The politicization of international security institutions: the UN Security Council and NGOs

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The Politicization of International Security Institutions: The UN Security Council and NGOs[1]

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Abstract

This paper examines the politicization of the United Nations Security Council (SC) and seeks to explore the causes and effects of this process. I will first demonstrate that the SC has expanded both its scope and authority after the end of the Cold War. With the SC becoming more powerful I then consider whether the Council has become the target of politicization and has met with criticism and resistance. I find that there is an on-going, observable process of politicization although the SC is significantly less contested than a number of other international organizations. Regarding the possible effects of politicization, the paper examines whether and to what extent the Security Council has adapted its institutional design. I find that the Council has—hesitantly—opened up to civil society actors, although interaction with NGOs is limited to an informal consultation process coupled with broad discretionary power of the SC's Permanent Members. In the concluding part of the paper I briefly examine how this outcome might be best explained and offer some hypotheses for further research.

Zusammenfassung

Die Politisierung internationaler Sicherheitsinstitutionen:
Der UN-Sicherheitsrat und NGOs

Das vorliegende Papier untersucht die Politisierung des UN-Sicherheitsrats und beleuchtet Bedingungsfaktoren und Effekte dieses Prozesses. Dazu wird zunächst gezeigt, dass der Sicherheitsrat nach dem Ende des Kalten Krieges deutlich an Bedeutung gewonnen hat und nicht nur seinen Kompetenzbereich ausgeweitet hat, sondern auch zunehmend tief in nationale Gesellschaften hineinregiert. Anschließend wird beleuchtet, ob der Sicherheitsrat im Zuge dieses Machtzuwachses zur Zielscheibe von Kritik und Widerstand wurde. Es zeigt sich, dass sich ein Prozess der Politisierung feststellen lässt, der gleichwohl deutlich unter Schwelle von Protesten bleibt wie sie von anderen internationalen Organisationen bekannt sind. Hinsichtlich möglicher Effekte von Politisierung wird gefragt, ob das Gremium sein institutionelles Design angepasst und sich für zivilgesellschaftliche Akteure geöffnet hat. Es wird deutlich, dass sich der Sicherheitsrat zwar in der Tat zunehmend für NGOs öffnet, dass diese Öffnung aber auf informelle Konsultationen beschränkt bleibt, deren Zustandekommen zudem stark dem Willen der Ständigen Mitglieder unterworfen ist. Der letzte Teil des Papier fragt schließlich, wie ein solcher Prozess der partiellen Öffnung erklärt werden kann und formuliert einige Hypothesen für künftige Forschung.

Contents

0. Introduction

This paper examines the politicization of international security institutions, using as an example the United Nations Security Council, and focuses on possible causes and effects of this process. To examine the politicization of the United Nations Security Council might first appear somewhat odd: one can hardly imagine any international institution being more "political" or "politicized" than the Security Council. In this paper, however, politicization does not mean that political interests strongly influence Security Council decisions—they certainly do—but that issues that relate to the legitimacy and effectiveness of the Council and its decisions are removed from the back room of "executive multilateralism" and brought into the political sphere where they are publicly debated. Politicization is conceptualized broadly—it might range from public criticism to open resistance and might be propelled by civil society actors as well as by states.

What are the causes of politicization? One key factor that is stressed in the scholarly literature is power. Wherever power is wielded, it is argued, criticism and resistance will occur (Dillon 2003: 21; Maiguashca 2003: 22; Barnett/Duvall 2005: 22). A number of authors observe that power is increasingly exerted by international organizations that have expanded in both scope and authority over the past decades (Grant/Keohane 2005; Barnett/Finnemore 2005). Therefore, the increase in power of international organizations can be plausibly assumed to be a cause of their politicization (Zürn et al 2007).

