

# CIVIL SOCIETY AT THE UNITED NATIONS

AN OVERVIEW AND ANALYSIS OF THE AGREED  
LANGUAGE AND ESTABLISHED PRACTICE  
REGARDING CIVIL SOCIETY PARTICIPATION AT THE  
UNITED NATIONS HEADQUARTERS IN NEW YORK



**QUNO**

Quaker United Nations Office

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Our deepest thanks go to all the colleagues whose input and feedback greatly enriched this resource. This was an inclusive and collaborative exercise, working in partnership with civil society representatives, diplomats, and UN officials.

### **About this resource**

This resource provides an overview and analysis of the existing mechanisms and agreed language governing civil society participation at the United Nations (UN) in New York. Stemming from the UN Charter, it draws upon the resolutions, decisions, and working methods of the Security Council, the General Assembly, the Economic and Social Council, and related subsidiary bodies to examine the current framework for civil society engagement and identify best practices. While serving as a resource document, it also provides analysis and recommendations for meaningfully including civil society across the UN's policy agenda in New York, based on the existing agreed language and established best practice.

### **About the Quaker United Nations Office (QUNO)**

The Quaker United Nations Office (QUNO) was founded in 1948 as a Quaker presence at the United Nations (UN). Our offices in Geneva and New York represent the worldwide community of Quakers on behalf of Friends World Committee for Consultation (FWCC). In both locations, QUNO's work reflects the concerns and shared goals of Quaker communities and Quaker service agencies. Advocacy priorities are shaped by Quaker values, and values and focus on long-standing Quaker commitments to peace and non-violence, justice, equality, and stewardship of the environment. QUNO works with a variety of UN bodies, UN Member States, non-governmental organizations (NGOs), and others to foster peace and justice.

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## Introduction

The preambular lines of the Charter of the United Nations emphasize that the United Nations is not solely the preserve of Member States, but of ‘we the peoples.’ This founding principle underscores the importance of broad stakeholder participation, which ensures a plurality of voices are heard and considered.

Over the past seventy-nine years, the UN has partnered with civil society<sup>1</sup> to advance its founding ambitions, and has leveraged civil society’s diverse expertise to support its work across a broad range of policy areas.<sup>2</sup> However, this relationship has grown increasingly fraught over time, and the space in which civil society operates has continued to shrink, aligned with global trends.<sup>3</sup> While many have remarked upon gradually rising barriers to civil society participation since the 1990s, the COVID-19 pandemic represented a period of profound rupture for UN-civil society relations, particularly in New York. This loss was most visible in the pause in the processing of civil society UN identification badges, meaning that CSO representatives could not fully access UN meetings or networking opportunities. Consequently, a full rotation of diplomats did not benefit from such engagement, while many of the long-established institutional knowledge and informal (yet standard) practices were lost. The 2020 launch of UNMute civil society as a collaborative effort between Member States and CSOs also drew attention to the shrinking civic space at the UN, and the need for ‘equitable participation’.<sup>4</sup> The slow easing of the COVID-19 restrictions on civil society beginning in 2022 left many having to ‘start over’. They had to rebuild networks and contacts throughout the UN system, diplomatic channels, and struggle to re-establish previous best practices.

As we seek to ‘build back better’ from the pandemic, achieve the 2030 Agenda for Sustainable Development, and implement a Pact for the Future that aspires to make the UN fit for purpose for generations to come, we must ensure the meaningful participation of all relevant stakeholders, including civil society, in order to fulfil the promise of ‘leaving no one behind.’<sup>5</sup> As acknowledged by the Secretary-General in his New Agenda for Peace, ‘[t]he challenges that we face can be addressed only through stronger international cooperation,’<sup>6</sup> including

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<sup>1</sup> For the purpose of this paper, and based upon UN practice, civil society is used interchangeably with non-governmental organizations (NGOs) and stakeholders, and may also include industry, academia, and other non-governmental organizations. While there are notable distinctions between the structure, membership, and functions of these categories, this paper does not seek to determine a definition of civil society. Rather, by broadly addressing civic space at the UN, this paper follows the interchangeable practice of the UN.

<sup>2</sup> E/RES/1996/31, *Consultative relationship between the United Nations and non-governmental organizations*, PP5.

<sup>3</sup> CIVICUS, *People Power Under Attack: A report based on data from the CIVICUS Monitor*, 2023.

<sup>4</sup> See UNMute Civil Society, *About UNMute*, <https://unmuteinitiative.org/>.

<sup>5</sup> A/75/893, *Letter dated 21 May 2021 from the Permanent Representatives of Costa Rica and Denmark to the United Nations addressed to the Secretary-General*, 21 May 2021.

<sup>6</sup> Our Common Agenda Policy Brief 9, *A New Agenda for Peace*, July 2023, p. 2.

stronger cooperation with civil society, aimed towards a multilateral system that is ‘more just, networked and effective.’<sup>7</sup>

However, when it comes to civil society participation, a lack of clear legislation and guidance on *who*, *when*, *where* and *how* to engage civil society undermines the potential for more robust and constructive engagement between Member States, the UN System, and civil society.

By focusing on existing agreed language, and established modalities and practice, we hope to offer a guide that is both practical and future-focused in aims and scope. This document does not purport to advance a radically fresh agenda for civil society engagement. Instead, it seeks to provide a clearer ‘baseline’ regarding civil society engagement and, in so doing, to inspire more creative, ambitious thinking regarding how civil society can be meaningfully included and engaged within and throughout UN processes in New York. Moving forward, we hope this document can serve as a resource for Member States, the UN system, and civil society on how to best engage as meaningful partners.

## Aims and structure

This document seeks to provide an easily navigable resource outlining the agreed language,<sup>8</sup> existing modalities, and established best practices for civil society engagement at the UN Headquarters in New York.<sup>9</sup>

### Defining Civil Society

For the purpose of this paper, and based upon UN practice, civil society is used interchangeably with non-governmental organizations (NGOs) and stakeholders, and may also include industry, academia, and other non-governmental organizations. While there are notable distinctions between the structure, membership, and functions of these categories, this paper does not seek to determine a definition of civil society. Rather, by broadly addressing civic space at the UN, this paper follows the interchangeable practice of the UN.

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<sup>7</sup> New Agenda for Peace, p. 3.

<sup>8</sup> ‘Agreed language’ is understood to mean the language emanating from negotiated documents produced by UN intergovernmental bodies.

<sup>9</sup> This document is primarily focused on strengthening UN-Civil Society relations at Headquarters in New York. For this reason, it does not touch upon every aspect of UN-Civil Society relations in all locations, but may occasionally highlight different practices across locations where examples of good practice have been identified.

While aiming to present a succinct and balanced overview and analysis, it must be acknowledged from the outset that this document is underpinned by a desire to see more meaningful and robust engagement between Member States, civil society, and the UN System, aimed towards more effectively achieving the purposes and adhering to the principles outlined in the UN Charter.

This document is broadly structured in three parts. The first reviews the basis for NGO participation at the United Nations in New York, stemming from the UN Charter. The second part charts the evolution of the relationship between civil society and ECOSOC. Finally, the third section examines the various ways in which Member States facilitate civil society participation beyond ECOSOC. Through a series of concrete examples – intended to be illustrative rather than exhaustive – we provide analysis and recommendations for how to ensure more robust and effective engagement across the UN system and throughout multilateral processes.

## I. Foundations of the agreed language

At the San Francisco Conference, where the Charter of the United Nations was negotiated and signed, participants and observers included over 2,500 representatives of non-governmental ‘societies and organizations.’<sup>10</sup> The relationship between Member States, NGOs, and the fledgling United Nations was affirmed in Article 71 of the UN Charter, which provides that:

[t]he 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.<sup>11</sup>

Article 71 invites ECOSOC to maintain consultative relationships with NGOs ‘which are concerned with matters within its competence.’ Articles 62 through 66 of the Charter outline the functions and powers of ECOSOC, broadly constituting the ‘matters within its competence.’ These matters include ‘international economic, social, cultural, educational, health, and related matters,’<sup>12</sup> and ‘promoting respect for, and observance of, human rights and fundamental

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<sup>10</sup> United Nations, *The San Francisco Conference*, <https://www.un.org/en/about-us/history-of-the-un/san-francisco-conference>.

<sup>11</sup> Charter of the United Nations, Article 71.

<sup>12</sup> Charter of the United Nations, Article 62(1).

freedoms for all,<sup>13</sup> through commissioned studies and reports;<sup>14</sup> convening international conferences;<sup>15</sup> making recommendations to the General Assembly, Member States, and Specialized Agencies;<sup>16</sup> and advising and assisting the Security Council.<sup>17</sup>

On 13 February 1946 in Resolution 13 (I), the General Assembly created the UN Department of Public Information (DPI) – now the UN Department of Global Communications (DGC) – tasked with ‘promot[ing] to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world.’<sup>18</sup> Organizations can be in ‘association with DGC’ regardless of their ECOSOC consultative status.<sup>19</sup> An organization in association with DGC commits to sharing information about UN activities and principles, and has access to limited UN events and information channels, with an emphasis on UN field offices.<sup>20</sup> While DGC association is one avenue of cooperation with NGOs, it must be noted that ‘ECOSOC accreditation is separate and distinct.’<sup>21</sup>

In its Resolution 2/3 of 21 June 1946, the Economic and Social Council defined the nature of its consultative relationship with civil society. The two purposes of the consultation were ‘enabling the Council or one of its bodies to secure expert information or advice’ and ‘to enable organizations which represent important elements of public opinion to express their views.’ To date, these objectives have broadly remained as the main principles governing the consultative arrangements between ECOSOC and NGOs.<sup>22</sup>

As early as 1948, ECOSOC began granting consultative status to NGOs and spelled out the first formal set of rules governing this relationship in Resolution 288 B(X) in 1950.<sup>23</sup> In 1968, after reviewing these rules, ECOSOC passed Resolution 1296, which established the criteria for NGO participation and mandated the UN to appoint NGO Liaison Officers.<sup>24</sup>

From the 1950s to the 1990s, a growing number of NGOs began contributing to the work of the UN. This rapid expansion of NGO participation at the UN led to another, multi-year review of the NGO-UN relationship, culminating in ECOSOC Resolution 1996/31.

