmental conditions undertaken by NGOs may hold decisionmakers in international arenas publicly accountable for decisions in ways that the intergovernmental system itself could never accomplish (Gaer, 1996). As Thomas Weiss notes, “NGOs are . . . capable of making sensitive or politically important information public – something that intergovernmental organizations often are reluctant or loathe to do because of their dependence on member states for resources” (Weiss, 1999). A number of NGO-led or assisted assessment initiatives are currently under way.

As shown by TRAFFIC, for example, environmental NGOs are critical actors in compliance monitoring of international agreements and in finding more accurate compliance data than governments are willing to provide. Much room exists, however, for greater civil society involvement in this important area of governance.

There is an urgent need to account for the needs of developing countries, to acknowledge the limitations they face in conducting monitoring and assessment activities, and to provide support for the enhancement of these functions within governments and civil society alike. Key measures that could facilitate the assessment and monitoring role of NGOs include:

- *Creation of a comprehensive database for information and analysis at different geographic and political levels.* NGOs are key providers of local environmental data and information. A coherent mechanism for data collection and analysis will encourage this function and facilitate a two-way information flow;
- *Involvement of a larger part of the population in assessment and monitoring functions.* The inclusion of civil society groups in data collection would greatly contribute to filling knowledge gaps as well as enhance knowledge development, increase interest, and promote engagement. This will be especially beneficial to developing countries;¹⁴
- *Support for knowledge-generating institutions in developing countries.* Universities are key generators of knowledge, yet they are among the most under-funded institutions in developing countries. Funding and communication technology transfer will be critical to their ability to perform these functions.

¹⁴ For a detailed analysis of the gap between scientific capacities in developed and developing countries, its consequences for global environmental governance, and recommendations for bridging this knowledge divide, see Karlsson, this volume.

Advocacy for Environmental Justice

Over the past few decades, NGOs in many countries have been extremely effective in highlighting disparities in who bears environmental burdens and who gets the benefits of environmental investments. Some groups have issued reports. Others have brought public interest litigation to defend environmental rights as well as to clarify and enforce laws. If a reformed global environmental governance system were to include a dispute settlement mechanism, it is easy to see the potential contributions NGOs and other civil society members could make to such a structure. The submission of “friends of the court” opinions would be well-suited to the skills and interests of NGOs. In fact, the Aarhus Convention envisions a process by which NGOs could seek judicial remedy against other parties, such as national governments or private sector entities, for environmental harms or crimes.

CONCLUSION

Designing governance structures that draw NGOs into global-scale environmental problem solving, policymaking, and implementation remains an important global challenge. Civil society has much more to offer to intergovernmental processes. Indeed, the very legitimacy of international decisionmaking may depend on NGOs as a way to ensure connectedness to the publics around the world and substitute for true popular sovereignty, which international bodies, devoid of elected officials, lack. A number of UN projects and programs are already benefiting from the contributions of NGOs in areas as varied as information collection and dissemination, policy implementation, monitoring and assessment, norm-setting, and policy development. A revitalized global environmental governance system must facilitate both an expansion of these roles for NGOs and the development of better-defined processes of participation.

A number of difficulties remain. Civil society participation requires a significant commitment of time as well as substantial financial resources from governments and intergovernmental bodies. Diversity within the global civil society community precludes the reaching of a consensus position that could be easily channeled into intergovernmental negotiations. It is imperative that NGOs explore innovative

forms of networking through regional coalitions, for example, to help ensure the inclusion of a multitude of voices from developing countries and to make civil society involvement in governance more effective.

The contributions from civil society participation need to be enhanced through a strengthened, more formalized structure for engagement. UN programs seek legitimacy for their policies through the involvement of civil society, yet formal mechanisms for NGO participation within many parts of the UN system remain limited.

An improved governance structure would acknowledge the role of NGOs and other members of civil society and devise formal channels for participation. Ad-hoc acceptance of civil society participation should be replaced by institutional arrangements among UN member states, UN agencies, and NGOs.

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