Regarding the possible effects of politicization, it has been observed that international organizations respond to criticism and resistance by adapting their respective institutional designs and procedures—they open up for non-state actors. This opening up of international institutions has attracted much academic attention and has been described as a fundamental trend in global governance (Gordenker and Weiss 1996; Alger 2002; Tallberg 2008).[1] Some scholars argue that the inclusion of non-state actors might be a way to mitigate the democratic deficit in global governance (Scholte 2004; Clark 2003; Zürn 2004; Grant/Keohane 2005; Held/Archibugi 2005). Apart

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[1] Note that interactions between international organizations and NGOs are hardly new but date back to the end of the 19th century (Alger 2002).

from such normative contributions, empirical research projects systematically address the question of whether and to what extent international organizations have granted access to non-state actors (Steffek et al. 2008). Finally, a number of studies seek to provide explanations why access is granted to NGOs and why international organizations open up to non-state actors in varying degrees (Raustiala 1997; Nölke 2000; Brühl 2003; Steffek 2008; Tallberg 2008; Liese 2008).

While research on interactions between international organizations and NGOs is much *en vogue*, two limitations can be observed. First, little attention is paid to international security institutions (the exception is Mayer 2008). In particular, the UN Security Council as the "most powerful international institution in the history of the nation state" (Cronin and Hurd 2008) is widely neglected. Second, the role of politicization as a further plausible independent variable for the opening up of international institutions to NGOs has largely been ignored so far. The aim of this paper is to address these issues.

To this end, I will examine the thesis of politicization for the UN Security Council. The Security Council is expected to be an "easy case" for politicization and, at the same time, as a "hard case" for the opening up to civil society actors. If this thesis is correct, then we should to observe dynamics of contestation for the Security Council. This is for two reasons. First, after the Cold War, the Council not only intensified its activities, it also expanded its authority significantly, beyond the traditional notion of threats to security, to include "human security" issues, state failure, and international terrorism. As a result, to tackle such *behind-the-boarder issues*, the Council often uses coercive measures and penetrates into national societies. Second, while the importance of the Security Council has increased, its institutional design and its decision making procedures have remained exclusive, opaque, and selective; therefore we should expect a high degree of politicization where this organization is concerned. On the other hand, the field of international security is a field of "high politics." As such it is highly sensitive, and it is unlikely that the members of the Security Council would want to share vital information with non-state actors. Therefore, we should expect the Permanent Members of the Council to be extremely reluctant to grant any form of institutional access to civil society actors.

This paper has three parts. The first part briefly illustrates to what extent the Security Council expanded in both scope and authority after the Cold War. I will show that there has been a quantitative and qualitative shift in SC activity associated with the transformation of security threats and the change in international norms. In the second part of the paper, against the backdrop of increased importance of the SC, I consider whether the Council has met with criticism and resistance. I find that there is an ongoing, observable process of politicization, but this has, of course, remained well below the international contestation of the type associated with Seattle in 1999 or Genoa in 2001. The third part of the paper addresses the issue of whether and to what extent the Security Council has adapted its institutional design and granted access to non-state actors. Here, against all expectations, I find that the Council has—albeit hesitantly—opened up to NGO interaction. NGO access, however, is limited to informal consultation coupled with broad discretionary power of the Permanent Members. In the concluding part of the paper, I briefly examine how this outcome might be best explained and offer some hypotheses for further research.

1. The UN Security Council after the Cold War

The scope and authority of the Security Council undoubtedly expanded after the Cold War (Malone 2004b; Luck 2006; Cronin and Hurd 2008). The end of the East-West confrontation profoundly altered the opportunity structures of international politics and made possible the reactivation of the UN Security Council. For decades the Security Council has been unable to assume its primary responsibility, namely, the maintenance of international peace and security (Art. 24 of the United Nations Charter). This stalemate, however, ended in 1990, turning the *de jure* power of Council into *de facto* power. Not only did the numbers of vetoes decline sharply from 192 before 1990 to 12 after the Cold War, today the Council also meets on an almost daily basis (Malone 2004a: 7). Moreover, the Security Council has significantly increased its activity, as is most prominently reflected by the authorization of a growing number of UN peacekeeping operations (Bellamy and Williams 2005; Human Security Report 2005).