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<sup>13</sup> Charter of the United Nations, Article 62(2).

<sup>14</sup> Charter of the United Nations, Article 62(1).

<sup>15</sup> Charter of the United Nations, Article 62(4).

<sup>16</sup> Charter of the United Nations, Article 62(1).

<sup>17</sup> Charter of the United Nations, Article 65.

<sup>18</sup> A/RES/13, *Organization of the Secretariat*, 13 February 1946, Annex 1, OP2.

<sup>19</sup> DPI/NGO, *NGOs and the Department of Public Information (DPI)*, <https://www.un.org/esa/coordination/ngo/dpi.htm>.

<sup>20</sup> NGLS, *Handbook of UN agencies, programmes and funds working for economic and social development*, 3<sup>rd</sup> ed., 2000, pp. 12–4.

<sup>21</sup> United Nations, *Introduction to ECOSOC Consultative Status*.

<sup>22</sup> The principles currently governing the nature of the consultative arrangements between the Economic and Social Council and non-governmental organizations can be found in ECOSOC Resolution 1996/31.

<sup>23</sup> E/RES/288(X), *Review of consultative arrangements with non-governmental organizations*.

<sup>24</sup> E/RES/1296, *Arrangements for consultation with non-governmental organizations*.



Resolution 1996/31 represented a significant evolution from previous arrangements. It broadened the range of NGOs that could participate, moving beyond just international NGOs to include national, sub-regional, and regional organizations. It also refined the system of consultative status, providing clearer distinctions between General, Special, and Roster categories of accreditation (previously Category I, II, and III).

|                                    |  |
|------------------------------------|--|
| <b>General Consultative Status</b> | General consultative status is reserved for large international NGOs whose work covers most of the issues on the agenda of ECOSOC and its subsidiary bodies. These tend to be large, established international NGOs with a broad geographical reach.   |
| <b>Special Consultative Status</b> | Special consultative status is granted to NGOs that are particularly competent in and concerned specifically with only a few of the fields of activity covered by ECOSOC. These NGOs tend to be smaller and more recently established.   |
| <b>Roster Status</b>               | Organizations that apply for consultative status but do not fit in any of the other categories are usually included in the Roster. These NGOs tend to have a rather narrow and/or technical focus. NGOs that have formal status with other UN bodies or specialized agencies (FAO, ILO, UNCTAD, UNESCO, UNIDO, WHO and others), can be included on the ECOSOC Roster. The roster lists NGOs that ECOSOC or the UN Secretary-General consider can make "occasional and useful contributions to the work of the Council or its subsidiary bodies." <sup>25</sup> |

In so doing, 1996/31 also introduced more rigorous standards for accreditation, ensuring that NGOs had proven track records and relevant expertise. To increase accountability, a quadrennial reporting requirement was introduced, alongside clear rules for suspending or withdrawing consultative status from NGOs who fail to meet their obligations.

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<sup>25</sup> United Nations, *Introduction to ECOSOC Consultative Status*.

Most importantly, 1996/31 provided detailed guidelines on how NGOs should contribute to ECOSOC processes:

**Provisional agenda:<sup>26</sup>**

- The provisional agenda will be communicated to NGOs with general, special, or roster status.
- Organizations in general consultative status can request that the Secretary-General place items of special interest on the provisional agenda of ECOSOC or its subsidiary bodies. When ECOSOC discusses this item, the NGO is then entitled to give an oral introductory statement on the agenda item.

**Attendance at meetings:<sup>27</sup>**

- As a baseline, NGOs with general and special status can attend meetings of ECOSOC and its subsidiary bodies. NGOs on the roster can attend meetings on matters within their field of competence.
- While this is the baseline, [t]hese attendance arrangements may be supplemented to include other modalities of participation.'

**Written statements:<sup>28</sup>**

- NGOs with general and special consultative status may submit written statements on subjects in which they have a special competence, provided they are in an official language, fall within the defined word limit, and are submitted in a timely manner. NGOs on the roster may also be invited to submit statements.
- Statements will be circulated as official ECOSOC documents.

**Oral presentations during meetings:<sup>29</sup>**

- NGOs with general consultative status can make oral presentations, subject to the approval of ECOSOC.
- NGOs with special consultative status can also make oral presentations on areas within their field of interest.
- NGOs with roster status may be heard by subsidiary bodies.

**Participation in international conferences and their preparatory process:<sup>30</sup>**

- NGOs with general, special, or roster status should, as a rule, be accredited to participate in 'relevant international conferences convened by the United Nations and the meetings of the preparatory bodies of the said conferences.'
- NGOs without ECOSOC accreditation may apply for accreditation to the conference/preparatory process.

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<sup>26</sup> E/RES/1996/31, OP27-8.

<sup>27</sup> E/RES/1996/31, OP29.

<sup>28</sup> E/RES/1996/31, OP30-31.

<sup>29</sup> E/RES/1996/31, OP32(a-b).

<sup>30</sup> E/RES/1996/31, OP42

In adopting Resolution 1996/31, governments agreed on the rules and principles that continue to govern civil society accreditation to, and participation at, the UN. These mechanisms aimed to create a more structured and meaningful engagement between NGOs and the UN system, allowing for increasingly diverse civil society voices to contribute to global discussions and decision-making processes.

The Committee on Non-Governmental Organizations, under the auspices of ECOSOC, was tasked with the regular monitoring and review of this evolving UN-NGO relationship.<sup>31</sup> It was determined that 'the Committee shall hold, before each of its sessions, and at other times as necessary, consultations with organizations in consultative status to discuss questions [...] relating to the relationship between the non-governmental organizations and the United Nations.'<sup>32</sup>

The simultaneous adoption of ECOSOC Decision 1996/297 further specified that the work to update this consultative relationship would continue, especially concerning the possibility of extending consultative arrangements to include all areas of the United Nations:

[...] the Economic and Social Council, reaffirming the importance of the contributions of non-governmental organizations to the work of the United Nations and taking into account contributions made by non-governmental organizations to recent international conferences, decided to recommend that the General Assembly examine, at its fifty-first session, the question of the participation of non-governmental organizations in all areas of the work of the United Nations, in the light of the experience gained through the arrangements for consultation between non-governmental organizations and the Economic and Social Council.<sup>33</sup>

Decision 1996/297 affirmed Member States' understanding that Article 71 of the UN Charter is neither exclusionary nor prohibitive and, therefore, should not limit civil society's participation only to ECOSOC and its subsidiary bodies. This idea was later reflected by the Secretary-General, who affirmed that:

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<sup>31</sup> E/RES/1996/31, OP17.

<sup>32</sup> E/RES/1996/31 OP61(a).

<sup>33</sup> E/DEC/1996/297, *Non-governmental organizations*.

[t]here is nothing in Article 71 that would preclude the General Assembly from inviting NGOs to participate in its sessions and its work. There is considerable merit in opening the regular work of the Assembly to increased participation by accredited NGOs. This is already taking place informally through panels, round-table meetings, and NGO involvement in the preparatory work of the international conferences, the special sessions and high-level dialogue of the Assembly. One possible option could be to start with accreditation to the main committees, leaving for consideration at a subsequent stage the question of accreditation to the plenary. If the Assembly decides in favour of accrediting NGOs to its main committees, the rights and responsibilities pertaining to participation would then need to be defined.<sup>34</sup>

Indeed, various resolutions and initiatives to extend civil society's participation have been proposed and discussed in the General Assembly since 1996. However, a lack of consensus has led to negotiations stalling on several draft resolutions, with others failing to garner the requisite number of votes.

Nevertheless, in the absence of any formal decision that would extend consultative arrangements to all areas of the work of the UN, a range of modalities have been developed to facilitate civil society participation across a variety of UN fora.

## II. An evolving relationship with ECOSOC

### ***Agenda 21***

The 1992, Rio Declaration on Environment and Development, or Agenda 21, recognized that if we are to achieve sustainable development, new forms of broad public participation in decision-making are needed,<sup>35</sup> that reflect 'the need of individuals, groups and organizations to [...] know about and participate in decisions, particularly those that potentially affect the communities in which they live and work.'<sup>36</sup>

In response, Agenda 21 established nine Major Groups, outlining their basis for action, objectives, activities, and means of implementation.<sup>37</sup> The nine Major Groups comprised

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<sup>34</sup> A/59/354, *Report of the Secretary-General in response to the report of the Panel of Eminent Persons on United Nations-Civil Society Relations*, 13 September 2004, OP25.

<sup>35</sup> Agenda 21, 23.2.

<sup>36</sup> Agenda 21, 23.2.

<sup>37</sup> United Nations Conference on Environment and Development, *Agenda 21*, 3 to 14 June 1992, Chapter 23.

Women, Children and Youth, Indigenous Peoples, Non-Governmental Organizations, Local Authorities, Workers and Trade Unions, Business and Industry, the Scientific and Technological Community, and Farmers.

While recognizing that ‘successful implementation is first and foremost the responsibility of Governments’, Agenda 21 also recognized that ‘[n]on-governmental organizations and major groups are important partners in the implementation’ of the Agenda.<sup>38</sup> It, therefore, encouraged ‘the broadest public participation and the active involvement of non-governmental organizations and other groups’,<sup>39</sup> indicating a desire among Member States to foster a vibrant and inclusive civic space.

The Major Groups structure was intended to be a form of ‘real social partnership’ that is inclusive of all social groups,<sup>40</sup> and has subsequently been ‘expanded’ to invite coordination with stakeholders from other societal groups not originally represented, such as Persons with Disabilities, Volunteers, Ageing, and Education and Academia.

Major Groups and other Stakeholders (MGoS) constitute some of the most concrete and well-documented examples of NGO participation within the UN system. While the MGoS structure is most applicable to ECOSOC and its subsidiary bodies, the substantive language on where MGoS are to be actively involved and engaged has expanded throughout the years to broadly cover the entire UN system, spanning across all three pillars (peace and security, development, and human rights) and all principal organs.

Importantly, Agenda 21 provided the impetus for the continued expansion of civic space within UN processes, mandating the General Assembly to establish procedures to enhance the involvement of NGOs within the UN system.<sup>41</sup> As part of the follow-up to Agenda 21, the UN Department of Economic and Social Affairs (DESA), through its Division for Sustainable Development (DSD), was further mandated to incorporate the views of relevant NGOs, including those belonging to Major Groups, into intergovernmental processes.<sup>42</sup> The Commission on Sustainable Development (CSD) was also created with a mandate of civil society inclusion.<sup>43</sup> This mandate has continued to be built upon, for example through the Open Working Group on the Post-2015 Development Agenda, and eventually culminated in the High-Level Political Forum (HLPF) on Sustainable Development.

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<sup>38</sup> Agenda 21, 38.42.

<sup>39</sup> Agenda 21, 1.3.

<sup>40</sup> Agenda 21, 23.1., 23.4.

<sup>41</sup> Agenda 21, 38.44.

<sup>42</sup> A/RES/47/191, *Institutional arrangements to follow up the United Nations Conference on Environment and Development*, 22 December 1992, OP32(b).

<sup>43</sup> A/RES/47/191, OP3(f).

## **Agenda 21: important intergovernmental negotiated outcomes for civil society**

- Recognition of the valuable contributions that non-governmental organizations could and do make in promoting sustainable development through their well-established and diverse experience, expertise, and capacity, especially in the area of analysis, the sharing of information and knowledge, promotion of dialogue, and technical support, and as such, determining that relevant NGOs should be given opportunities to make their contributions and establish appropriate relationships with the United Nations system.<sup>44</sup>
- Encouraging the broadest public participation and active involvement of NGOs in helping Member States to address the pressing problems of today and to prepare the world for the challenges of the next century.<sup>45</sup>
- Encouraging the development of open and effective means of facilitating the active participation of NGOs at all stages of UN processes, including design, implementation, review, and evaluation.<sup>46</sup>
- Ensuring the contributions of NGOs are taken into account within review systems and evaluation processes across all pertinent UN agencies and intergovernmental organizations and forums.<sup>47</sup>
- Ensuring access to reports and other information produced by the UN system for NGOs, in order to facilitate their participation.<sup>48</sup>
- Providing a mandate to the General Assembly to establish procedures for an expanded role for NGOs, including those related to Major Groups, to enhance the involvement of NGOs within the UN system.<sup>49</sup>
- Establishment of the Major Group structure to respond to the need of individuals, groups and organizations to know about and participate in decision-making processes that affect the communities in which they live and work.<sup>50</sup>

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<sup>44</sup> Agenda 21, 38.42.

<sup>45</sup> Agenda 21, 1.3.

<sup>46</sup> Agenda 21, 38.43a.

<sup>47</sup> Agenda 21, 38.43b.

<sup>48</sup> Agenda 21, 38.44.

<sup>49</sup> Agenda 21, 38.44.

<sup>50</sup> Agenda 21, 23.2.

The five-year review of progress on Agenda 21 affirmed that '(t)he major groups have demonstrated what can be achieved by taking committed action, sharing resources and building consensus, reflecting grass-roots concern and involvement.'<sup>51</sup> This important recognition resulted in a further strengthening of the CSD's mandate. Under the guidance and oversight of ECOSOC, the CSD's methods of work were revised with the intention of 'strengthen[ing] its interaction with representatives of major groups.'<sup>52</sup> This was to be achieved through 'greater and better use of focused dialogue sessions and round tables,' as well as inviting inputs aimed at enhancing understanding of human impacts on ecosystems; promoting sustainable management of global systems; uplifting effective strategies, policies, practices and processes to promote sustainable development; and the promotion of corporate accountability.<sup>53</sup>

### ***World Summit on Sustainable Development (WSSD)***

Ten years after Agenda 21, the 2002 World Summit on Sustainable Development (WSSD) was held in Johannesburg. The modalities resolution, which detailed the logistical arrangements for the conference and its preparatory process, encouraged 'effective contributions from, and the active participation of, all major groups, [...] at all stages of the preparatory process' in accordance with the rules and procedures of the CSD and established practice.<sup>54</sup> However, it also sought to further expand the participation of civil society throughout all stages of the process, mandating the Preparatory Committee (the CSD in this instance) to ensure inputs from Major Groups were taken into account when determining the conference themes and agenda.<sup>55</sup>

Moreover, in the lead up to the WSSD, the General Assembly (GA) adopted a resolution welcoming NGO preparatory efforts and encouraging the formation of new partnerships between Governments and NGOs, aimed at implementing Agenda 21.<sup>56</sup> The GA reiterated the need for 'effective contributions from and the active participation of all major groups, [...] at all stages of the preparatory process' in accordance with the rules and procedures of the CSD and established practice.<sup>57</sup> Moreover, it invited all contributions to be submitted to the Preparatory Committee 'so that they can be fully considered in the preparatory process'.<sup>58</sup> This

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<sup>51</sup> A/RES/S-19-2, *Programme for the Further Implementation of Agenda 21*, 28 June 1997, OP12.

<sup>52</sup> A/RES/S-19-2, 133(e)

<sup>53</sup> A/RES/S-19-2, 133(e)

<sup>54</sup> A/RES/55/199, *Ten-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development*, 20 December 2000, OP12.

<sup>55</sup> A/RES/55/199, OP15(g)

<sup>56</sup> A/RES/56/226, *World Summit on Sustainable Development*, 24 December 2001, PP3, PP5.

<sup>57</sup> A/RES/56/226, OP13.

<sup>58</sup> A/RES/56/226, OP14.

addition further strengthened the inclusion of civil society throughout the entire preparatory process.

### ***Rio+20: The Future We Want***

In commemoration of the 20<sup>th</sup> anniversary of the landmark Agenda 21, Brazil hosted the Rio+20 Summit in 2012. The outcome document of this summit, entitled *The Future We Want*,<sup>59</sup> saw a clear attempt to reinvigorate the global partnership for sustainable development launched 20 years prior.<sup>60</sup> This set forth a new and unique process to craft the 2030 Agenda for Sustainable Development and Sustainable Development Goals (SDGs). This process differed dramatically from the Secretary-General-led Panel of Experts that was tasked with drafting the Millennium Development Goals (MDGs). Under the new format, Member States were actively engaged in the process and negotiated the outcome. Additionally, while the MDGs were focused on social development, the SDGs were intended to integrate the three pillars of sustainable development (social, environmental, and economic progress) evenly.

The *The Future We Want* outcome document explicitly recognized the vital role of civil society in advancing sustainable development:

We note the valuable contributions that non-governmental organizations could and do make in promoting sustainable development through their well-established and diverse experience, expertise and capacity, especially in the area of analysis, the sharing of information and knowledge, promotion of dialogue and support of implementation of sustainable development.<sup>61</sup>

As a result, Member States acknowledged the need to strengthen and broaden cooperation with and involvement of civil society in order to make progress towards sustainable development, including by strengthening access to information, building capacity, and fostering an enabling environment.<sup>62</sup>

The language agreed in *The Future We Want* not only provides a strong mandate for expanding civic space, but outlines a clear commitment to do so. Member States agreed ‘to work more closely with the major groups and other stakeholders, and encourage their active participation,

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<sup>59</sup> A/RES/66/288, *The future we want*, 27 July 2012.

<sup>60</sup> A/RES/66/288, OP55.

<sup>61</sup> A/RES/66/288, OP53.

<sup>62</sup> A/RES/66/288, OP44.



as appropriate, in processes that contribute to decision-making, planning and implementation of policies and programmes for sustainable development at all levels.<sup>63</sup>

### ***Open Working Group (OWG) on the Sustainable Development Goals***

One of the most significant outcomes of Rio+20 was the establishment of an Open Working Group (OWG) to develop a proposal for the SDGs. The resolution stipulated that Member States should:

establish an inclusive and transparent intergovernmental process on sustainable development goals that is open to all stakeholders, with a view to developing global sustainable development goals to be agreed by the General Assembly. An open working group shall be constituted no later than at the opening of the sixty-seventh session of the Assembly and shall comprise 30 representatives, nominated by Member States from the five United Nations regional groups, with the aim of achieving fair, equitable and balanced geographic representation. At the outset, this open working group will decide on its methods of work, including developing modalities to ensure the full involvement of relevant stakeholders and expertise from civil society, the scientific community and the United Nations system in its work, in order to provide a diversity of perspectives and experience. It will submit a report, to the sixty-eighth session of the Assembly, containing a proposal for sustainable development goals for consideration and appropriate action.<sup>64</sup>

The working methods of the Open Working Group (OWG) stipulated that the ‘group’s work shall be guided by the principles of openness, transparency, inclusiveness and consensus’, and specified the need for NGO inclusion. This allowed ‘the open working group [to] draw on the support of the inter-agency technical support team and expert panels, and all relevant expert advice, as needed.’<sup>65</sup>