Not only have the Security Council's activities intensified, they have also changed qualitatively. For one thing, the Security Council expanded the scope of what (according to article 39 of the UN Charter) constitutes a "threat to international peace and security" beyond interstate wars to include civil wars, humanitarian crises, state failure, international terrorism, human rights violations, and coups against democratically elected regimes (Chesterman 2001: 112-162; Wallensteen and Johannsson 2004: 29). Moreover, the Council adopted a number of resolutions on broader thematic issues beyond particular conflicts, including, for instance, the role of women in the prevention and resolution of conflicts (Resolution 1325), children and armed conflicts (Resolution 1460), child soldiers (Resolution 1261), the HIV/AIDS problematique (Resolution 1308) and on the proliferation of small arms and light weapons and mercenary activities (Resolution 1467) In April 2007 the UNSC, for the first time, also discussed the implications of climate change (SC/9000).

Likewise, with the expansion of article 39 of the UN Charter, the SC has also increasingly undertaken coercive measures against the will of affected states or parties to a conflict. The number of Chapter VII resolutions grew from 24 before 1990 to 166 in 1999 (Chesterman 2001, annex 1). Further, UN peacekeeping operations have been increasingly mandated as "robust" peacekeeping under Chapter VII. In the same vein, after the Cold War the number of UN sanctions rose to 14 after 1990, compared to only two prior to that time. Under Chapter VII, the SC also authorized a number of military humanitarian interventions, including those in Northern Iraq, Somalia, Haiti, and Bosnia. Finally, a number of international or internationalized criminal courts (Romano et al. 2004) as well as transitional administrations (Chesterman 2004; Paris 2004) were established.

Because of the extension of its scope and authority, the Security Council has been characterized as "world legislator". For instance, like the case of Resolution 1373 and the fight against terrorism, non-mandatory international agreements or agreements still in the process of negotiation, can be made legally binding for all states if adopted under Chapter VII of the UN charter. As a result, the UNSC seems to be at the center of an emerging international legal order that is more centralized and less consensual than it has been in the past (von Schorlemer 2004: 79-80).

The increased authority and range of activities of the Security Council has been be ascribed first to the transformation of security threats (Wallensteen and Johannson 2004: 21-23)[2]. In contrast to inter-state wars, these "new" security threats—e.g., civil wars, humanitarian crises, terrorism, and state failure—are *behind-the-border issues*. Although they usually originate within national societies, they have transnational implications (Kahler 1995). As a result, the SC action does not halt at national borders. To address these new kinds of security threats, coercive measures penetrating national societies have been taken against the will of the states or parties to a conflict (Zangl and Zürn 2003).

Second, this trend towards expansion of power by the SC is considered to reflect a change in international norms and the strengthening of an "humanitarian imperative" in the Council's action (Luck 2006: 81-92). The universalization of human rights and the rise of "humanitarian" norms, over the past thirty years, have meant that today these principles frequently supersede the traditional rules of non-intervention and non-use of force (Wheeler 2000, Sandholtz 2002, Finnemore 2003). Apart from the security of sovereign states "human security" has become a major issue on the international security agenda. Sovereignty is now understood as a state's responsibility towards its citizens; it is bound to certain conditions. According to the principle of "responsibility to protect," approved by all of the countries at the UN World Summit in 2005, sovereign rights may be forfeited "where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure and the state in question is unwilling or unable to halt or avert it" (ICISS 2001: XI).

The fact that security rights have been extended to individuals and groups has major implications for international security policy. First, it is more likely that the Security Council will take coercive measures to end the violations of these rights. Second, human security rights create a need for verification that must be largely provided by international NGOs. This, in turn, promotes the transnationalization of international security. Third, human rights and humanitarian norms of course did not replace, but merely supplemented, the basic principle of state sovereignty. As a result, in the field of international security, there are conflicting sets of norms that require arbitration

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[2] For the transformation of the international conflict agenda see Jackson (1990), Zartmann (1995), and Kaldor (2001).

where they collide. This function of "adjudication" has been taken over by the Security Council.