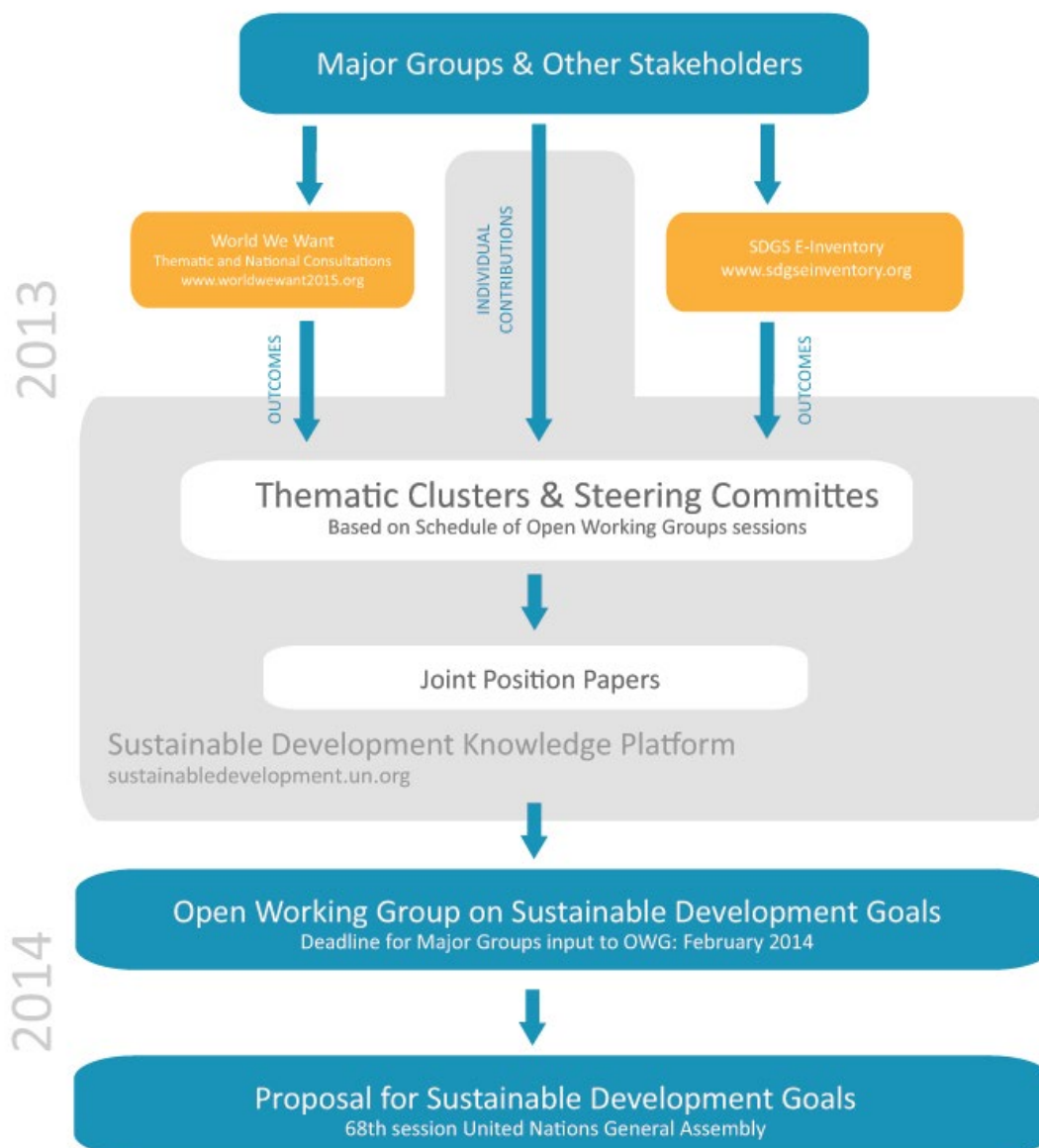
While civil society were able to participate as observers in the meetings of the OWG, clear opportunities were provided for NGOs to have substantive engagement and provide written inputs at several points in the negotiation process. Importantly, a clear timeline was developed for these inputs:

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<sup>63</sup> A/RES/66/288, OP43.

<sup>64</sup> A/RES/66/288, OP248

<sup>65</sup> General Assembly Open Working Group on Sustainable Development Goals, *Methods of Work*, [https://sustainabledevelopment.un.org/content/documents/1692OWG\\_methods\\_work\\_adopted\\_1403.pdf](https://sustainabledevelopment.un.org/content/documents/1692OWG_methods_work_adopted_1403.pdf).



This foundation for the year-long programme of work allowed NGOs to bring evidence, analysis, and expertise, and to meaningfully engage across the breadth of the topics under discussion. NGO statements and inputs were published on the OWG website, and the Major Groups had a robust framework to organize and engage effectively throughout the process.<sup>66</sup> However, participation was open to all relevant stakeholders, extending beyond the nine major groups, reflecting the fact that common practice had evolved, and fulfilling the aspiration outlined in *The Future We Want*.

<sup>66</sup> See Sustainable Development Knowledge Platform, *Open Working Group on Sustainable Development Goals, Major Groups Input*, <https://sustainabledevelopment.un.org/owg.html>.

The impact of civil society inclusion can be seen plainly in the SDGs themselves. Notably, towards the end of the negotiation process in June 2014, the draft presented by the co-chairs proposed merging the topics of poverty and inequality to ensure a 'concise' set of SDGs. Civil society, with the support of a small number of Member States, successfully advocated for the inclusion of a standalone SDG 10, aimed specifically at addressing inequalities within and among countries.<sup>67</sup>

These good practices and trends continued into other processes around this time, including Financing for Development (FfD). For example, the Modalities for the Sixth High-level Dialogue on Financing for Development emphasized:

[...] the importance of the full involvement of all relevant stakeholders in the implementation of the Monterrey Consensus at all levels, and also stresses the importance of their full participation in the financing for development follow-up process, in accordance with the rules of procedure of the General Assembly, in particular the accreditation procedures and modalities of participation utilized at the Monterrey and Doha Conferences.<sup>68</sup>

Overall, these developments exemplify the evolving nature of the UN's approach to civil society engagement and highlight the well-articulated recognition of the valuable contributions that NGOs can make to global governance and sustainable development efforts, as well as the desire to move towards more inclusive and participatory processes across various policy dimensions.

### ***High-Level Political Forum (HLPF) on Sustainable Development***

The High-Level Political Forum (HLPF) on Sustainable Development – which replaced the Commission on Sustainable Development (CSD) as an outcome of Rio+20 and the culmination of the Open Working Group on the SDGs – further sought to advance the inclusion of civil society in UN processes. The Format and Organizational Aspects of the HLPF, while reiterating the intergovernmental nature of negotiations, also stipulated that the forum must be inclusive.<sup>69</sup> It:

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<sup>67</sup> Morning Hearings with Major Groups and other Stakeholders, *Compilation of Amendments to Goals and Targets*, 16–20 June 2014, <https://sustainabledevelopment.un.org/content/documents/4269mgscollection.pdf>.

<sup>68</sup> A/RES/67/300, *Modalities for the sixth High-level Dialogue on Financing for Development*, 16 September 2013, OP4.

<sup>69</sup> A/RES/67/290, *Format and organizational aspects of the high-level political forum on sustainable development*, 9 July 2013, PP3.

[s]tresses the need for the forum to promote transparency and implementation by further enhancing the consultative role and participation of the major groups and other relevant stakeholders at the international level in order to make better use of their expertise, while retaining the intergovernmental nature of discussions, and in this regard decides that the forum shall be open to the major groups, other relevant stakeholders and entities having received a standing invitation to participate as observers in the General Assembly, building on arrangements and practices observed by the Commission on Sustainable Development.<sup>70</sup>

The resolution also details concrete ways in which MGoS can engage with the HLPF:

[T]he representatives of the major groups and other relevant stakeholders shall be allowed:

- (a) To attend all official meetings of the forum;
- (b) To have access to all official information and documents;
- (c) To intervene in official meetings;
- (d) To submit documents and present written and oral contributions;
- (e) To make recommendations;
- (f) To organize side events and round tables, in cooperation with Member States and the Secretariat;<sup>71</sup>

This level of access and participation represents a significant step forward in formalizing civil society engagement within a high-level UN forum.

Moreover, the resolution encourages major groups and other stakeholders to 'autonomously establish and maintain effective coordination mechanisms for participation in the High-Level Political Forum, and for actions derived from that participation at the global, regional and

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<sup>70</sup> A/RES/67/290, OP14.

<sup>71</sup> A/RES/67/290, OP15.

national levels.<sup>72</sup> This provision recognizes the importance of self-organization among civil society actors and promotes a more structured approach to their engagement.

The HLPF's mandate extends beyond its own proceedings, with implications for civil society engagement across the UN system. Indeed, it was intended to enhance the 'integration of the three dimensions of sustainable development in a holistic and cross-sectoral manner at all levels.'<sup>73</sup> To achieve this ambitious and inclusive vision, the President of the General Assembly (PGA) and the President of ECOSOC were tasked with coordinating with the bureaus of ECOSOC and relevant GA Committees, supported by all relevant entities within the UN system, in order to 'organize the activities of the forum so as to benefit from the inputs and advice of the United Nations system, the major groups and other relevant stakeholders, as appropriate.'<sup>74</sup>

These provisions collectively represent a notable evolution in the formal mechanisms for civil society participation at the UN. They not only provide a mandate for direct engagement in HLPF processes, but also create pathways for civil society input to influence broader UN policy discussions and decision-making beyond the confines of ECOSOC. The HLPF thus serves as a model for how civil society engagement can be structured and supported within the UN system, while still maintaining the intergovernmental nature of the organization.