In sum, the UN Security Council, as the most powerful existing international institution, has expanded both the extent of its activities and the scope of its authority since the Cold War. In many cases the SC has turned to "supranational coercion" to tackle behind-the-border issues (civil conflicts, humanitarian crises, terrorism, etc.). This development can be ascribed to a transformation of security threats, a change in international norms and a change in the opportunity structures of world politics following the Cold War.

2. The politicization of the Security Council?

As the relevance of the UN Security Council increased, can we also observe a parallel process of politicization? Were state and non-state actors perceptive to the qualitative and quantitative shift in the activities of the Security Council? Has there been any public contestation vis-à-vis the SC's new powers, or have there been any new normatively motivated demands directed towards the Council and its policies? If the thesis of politicization is correct, then we should witness not only criticism and resistance to multilateral economic institutions like the International Monetary Fund (IMF) or the World Bank, but also and especially to the Security Council. More specifically, the SC should be contested because its institutional design and its decision-making procedures violate almost all of the criteria identified for "legitimate global governance," including inclusiveness, transparency, accountability, and consistency (Zürn et al. 2007: 154-156).[3]

First, the perpetuation of the status quo at the end of the Second World War and the resulting veto rights of the victorious powers violate demands for representativeness.[4] Due to the exclusive veto rights of the Permanent Members (P-5) of the Security Council, that organization is considered to be a prime example of "institutionalized inequality" (Zürn 2007; Preuß 2008). Not only are there no Permanent Members from Africa or South America, the states affected most by Security Council decisions are

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[3] For a detailed account of the SC's legitimacy problems see, for instance, Knight (2002).

[4] In 1965, due to the growth in UN member states, the number of non-permanent members increased from six to ten.

almost always excluded from the decision-making process. Second, the decision-making procedures of the Council are highly opaque and largely insulated from public scrutiny. This situation has not changed since the end of the Cold War. To the contrary, "after 1990 the Council's deliberations had become more secretive and unaccountable than ever, with meetings largely held behind closed doors in private 'consultations of the whole'" (Paul 2004: 375; Malone 2004a: 7). Finally, the Council's decisions have been highly selective. In response to some conflicts or humanitarian crises (such as those in Northern Iraq, Somalia, Bosnia, Haiti, or East Timor), strong action, including the use of force, has been taken; in other similar cases (for example, Angola, Zaire, Chechnya, Kurdistan or, until recently, Darfur), however, nothing of this sort happened (Kühne 2000, Boulden 2006, Binder 2007).

Despite the Security Council's increase in power and the shortcomings in its institutional design and decision-making procedures, a high level of contestation has not yet occurred; unlike the World Treaty Organization (WTO), the International Monetary Fund (IMF), the World Bank, the European Union or the G-8 Summits, the Security Council has thus far met with no mass protests. Nevertheless, below that threshold, some forms of politicization can be observed. First, civil society actors have become aware of the increased role of SC and its expansion into the area of 'human security' issues; accordingly these civil society actors seek to gain some leverage against SC policy. Second, beginning in 1990s, pressure on the SC to initiate reform has gained momentum. Third, the politics of selectivity have become a matter of public indignation. Finally civil society actors initiated a number of campaigns in the field of international security to raise awareness for issues not addressed by the Council.

The fact that the SC has widened its radius of action and increasingly addresses issues beyond "traditional" inter-state security threats has not gone unnoticed by civil society actors. This holds in particular for NGOs in the fields of human rights protection and humanitarian assistance. According to Paul (2004: 374) "[a]s the Council took unprecedented action in the area of sanctions, peacekeeping, election monitoring, policing and post-conflict peace building, NGOs with international policy mandates decided that they must follow the Council's work more closely." As a result, at the beginning of the 1990s, a number of NGOs including Amnesty International, Earth

Action, the Global Policy Forum, the Lawyers' Committee for Nuclear Policy, the World Council of Churches, the International Women's Tribune Center, and the World Federalist Movement formed the "NGO Working Group on the Security Council." The aim of this working group, whose current membership comprises about 30 NGOs, is to gain leverage over Security Council decisions.[5]

Likewise, with the increased power of the SC, the pressure on it to reform also increased, and a number of reform initiatives were initiated.[6] It was not just NGOs who were forthcoming with such demands; many of the reform initiatives stemmed from within the UN system itself. In December 1993, the UN General Assembly decided to establish the "Open-Ended Working Group on Security Council Reform." In October 1995, in a declaration on the occasion of the Fiftieth Anniversary of the UN, the members states confirmed that "[t]he Security Council should, inter alia, be expanded and its working methods continued to be reviewed in a way that will further strengthen its capacity and effectiveness, enhance its representative character and improve its working efficiency and transparency" (cited in Fassbender 2004: 344). The UN Millenium Declaration of September 2000 contains a similar appeal. More elaborate models of reform were presented in the report by the "High-level Panel on Threats, Challenges and Change" and were subsequently taken up in a later report, "In Larger Freedom," by the then UN Secretary General, Kofi Annan.

> "[A] change in the Council's composition is needed to make it more broadly representative of the international community as a whole, as well as of the geopolitical realities of today, and thereby more legitimate in the eyes of the world. Its working methods also need to be made more efficient and transparent. The Council must be not only more representative but also more able and willing to take action when action is needed" (Annan 2005: 168).

Finally, the World Summit Outcome Document of 2005 also stipulates the importance of Security Council reforms. To be sure, the pressure to adapt its institutional design not only stems from civil society actors, but also from UN member states who would

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[5] See <http://www.globalpolicy.org/security/ngowkgrp/index.htm>, accessed 4 November 2008.
[6] On Security Council reform, see, for example, Fassbender (2004); Weiss and Young (2005).

have a primary interest in gaining influence on the Council. Interestingly, however, UN member states' demands for reform are generally couched in terms of legitimacy.[7]

Besides the composition of the SC and the nature of its decision-making procedures its politics of selectivity became a matter of public contention, too. This is what Lothar Brock (2007: 168) calls the "outrage of selective interventionism." Indeed, referring to selectivity and the existence of "double standards," intellectuals, academics, or members of NGOs have been systematically criticizing the Council's policy. Likewise, adversaries of humanitarian intervention point to selective interventionism as a proof of the non-humanitarian motives behind these interventions (see, for example, Chomsky 1999). Former UN Secretary Generals also condemned the SC for its policy of selectivity. Boutros Boutros Ghali accused the Council of waging a "rich man's war in Yugoslavia while not lifting a finger to save Somalia from disintegration" (cited in Hirsch and Oakley 1995: 37). His successor, Kofi Annan, with respect to the intervention in Kosovo noted: "If the new commitment to intervention in the face of extreme suffering is to retain the support of the world's peoples, it must be—and must be seen to be—fairly and consistently applied, irrespective of region or nation. Humanity, after all, is indivisible" (cited in Damrosch 2000: 106).

Apart from addressing demands to the Security Council for adopting different policies and institutional reform, NGOs have also initiated a number of campaigns to direct attention to issues which, from an NGO perspective, were *not* appropriately addressed by Security Council. This indicates that it is not only the power of international institutions, but also the lack of regulation through international organizations that could lead to politicization.