### ***The 2030 Agenda for Sustainable Development***

The outcomes, resolutions, and decisions adopted after 2012 all contributed to 'Transforming our World: the 2030 Agenda for Sustainable Development'.<sup>75</sup> This agenda sets forward a bold vision to leave no one behind and realize human rights for all. The preamble articulates an approach centred on partnership, articulating a commitment to mobilize the means required to implement the Agenda through a revitalized Global Partnership for Sustainable Development, based on strengthened global solidarity and '*with the participation of all countries, all stakeholders and all people.*' Importantly, Member States evoked the 'we the peoples' of the Charter to justify the necessity of including 'Governments as well as parliaments, the United Nations system and other international institutions, local authorities, indigenous peoples, civil society, business and the private sector, the scientific and academic community, and all people' to ensure the success of the 2030 Agenda.<sup>76</sup>

This holistic approach connects all parts of the UN System and their work to the overarching ambition of the 2030 Agenda. It recognizes the contributions and need for active participation

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<sup>72</sup> A/RES/67/290, OP16.

<sup>73</sup> A/RES/67/290, OP19.

<sup>74</sup> A/RES/67/290, OP22, OP23.

<sup>75</sup> A/RES/70/1, *Transforming our world: the 2030 Agenda for Sustainable Development*, 25 September 2015.

<sup>76</sup> A/RES/70/1, OP52.

from NGOs, providing a basis for continued strengthening of the relationship between the UN and NGOs throughout the General Assembly and UN System, as interlinked with the 2030 Agenda.

The inclusive, cross-cutting, and transformative ambition outlined in the 2030 Agenda has been further elaborated through the ongoing General Assembly Revitalization process, in recognition of the ‘need to enhance synergies and coherence’ across UN forums.<sup>77</sup> In 2016, the GA specified how the 2030 Agenda would be mainstreamed, and reaffirmed:

[...] the importance and benefit of continuing interaction between the General Assembly and international or regional forums and organizations dealing with global matters of concern to the international community, as well as with civil society, where appropriate, and encourages the exploration of appropriate actions or measures, while fully respecting the intergovernmental nature of the Assembly, in conformity with its relevant rules of procedure.<sup>78</sup>

This language on exploring actions and measures for civil society ‘interaction’ with the GA, as well as affirming the importance and benefit of existing interactions, demonstrates that civil society participation is not limited to ECOSOC and its subsidiary bodies, nor to the MGoS structure. This further opens the door for broader civil society engagement across the UN system, reinforcing the potential for a more integrated and system-wide approach to civil society engagement.

### ***Sustaining Peace***

The 2016 twin resolutions on ‘Sustaining Peace’,<sup>79</sup> adopted concurrently by the General Assembly and the Security Council, stemmed from the 2014 UN Peace Operations Review.<sup>80</sup> They not only recognized the importance of civil society engagement but built upon the aspiration of ECOSOC Decision 1996/297 to affirm that formalizing civil society’s engagement across the UN system will ultimately enhance efforts to sustain peace.

The concept of sustaining peace, as defined in these resolutions:

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<sup>77</sup> A/RES/70/305, *Revitalization of the work of the General Assembly*, 13 September 2016, OP22.

<sup>78</sup> A/RES/70/305, OP11.

<sup>79</sup> S/RES/2282-A/RES/70/262, *Review of the United Nations peacebuilding architecture*, 27 April 2016.

<sup>80</sup> A/70/95-S/2015/446, *Identical letters dated 17 June 2015 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council*, 17 June 2015.

[...] encompasses activities aimed at preventing the outbreak, escalation, continuation and recurrence of conflict, addressing root causes, assisting parties to conflict to end hostilities, ensuring national reconciliation, and moving towards recovery, reconstruction and development.<sup>81</sup>

While affirming that national governments bear primary responsibility for sustaining peace,<sup>82</sup> these twin resolutions emphasize that inclusivity is central to advancing peacebuilding processes and objectives, 'in order to ensure that the needs of all segments of society are taken into account.'<sup>83</sup>

### **Sustaining Peace: important intergovernmental negotiated outcomes for civil society**

- Recognition of the important role of civil society in advancing efforts to sustain peace.<sup>84</sup>
- Acknowledgement that sustaining peace requires engagement across all three pillars of the UN's work (peace and security, development, and human rights), at all stages of conflict, and in all its dimensions.<sup>85</sup>
- Recognition that sustaining peace requires close strategic and operational partnerships between the UN, national governments, and other key stakeholders, including civil society organizations, women's groups, and youth organizations.<sup>86</sup>
- Mandating the Peacebuilding Commission to serve as a platform for convening relevant actors, including civil society, to provide recommendations, share good practices, and ensure predictable financing for peacebuilding.<sup>87</sup>
- Encouraging the Peacebuilding Commission to facilitate closer engagement with key stakeholders (including civil society) by exploring options for regular exchanges and joint initiatives to promote sustainable peace, including through its annual session.<sup>88</sup>

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<sup>81</sup> S/RES/2282-A/RES/70/262, PP7.

<sup>82</sup> S/RES/2282-A/RES/70/262, PP8.

<sup>83</sup> S/RES/2282-A/RES/70/262, PP8, OP3.

<sup>84</sup> S/RES/2282-A/RES/70/262, PP9.

<sup>85</sup> S/RES/2282-A/RES/70/262, PP7.

<sup>86</sup> S/RES/2282-A/RES/70/262, OP18.

<sup>87</sup> S/RES/2282-A/RES/70/262, OP4(d).

<sup>88</sup> S/RES/2282-A/RES/70/262, OP5(d), OP18.

Crucially, the resolutions ‘stress[ ] that civil society can play an important role in advancing efforts to sustain peace,’<sup>89</sup> and that these efforts ‘should flow through all three pillars of the United Nations’ engagement at all stages of conflict, and in all its dimensions, and needs sustained international attention and assistance.’<sup>90</sup>

This necessitates ‘coherence, sustained engagement, and coordination between the General Assembly, the Security Council, and the Economic and Social Council, consistent with their mandates as set out in the Charter of the United Nations,’<sup>91</sup> as well as ‘close strategic and operational partnerships between the United Nations, national governments and other key stakeholders, including international, regional and sub-regional organizations, international financial institutions, civil society organizations, women’s groups, youth organizations, and the private sector.’<sup>92</sup>

The twin resolutions also mandated the Peacebuilding Commission (PBC) to:

[...] serve as a platform to convene all relevant actors within and outside the United Nations, including from Member States, national authorities, United Nations missions and country teams, international, regional and sub-regional organizations, international financial institutions, civil society, women’s groups, youth organizations and, where relevant, the private sector and national human rights institutions, in order to provide recommendations and information to improve their coordination, to develop and share good practices in peacebuilding, including on institution building, and to ensure predictable financing to peacebuilding;<sup>93</sup>

To achieve this end, the PBC’s Organizational Committee was tasked with reviewing the provisional rules of procedure in order to diversify its working methods, enhance its efficiency and flexibility, and ‘facilitate closer engagement with relevant stakeholders’ by exploring options for regular exchanges and joint initiatives to promote sustainable peace, including through its annual session.<sup>94</sup>

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<sup>89</sup> S/RES/2282-A/RES/70/262, PP9.

<sup>90</sup> S/RES/2282-A/RES/70/262, PP7.

<sup>91</sup> S/RES/2282-A/RES/70/262, OP2.

<sup>92</sup> S/RES/2282-A/RES/70/262, PP18.

<sup>93</sup> S/RES/2282-A/RES/70/262, OP4(d).

<sup>94</sup> S/RES/2282-A/RES/70/262, OP5, OP5(d), OP18.



The PBC had previously adopted concrete modalities for civil society inclusion:

### **Provisional guidelines for the participation of civil society in PBC meetings (2007)**

#### **A. Formal Meetings of the Peacebuilding Commission**

- Representatives of civil society organizations that are actively engaged in peacebuilding activities may be invited to make oral statements or provide information that would contribute to the work of the Commission on specific matters pertaining to integrated strategies for post-conflict peacebuilding.<sup>95</sup>
- Civil society organizations from the country under consideration are encouraged to nominate their representatives through a local independent self-selecting process.<sup>96</sup>

#### **B. Informal Meetings of the Peacebuilding Commission**

- Civil society organizations may provide input during informal discussions on sectoral or thematic issues that may be organized outside the formal country-specific configuration.<sup>97</sup>
- Prior to formal Peacebuilding Commission meetings, public informal meetings may be held with civil society organizations to exchange views on peacebuilding issues relevant to the country under consideration. A summary of these meetings will be submitted to the respective country-specific configuration.<sup>98</sup>
- Following formal meetings, public informal briefings may be held with civil society organizations in order to further exchange views on how civil society can contribute to implementing and following up on the recommendations of the formal meeting.<sup>99</sup>

#### **C. Submission of Written Documents**

- Civil society organizations may submit written comments, observations, or statements to the Chairperson, which should be made available at least one week prior to meetings on the subject under review.<sup>100</sup>

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<sup>95</sup> PBC/1/OC/12, *Provisional guidelines for the participation of civil society in meetings of the Peacebuilding Commission, submitted by the Chairperson on the basis of informal consultations*, 6 June 2007, II, A, OP1.

<sup>96</sup> PBC/1/OC/12, II, A, OP4.

<sup>97</sup> PBC/1/OC/12, II, B, OP1.

<sup>98</sup> PBC/1/OC/12, II, B, OP3.

<sup>99</sup> PBC/1/OC/12, II, B, OP3.

<sup>100</sup> PBC/1/OC/12, II, C.

Since the adoption of the twin resolutions, the PBC has gradually expanded and deepened its engagement with civil society, aligned with the twin resolutions' emphasis on inclusivity and multi-stakeholder collaboration.

The PBC has institutionalized regular consultations with civil society organizations to enhance their substantive contributions to peacebuilding discussions. In its annual sessions, the PBC has invited civil society representatives to brief on local peacebuilding challenges and priorities. These engagements have been particularly notable in the Commission's country-specific configurations (CSCs), where CSOs have played an increasing role in informing national peacebuilding strategies and implementation efforts.

Moreover, the 2020 Peacebuilding Architecture Review (PBAR) further reinforced the role of civil society in peacebuilding and sustaining peace. The review recommended that the PBC adopt a more flexible and inclusive approach to engagement, acknowledging that local peacebuilding actors offer critical perspectives on conflict dynamics that may not be fully captured by state-centric approaches.<sup>101</sup> In response, the Commission has increasingly involved women's groups, youth organizations, and faith-based actors in its deliberations, recognizing their distinct contributions to sustaining peace.

Despite these advancements, challenges remain in ensuring that civil society participation is truly meaningful and not merely symbolic. While civil society representatives are currently included as briefers in meetings of the Peacebuilding Commission,<sup>102</sup> this does not fully live up to the aspiration of the twin resolutions or the PBAR, which envisage a more expansive role for the Peacebuilding Commission as 'a platform for convening relevant actors, including civil society, to provide recommendations, share good practices, and ensure predictable financing,'<sup>103</sup> as well as greater meaningful engagement through 'regular exchanges and joint initiatives.'<sup>104</sup>

### III. Engagement beyond ECOSOC

While ECOSOC Decision 1996/297 recommended exploring the extension of civil society engagement across all parts of the UN system, no formal decision has been made to implement this universally. Nevertheless, a variety of formal and informal mechanisms have emerged that enable civil society participation beyond the confines of ECOSOC. The following

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<sup>101</sup> A/74/976-S/2020/773, *Peacebuilding and sustaining peace: Report of the Secretary-General*, 30 July 2020, OP54-6.

<sup>102</sup> PBC/1/OC/12, *Provisional guidelines for the participation of civil society in meetings of the Peacebuilding Commission, submitted by the Chairperson on the basis of informal consultations*, 6 June 2007.

<sup>103</sup> S/RES/2282-A/RES/70/262, OP4(d).

<sup>104</sup> S/RES/2282-A/RES/70/262, OP5(d), OP18.

sections detail a sample of established practices employed to include civil society in the work of the General Assembly and the Security Council. While not an exhaustive list, these examples are intended to uplift instances in which civil society is meaningfully included, and to highlight how these practices could be more uniformly applied.

## General Assembly

The participation of civil society in the work of the General Assembly (GA), unlike its participation in ECOSOC, is not addressed in the Charter. Nonetheless, a variety of modalities have been introduced to allow civil society to participate in the work of the GA. The term ‘participation’ has different meanings, depending on the context:

|                             | <b>Can civil society attend?</b> | <b>Can civil society speak?</b>  |
|-----------------------------|----------------------------------|--|
| <b>Formal GA meetings</b>   | Yes, if the meeting is open.     | In the Plenary, civil society representatives can speak if specified in a GA resolution/decision. Historical practice has also seen the GA temporarily suspend the formal session to hear from NGO representatives in an informal session. <sup>105</sup><br><br>In the Main Committees, the long-standing practice is that civil society representatives can be invited to speak. |
| <b>Informal GA meetings</b> | Yes, if the meeting is open.     | The Chair may give the floor to civil society representatives.<br><br>The Chair may also choose to invite civil society representatives as keynote speakers or panellists. <sup>106</sup>  |

As there are no formal rules of procedure that govern civil society participation in the work of the General Assembly, most engagement takes place on the basis of past practice, or where the Chair of the Committee actively seeks to improve civil society inclusion. The exceptions are participation in informal sessions at the Chair’s discretion, the limited participation of NGOs in

<sup>105</sup> Global Policy Forum, *NGOs and the United Nations: Comments for the Report of the Secretary General*, June 1999, <https://archive.globalpolicy.org/ngos/docs99/gpfrep.htm>.

<sup>106</sup> Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A practical guide to the United Nations General Assembly*, 2017, p. 31.

some committees, and ad-hoc participation in specific GA processes as outlined in modalities resolutions (and provided no Member State objects).<sup>107</sup>

Informal GA meetings are held for a variety of purposes, such as briefings by the Secretary-General (SG) or the President of the General Assembly (PGA), briefings by other UN entities, thematic debates, consultations and negotiations, and to facilitate interactions with civil society.<sup>108</sup> While informal meetings are not governed by the GA Rules of Procedure, they are often guided by them. No decisions can be taken during an informal meeting. However, a formal meeting can be suspended to allow for informal interaction with civil society before resuming – a process that is typically used each year to include NGOs in the work of the First Committee.

### ***First Committee***

Any representative of an NGO with a valid UN grounds pass can attend meetings of the First Committee, which handles issues of disarmament and international security. The programme of work notes that '[w]ide civil society participation is encouraged'.<sup>109</sup> During the annual five-week session, there is a single 90-minute session allocated for NGO representatives to give statements.

For many years, the standard practice has been to suspend the formal meeting in order to continue for a 90-minute informal session. This 90-minute session typically occurred at the end of the 'general' and 'thematic' debates, before the Committee moved to vote on draft resolutions. However, civil society participants argued that this reduced the impact of their interventions, as many delegations had already left the room. Following a 2016 Decision, this session now takes place between the 'general' and 'thematic' debates to allow civil society representatives to meaningfully contribute through their interventions.

These modalities for civil society inclusion and participation in the work of the First Committee could be formally extended across the work of the General Assembly and its Main Committees, provided there is willingness from Member States to do so.

### ***Second Committee***

The work of the Second Committee is focused on economic and financial issues, and has been very open to and engaged with civil society. While no formal written rules or guidelines have been established, the longstanding practice showcases the importance of relationship-

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<sup>107</sup> International Service for Human Rights, *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*, 2017, p. 18.

<sup>108</sup> The GA Handbook, p. 39.

<sup>109</sup> See, for example, A/C.1/78/CRP.1, *Programme of work and timetable of the First Committee for 2023*, 1 September 2023.

building for civil society, the UN system, and diplomatic cooperation. Resolutions in the Second Committee are predominantly adopted by consensus, with the Group of 77 and China producing the majority of draft resolutions. These are negotiated among all Member States, with the inclusion of 'outside experts and observers.'<sup>110</sup> In practice, this means that during the initial drafting of a resolution, the G77-appointed coordinator meets with relevant UN system representatives, civil society, and diplomats from non-G77 countries, to receive inputs and identify priorities or controversial topics in advance. Representatives from the UN system and civil society are also present throughout the informal negotiations and are thus able to provide valuable input, as well as bring relevant data and evidence into the discussions.

### ***Third Committee***

NGOs cannot formally participate in the work of the Third Committee, whose remit covers social, humanitarian and cultural issues. Unlike the First Committee, no concrete mechanisms of civil society inclusion have been established. However, NGOs engage in a range of activities on the sidelines of the Third Committee sessions: observing and reporting on open meetings; engaging in advocacy with diplomats and foreign ministries, and hosting side events in partnership with Member States.<sup>111</sup> In practice, civil society is also included in informal negotiation sessions and is consulted by the main co-sponsors of a resolution during the drafting process. Moreover, the Third Committee Chair has traditionally hosted an interactive discussion with civil society at the start of each GA session. This practice has evolved into two discussions at the beginning and end of the Committee's annual session of work. These interactive discussions have happened twice per session for the last four years and are now viewed as a standard practice that could be replicated elsewhere.

### ***Establishment of an International Criminal Court***

The drafting of the Rome Statute and establishment of the International Criminal Court also provide examples of the meaningful engagement and impact of civil society working in collaboration with the General Assembly.

In the early 1990s, the Coalition for the International Criminal Court began lobbying for the creation of the ICC amongst governments and the United Nations.<sup>112</sup> Shortly thereafter, the GA tasked the International Law Commission (ILC) to elaborate on the possibility of such a court.<sup>113</sup>

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<sup>110</sup> Lydia Swart and Jakob Lund, *The Group of 77: Perspectives on Its Role in the UN General Assembly*, 2011, p. 34.

<sup>111</sup> Third Committee of the United Nations General Assembly: A Practical Guide for NGOs. p. 18.

<sup>112</sup> See Coalition for the International Criminal Court, *Our Story*, <https://www.coalitionfortheicc.org/about/our-story>.

<sup>113</sup> A/RES/48/31, *Report of the International Law Commission on the work of its forty-fifth session*, 9 December 1993, OP6.

In response to the ILC's recommendations, the GA adopted a resolution entitled 'Establishment of an International Criminal Court'.<sup>114</sup>

The process to draft and adopt the Rome Statute, under the auspices of the General Assembly, saw the formation of a Preparatory Committee tasked with discussing 'the major substantive and administrative issues arising out of the draft statute [...] with a view to preparing a widely acceptable consolidated text of a convention for an international criminal court'.<sup>115</sup>

It was also determined that:

[...] the work of the Preparatory Committee should be based on the draft statute prepared by the International Law Commission and should take into account the report of the Ad Hoc Committee and the written comments submitted by States to the Secretary-General on the draft statute for an international criminal court pursuant to paragraph 4 of the General Assembly resolution 49/53 and, as appropriate, contributions of relevant organizations;<sup>116</sup>

Though the term 'relevant organizations' is less specific than references to 'civil society' or 'non-governmental organizations', Member States nonetheless affirmed that civil society has valuable subject matter expertise to contribute to General Assembly processes. This also reaffirmed the building momentum of the 1990s aimed towards greater inclusion of NGOs across the UN policy agenda, and acknowledgement of the subject matter expertise they bring to UN processes.

Civil society representatives were invited to 'participate in the work of the Preparatory Commission by attending its plenary and its other open meetings, in accordance with the rules of procedure of the Commission, receiving copies of the official documents and making available their materials to delegates'.<sup>117</sup> This opened space for the Coalition for the International Criminal Court to assume a leading role in assisting with drafting the ICC Statute and Rules of Procedure, with various NGOs under the umbrella of the coalition providing substantive input into discussions throughout the six sessions of the Preparatory Commission.<sup>118</sup>

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<sup>114</sup> A/RES/49/53, *Establishment of the International Criminal Court*, 9 December 1994.