One of the best-known examples of such campaign work was the International Campaign to Ban Landmines (ICBL), which included about a thousand NGOs from more than sixty countries (Cameron 2002). The success of the Ottawa Treaty, which prohibits the production and use of antipersonnel landmines, has often been associated with the vigorous campaigning of transnational civil society (Price 1998, Cameron

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[7] For an example of such an apparently non-self-serving state initiative see Draft Resolution on Improving the Working Methods of the Security Council of Switzerland, Costa Rica, Singapore, Jordan and Liechtenstein of April 2006, <http://www.eda.admin.ch/etc/medialib/downloads/edazen/topics/int org/un/missny/ga61.Par.0032.File.tmp/sp_060420_securityref_ef.pdf>, accessed 4 November 2008, and <http://www.eda.admin.ch/etc/medialib/downloads/edazen/topics/intorg/un/missny/ga61.Par.0033.File.t mp/lt_010607_improve_en.pdf>, accessed 4 November 2008.

2002). NGOs not only put the issue of landmines on the international agenda,[8] they also contributed to the outcome of the treaty negotiations through their expertise and access to national delegations.[9]

NGOs also successfully campaigned for the establishment of the International Criminal Court (ICC). From the mid-1990s on, NGOs played an important role in setting the international agenda for such a court, most notably through the work of the Coalition for an International Criminal Court (CICC) (Glasius 2002). Perhaps more importantly, however, NGOs were also involved in the concrete drafting process of the Rome Conference, establishing a statute for the ICC in 1998. Not only did they take part in the work of the Preparatory Committee for the conference (Barrow 2004), global civil society was also represented at the Rome conference itself with members from 236 organizations (Glasius 2002).[10]

A final, and still ongoing, campaign is the small-arms campaign, spearheaded by the International Action Network on Small Arms (IANSA), which comprises more than 800 organizations.[11] While NGO advocacy played an important role in placing small arms on the international agenda during the mid- and late-1990s (Batchelor 2002), NGO participation in various UN Conferences on Small Arms has so far largely failed to produce any tangible results (Batchelor 2002, O'Dwyer 2006).

The developments briefly sketched in this section indicate that the UN Security Council has become subject to politicization. International security is no longer the *domaine réservée* of states, and the Council is no longer insulated from normatively motivated public demand for more legitimate procedures and different policies. The importance of the public became most dramatically clear through then US Secretary of State Colin Powell's infamous presentation at the Security Council to justify the war against Iraq. Powell's presentation was clearly not intended to address primarily and

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[8] Price (1998, 622) explicitly argues that the issue of landmines was "politicized" by civil society actors.

[9] Interestingly, the Ottawa process took place outside of the usual United Nations framework on disarmament, largely due to the perceived ineffectiveness of these forums (Price 1998, Cameron 2002, O'Dwyer 2006).

[10] Regarding the politicization of the Security Council, it is important to note that, as with the ICBL, NGO work did not target the SC, but rather tried to bypass it. This is exemplified by the inclusion of an independent prosecutor in the treaty, a fact that is often cited as one of the most important NGO successes in Rome (Glasius 2002). This provision actually diminishes the role of the SC compared to previous drafts for an ICC statute.

[11] See <http://www.iansa.org/about.htm>, accessed 4 November 2008.

exclusively members of the Security Council, but rather an attempt to seek global public support.

This process of politicization notwithstanding, the power of the Security Council, its exclusive and opaque decision making, and its politics of selectivity have not led to strong contestation. This is puzzling for the thesis of politicization and merits further research. Among the questions to be addressed are: What determines the level of contestation, and which conditions account for the variation in politicization? If it is true that power relations can lead to resistance, we would want to know which ones do this and which ones do not. According to Maiguashca (2003: 18), "we need to explore more systematically … when and under what conditions we chose to fight against particular power relations. After all, we do not mount resistance against any and all forms of governance …" Nevertheless, the Security Council has been politicized and, as the next section will show, the SC has cautiously opened up for NGO participation.