<sup>115</sup> A/RES/50/46, *Establishment of the International Criminal Court*, 11 December 1995, OP2.

<sup>116</sup> A/RES/50/46, OP2.

<sup>117</sup> A/RES/56/85, *Establishment of the International Criminal Court*, 18 January 2002, OP7.

<sup>118</sup> See Coalition for the International Criminal Court, *Our Story*, <https://www.coalitionfortheicc.org/about/our-story>.

The active participation of civil society was then formalized in the Assembly of States Parties Rules of Procedure:

### **Rule 93**

#### **Other participants**

Non-governmental organizations invited to the Rome Conference, registered to the Preparatory Commission for the International Criminal Court, or having consultative status with the Economic and Social Council of the United Nations whose activities are relevant to the activities of the Court and other nongovernmental organizations invited by the Assembly may, through their designated representatives:

- (a) Attend meetings of the Assembly and meetings of its subsidiary bodies under the conditions laid down in rule 42 of the present Rules of Procedure;
- (b) Receive copies of official documents;
- (c) Upon the invitation of the President and subject to the approval of the Assembly, make oral statements through a limited number of representatives on questions relating to their activities at the opening and closing meetings of the Assembly;
- (d) Make oral statements through a limited number of representatives on questions relating to their activities at the opening and closing meetings of subsidiary bodies, when the subsidiary body concerned deems it appropriate.<sup>119</sup>

The successful collaboration between Member States and civil society in establishing the ICC illustrates the potential of such partnerships to drive transformative policy. It also underscores the importance of maintaining and expanding these channels of engagement to ensure that the voices of civil society continue to be heard in the formulation of international law and policy.

### ***Open-Ended Working Group (OEWG) on Ageing***

The Open-Ended Working Group (OEWG) on Ageing was established in 2010 following the adoption of resolution 65/182 on 21 December 2010. Its purpose is to consider the existing international framework for the human rights of older persons, to identify gaps and how best to address them, and to consider, as appropriate, the feasibility of further instruments and measures.<sup>120</sup>

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<sup>119</sup> PCNICC/2001/1/Add.4, *Draft Rules of Procedure of the Assembly of States Parties*, 8 January 2002, Rule 93.

<sup>120</sup> A/RES/65/102, *Follow-up to the Second World Assembly on Ageing*, 21 December 2010, OP28.

This working group, convened under the auspices of the General Assembly, further showcases the meaningful engagement and impact of civil society's involvement in GA processes. From the outset, the working group had an inclusive mandate, inviting 'relevant non-governmental organizations with an interest in the matter, to make contributions to the work entrusted to the open-ended working group, as appropriate.'<sup>121</sup>

Before each session, accredited organizations are invited to submit written inputs on substantive guiding questions provided by the Secretariat on the OEWG website ahead of the annual meeting. In 2024:

The Chair of the General Assembly Open-ended Working Group on Ageing, for the purpose of strengthening the protection of the human rights of older persons, invites Members of the Working Group, "A" status National Human Rights Institutions, non-governmental organizations with ECOSOC Status and previously accredited organizations to the Working Group, as well as United Nations Funds, Programmes, Specialized Agencies and other UN Entities, to provide:

1. Substantive inputs on the two focus areas of the fourteenth session, namely: "Accessibility, infrastructure and habitat (transport, housing and access)" and "Participation in public life and decision-making processes" [...]
2. Substantive inputs, in the form of normative content for the development of a possible international standard on the protection of the rights of older persons to "Social inclusion" and "Right to health and access to health services" [...].<sup>122</sup>

Moreover, the OEWG Chair facilitates participation from NGOs throughout the session. Over the years, accredited NGOs have been able to deliver statements during the opening segment of the annual session, and to intervene during interactive discussions by requesting the floor during the debate, subject to the Chair's discretion. In recent annual sessions, civil society representatives have also been included in panel discussions and invited to give expert presentations on focus areas during the discussion. This inclusive and participatory approach has been instrumental in fostering collaboration and establishing a common knowledge base.

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<sup>121</sup> A/RES/65/102, OP30.

<sup>122</sup> See Open-Ended Working Group on Ageing, Fourteenth Session, *Call for Inputs*, <https://social.un.org/ageing-working-group/fourteenthsession.shtml>.



## ***WSIS+10 Review***

The World Summit on the Information Society (WSIS) set out a vision for building an inclusive Information Society. Ten years later, the WSIS+10 review process, culminating in a High-Level Meeting of the General Assembly in 2015, provided an opportunity to assess achievements and identify emerging challenges in the rapidly evolving digital landscape. This process is notable for its inclusive approach to stakeholder engagement, particularly in its efforts to involve civil society throughout the preparatory and review stages.

According to Resolution 68/302, which set out the modalities for the WSIS+10 Review, the President of the General Assembly was tasked with ‘organis[ing] informal interactive consultations with all relevant stakeholders of the [WSIS] in order to collect their input for the intergovernmental negotiation process.’<sup>123</sup> The President was also expected to invite representatives of all relevant WSIS stakeholders to speak during the High-Level Meeting.

Consequently, any NGOs with relevant experience of engaging in WSIS-related policy discussions were invited to apply for accreditation via an online form to attend the mandated informal interactive consultations. Two informal interactive consultations were held with civil society representatives, and civil society panellists were included in thematic discussions.

Moreover, there were two formal opportunities to input into the draft outcome text of the process with clear timelines for submissions. In July 2015, civil society provided input on the first draft and later provided a second round of input on the zero draft in October 2015. A third round of input on the draft outcome document was also opened by the co-facilitators. In total, more than 100 civil society groups submitted text to be considered in the draft text or signed onto joint submissions.

NGOs that were accredited to the informal interactive consultations could then apply to attend the High-Level Meeting of the General Assembly on the WSIS+10 Review. During the High-Level Meeting, representatives of NGOs were invited to address delegates and participate in interactive discussions.

The WSIS+10 Preparatory Process and High-Level Meeting stand out as notable examples of inclusive stakeholder engagement within a General Assembly process, reflecting the growing recognition of the importance of multi-stakeholder participation through iterative entry points.

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<sup>123</sup> A/RES/68/302, *Modalities for the overall review by the General Assembly of the implementation of the outcomes of the World Summit on the Information Society*, 31 July 2014, OP6.

## Security Council

Beginning in the 1990s, the Security Council began to assume a much more active programme of work, taking unprecedented action in the areas of sanctions, peacekeeping, election monitoring, policing, and post-conflict peacebuilding. As the Council took on responsibility for dozens of active crises, delegations began to seek information and expertise from NGOs, many of whom were active on the ground.

Indeed, according to analysis conducted by the NGO Working Group on Women, Peace and Security, the Security Council has reinforced, acknowledged, and highlighted the role of civil society over 650 times across 385 separate resolutions, calling for Member States and the UN to work with civil society in conflict prevention efforts, peacebuilding, provision of humanitarian assistance and peace processes.<sup>124</sup>

### ***Participation of Civil Society Briefers***

Civil society may be invited to brief the Security Council under Rule 39 of the Provisional Rules of Procedure:

The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.<sup>125</sup>

Particularly in recent years, there has been a gradual opening for civil society participation in formal meetings. Civil society briefers are occasionally invited to provide expert briefing and analysis at open meetings, on both thematic and country-specific agenda items. These invitations are extended at the discretion of the Security Council President for that month and require consensus among Council members.

Analysis published by the NGO Working Group on Women, Peace and Security highlighted that, particularly since the adoption of Resolution 2242, whereby the Council expressed an intention

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<sup>124</sup> See Kaavya Asoka, *Support Civil Society at the UN Security Council*, 1 July 2020, <https://www.womenpeacesecurity.org/support-civil-society-security-council/>; Alexis Fessatidis, *Protecting Participation: Women civil society at the UN Security Council (January 2023–September 2024)*, 21 October 2024, <https://www.womenpeacesecurity.org/protecting-participation-women-civil-society-at-the-uns-2023-2024/>.

<sup>125</sup> S/96/Rev.7, *Provisional Rules of Procedure of the Security Council*, 21 December 1982, Rule 39.

to invite civil society briefers on both country-specific and thematic discussions,<sup>126</sup> the participation of women civil society representatives has seen a steady increase.<sup>127</sup>

However, it is important to note that while this represents important progress, civil society continues to face systemic barriers in its engagement with the Security Council. Civil society briefers often face political resistance from members of the Council, who object to the choice of brifer. As a result, only civil society voices that are acceptable to Council members can be heard. In situations where Council members are involved in conflict or have substantially diverging interests, civil society participation becomes even more restricted. Briefers who offer independent, critical perspectives—especially those challenging the positions of powerful Council members—often face resistance or are excluded entirely. This dynamic not only limits the diversity of perspectives represented but also undermines the credibility of civil society engagement as a whole.

Moreover, civil society is excluded from briefing on issues that the Council typically meets on in a closed session. A key example is the situation in Myanmar, which is typically dealt with in closed sessions, preventing the participation of civil society. The Council's closed-door approach effectively shuts out civil society actors who could provide crucial insights, particularly those with direct experience on the ground. While closed consultations are often justified as necessary for sensitive diplomatic negotiations, they also serve to limit transparency and restrict independent voices from shaping the Council's understanding of these conflicts.

Moreover, threats to the safety of those civil society briefers who do brief the Council remain a persistent and deeply concerning barrier to meaningful participation. Speaking at the Council exposes briefers to significant risks of reprisal. In some instances, briefings deemed 'too risky' have been cancelled at the last minute, while in others, only those briefers who are already well-known in international spaces, or who present views perceived as less controversial, are invited. As a result, the perspectives of grassroots activists and those operating in the most vulnerable conditions often go unheard.

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<sup>126</sup> S/RES/2242, 13 October 2015.

<sup>127</sup> Alexis Fessatidis, *Protecting Participation: Women civil society at the UN Security Council (January 2023–September 2024)*.

Ultimately, while the participation of civil society briefers offers invaluable insights, their role remains contingent on shifting political dynamics, security considerations, and the willingness of Security Council members to facilitate and protect their contributions. Without stronger safeguards and a commitment to independent civil society voices, their engagement will remain inconsistent and vulnerable to external pressures.<sup>128</sup>

### ***Arria Formula Meetings***

The Arria Formula meeting, devised in 1992 by Diego Arria to enable Council members to meet in an informal setting to hear the voices and perspectives of outsiders, provides another avenue for NGOs to have contact with the Council as a whole. The 1993–1995 Supplement of the Repertoire of the Practice of the Security Council defines this format:

The practice of the Arria-formula meetings, which was initiated in March 1992 by the then-President of the Security Council, Ambassador Diego Arria (Venezuela) continued through the period under consideration. Arria-formula meetings are not formal meetings of the Security Council. They are convened at the initiative of a member or members of the Security Council in order to hear the views of individuals, organizations or institutions on matters within the competence of the Security Council.<sup>129</sup>

While NGO briefings were initially met with some Council opposition, on 12 April 2000, Ambassador Peter van Walsum of the Netherlands convened an Arria briefing on ‘Protection of Civilians in Armed Conflict’, inviting CARE, Oxfam, and Médecins sans Frontières to participate. Five days later, the Council debated the same subject, eventually adopting Resolution 1296 as a related outcome. In the years that followed, the Council held regular Arria Formula meetings in which NGOs were invited to participate.

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<sup>128</sup> Alexis Fessatidis, *Protecting Participation: Women civil society at the UN Security Council (January 2023–September 2024)*.

<sup>129</sup> Repertoire of the Practice of the Security Council: Supplement 1993–1995, Chapter 1, p. 4.

A 2006 compendium on Council working methods and practices similarly states that:

[t]he members of the Security Council intend to utilize 'Arria-formula' meetings as a flexible and informal forum for enhancing their deliberations. To that end, members of the Security Council may invite on an informal basis any Member State, relevant organization or individual to participate in 'Arria-formula' informal meetings. The members of the Security Council agree to consider using such meetings to enhance their contact with civil society and NGOs, including local NGOs suggested by United Nations field offices. The members of the Security Council encourage the introduction of such measures as lengthening lead times, defining topics that participants might address and permitting their participation by video teleconference.<sup>130</sup>

In recent years, most Arria-formula meetings have featured representatives from NGOs as briefers, highlighting the growing inclusion of civil society perspectives within the Council's informal deliberations. However, many of the briefings proposed by NGOs are blocked because of objections to the subject matter, highlighting how civil society's perspectives – particularly those which may challenge conventional wisdom, or the views of a particular Member State – continue to be excluded. This substantively hinders civil society's ability to 'enhanc[e] Council deliberations'<sup>131</sup> by introducing valuable information, expertise, and grassroots perspectives that would not otherwise be heard by the Council outside of this forum.

### ***NGO Working Group on the Security Council***

In 1995, a group of NGOs formed the NGO Working Group on the Security Council (NGOWG-SC) under the leadership of the Global Policy Forum. While initially focused on advancing the mandate of the GA Working Group on Security Council Reform, the focus soon shifted to promoting dialogue between NGOs and Council members, bringing a new level of transparency and accountability to the workings of the Council.

The newly formed NGOWG-SC drew upon the Quaker United Nations Office (QUNO)'s long tradition of organizing informal, off-the-record gatherings of Council delegates and experts. These meetings often took place at Quaker House and in annual retreats to discuss issues on

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<sup>130</sup> S/2006/507, *Note by the President of the Security Council*, 19 July 2006, OP54. The same language was reaffirmed in S/2010/507, OP65, and S/2017/507, OP98.

<sup>131</sup> S/2006/507, OP54.

the Council agenda and promote the peaceful settlement of disputes.<sup>132</sup> This ‘QUNO model’ proved effective in building trust and ‘expanding Council members’ comfort zones with NGOs’.<sup>133</sup>

The NGOWG–SC remains an important informal mechanism for representatives of civil society organizations to engage with Council members. The group provides a valuable platform for NGOs to raise concerns, share analysis – particularly from colleagues and partners who are working directly on the issues under consideration by the Council – and advocate for policy changes directly with Council members. Moreover, the informal nature of these interactions fosters a more candid, open dialogue between Council Members and civil society, which is rarely seen in other meeting spaces.

## Shifting mentality and practice

The Secretary–General has called for a ‘shift in mentality and practice’ to ensure civil society can contribute safely and meaningfully to the work of the UN at all levels. His system–wide strategy on civic space speaks to the need ‘to go beyond a consultation and advocacy role’ and for all parts of the UN to include civil society across the spectrum of its activities.<sup>134</sup>

While this resource is not intended to be exhaustive, this overview of existing agreed language and established practices demonstrates that there is a strong foundation for civil society inclusion and engagement across the UN system. A more robust and systematic approach to civil society engagement, grounded in and building upon these established best practices, will only enrich the multilateral process. Moreover, it will help to build the broad–based support and collaboration necessary to address global challenges, achieve the Sustainable Development Goals, and move towards a renewed and more effective multilateralism by enacting a more inclusive and participatory approach to global governance.

The recently adopted Pact for the Future saw Member States articulate a clear political commitment to ‘strengthen our partnerships to deliver on existing commitments and address new and emerging challenges’.<sup>135</sup>

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<sup>132</sup> James Paul, *NGOs and the Security Council*, 2004, <https://archive.globalpolicy.org/security-council/ngo-working-group-on-the-security-council/40406-ngos-and-the-security-council.html?>

<sup>133</sup> James Paul, *NGOs and the Security Council*.

<sup>134</sup> This call begins in *The Highest Aspiration, A Call to Action for Human Rights*, and is further cemented in *Our Common Agenda*, 2020 and *Guidance Note on Protection and Promotion of Civic Space*, 2020.

<sup>135</sup> A/RES/79/1, *The Pact for the Future*, 22 September 2024, Action 55.

**Action 55: We will strengthen our partnerships to deliver on existing commitments and address new and emerging challenges.**

We recognize the importance of the United Nations engagement with national parliaments and relevant stakeholders, while preserving the intergovernmental character of the Organization. The challenges we face require cooperation not only across borders but also across the whole of society. Our efforts must involve Governments as well as parliaments, the United Nations system and other international institutions, local authorities, Indigenous Peoples, civil society, business and the private sector, faith-based organizations, the scientific and academic communities, and all people to ensure an effective response to our common challenges. We decide to:

(a) Ensure that relevant stakeholders can meaningfully participate, in their respective roles and responsibilities, in accordance with relevant rules of procedure, in relevant United Nations processes and that Member States have access to the views and expertise of those partners;

(b) Leverage existing channels and strengthen communication between United Nations intergovernmental bodies and civil society, allowing for ongoing dialogue and exchange of information;<sup>136</sup>

To achieve this ambition, we must return to existing commitments, agreed language, and best practices for meaningful engagement with civil society, as a baseline. Existing commitments also include agreements to re-examine the question of participation of non-governmental organizations in all areas of the work of the United Nations,<sup>137</sup> which can be used as a means of consolidating existing best practices, ensuring progress is not lost.

Moreover, heeding the Secretary-General's request that all UN entities '[...] establish a dedicated focal point for civil society' will 'proactively [...] create the space necessary for civil society actors to contribute at the country and global levels, and within United Nations meetings, networks, processes and arrangements.' This will enable the United Nations to 'regularly map and monitor [...] relationships with civil society across the system to ensure that the better engagement we all seek is being achieved and sustained.'<sup>138</sup>

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<sup>136</sup> A/RES/79/1, Action 55, OP83(a)-(b).

<sup>137</sup> E/DEC/1996/297, *Non-governmental organizations*.

<sup>138</sup> Our Common Agenda, OPI21.

Moving forward, the Member States could also seek to work with civil society to craft inclusive, standardized language that enables meaningful engagement and participation across the board. An internal review of modalities resolutions adopted since 2021 revealed inconsistencies in how UN processes and events include civil society and all stakeholders. The comparative table<sup>139</sup> compiles language from these resolutions that is indicative of current practice we should aspire to build upon.

However, building up best practices often starts informally as a result of creative thinking and approaches. A recent example of an emerging best practice comes from the 78<sup>th</sup> Session of ECOSOC, when President Her Excellency Lachezara Stoeva of Bulgaria articulated, among her seven priorities for the year, the commitment ‘to open further the door of ECOSOC to [...] civil society and all stakeholders.’<sup>140</sup> While no formal measures were adopted, in practice ECOSOC meetings provided more opportunities for civil society to speak and participate. One informal step taken was to include NGO representatives throughout the list of speakers as they inscribed, rather than waiting until the end of the meeting to be given the floor. This small change, exercised under the President’s powers, meant that civil society representatives spoke to a fuller room and that more speakers could be heard within a given meeting time. This practice has been informally adopted by succeeding ECOSOC Presidents and is on its way to becoming a standard and best practice. Chairs of Committees, co-facilitators, and Bureau members should also strive to think creatively about how to adopt more inclusive and accessible working methods for the bodies that they govern.

As we approach the UN’s eightieth anniversary, and as UN stakeholders seek to implement the Pact for the Future, we hope that this resource provokes new thinking and creative actions towards more meaningful and robust engagement between Member States, civil society, and the UN System.

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<sup>139</sup> See *Modalities Resolution Language*, <https://bit.ly/419hqik>.

<sup>140</sup> ECOSOC, *Inaugural Statement of the President of ECOSOC H.E. Ms. Lachezara Stoeva*, Economic and Social Council Organizational Session, 25 July 2022, p. 4.