3. The UN Security Council reluctantly opens up for NGOs

The research on NGO access to international organizations finds that, globally, inter-action between international organizations and civil society actors is growing, but varies considerably among international institutions and policy areas (Brühl 2003: 46, Charnovitz 2006: 368 ff., Steffek et al. 2008). So far, relatively little systematic attention has been devoted to international security institutions. However, in a recent study Mayer (2008) examines the North Atlantic Treaty Organization (NATO) and the Organization for Security and Co-operation in Europe (OSCE) for NGO participation; he finds that the field of international security is not immune to NGO access. While NATO grants almost no access to NGOs, the OSCE, to the contrary, cooperates closely with non-state actors in the areas of conflict prevention, peacekeeping, and post-conflict peacebuilding. In this section, I will focus on the opening up for civil society actors by the United Nations Security Council, which has so far been largely neglected by the literature on NGO access to IOs.

Unlike UN institutions such as the Economic and Social Council (ECOSOC), wherein, according to article 71 of the UN Charter, NGOs enjoy official status and formal consultative rights, there is no legal basis for cooperation between the SC and

civil society actors (Stoecker 2000: 175).[12] Nevertheless, cautious SC-NGO interactions in the form of informal consultations have developed over the past fifteen years. Apparently, SC members did not remain completely unaffected by legitimacy considerations. According to Paul (2004: 375),

> "[c]ritics of the Council, including many influential government delegations, argued that the Council's work lacked legitimacy because its practices included so little transparency or public accountability … As criticism of the Council grew, a number of delegations came to see increased Council interaction with NGOs as an essential step toward a more legitimate and effective international political and legal order"

These SC-NGO interactions, limited entirely to *informal* consultation, are of three types: (1) Regular Meeting Process, (2) the "Arria Formula" and "Samovía Formula" meetings and (3) bilateral consultations. In addition to these types of meetings, there are also more indirect forms of interactions with NGOs including (4) lobbying, (5) international campaigning, and (6) the takeover of implementation tasks (see Brühl 2003: 75-82).

Informal interaction through consultation

The *Regular Meeting Process* consists of informal briefings of individual members of the Security Council through several NGOs outside the Council chambers. Initially, the Permanent Members opposed the participation of NGOs in these informal consultations. This changed, however; and, since 1997 NGOs, mainly from the Working Group on the Security Council, have met with all of Council ambassadors on a regular basis to exchange information. As a rule, about twenty NGO representatives participate in these meetings. The annual number of meetings grew from 15 in 1997 to 40 by 2002.[13]

Arria Formula und Samovía Meetings: In 1993, Diego Arria, then UN Ambassador from Venezuela, met with a priest from Croatia. Since it was impossible to witness the testimony of this priest in an official UNSC session, Arria invited other members of the Security Council to meet outside the Council chambers. NGO representatives

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[12] For UN-NGOs relations, see Gordenker and Weiss 1996, Stoecker 2000, Alger 2002.

[13] See <http://www.globalpolicy.org/security/ngowkgrp/wgmtgs.htm>, accessed 4 November 2008; Weiss and Young (2005: 135).

were also eager to meet with the Council as a whole rather than speaking to Council members individually. Initial attempts to expand what became known as "Arria Formula" meetings to include NGOs were opposed by the Permanent Members. In February 1997, however, for the first time, Chile's UN Ambassador, Juan Somavía, initiated consultations on a slightly modified basis between all of the SC members, representatives from three humanitarian NGOs—Oxfam, Médecins sans Frontières (MSF), and CARE—and the International Committee of the Red Cross, on the crisis in the Great Lakes Region of Africa.[14] In an unprecedented move, the NGOs issued a joint statement heavily criticizing the SC for its failure to take action in the conflict. This response by the NGOs contributed to the opposition to the Somavía Initiative and put an end to any further meetings based on this formula. Likewise, but with one exception, the P-5 blocked further Arria-style briefings. In 2000, however, this changed and the Arria Formula meetings were revived.

> "Today, Arria Formula meetings take place virtually every month, sometimes more than once. Attendance is typically at a very high level—the permanent representative or deputy. Only rarely do individual members fail to attend. The meetings are announced by the Council president at the beginning of each month or whenever organized, as part of the regular Council schedule. And the meetings are provided with full interpretation by the Secretariat. No Council meetings or consultations are ever scheduled at a time when the Arria Formula meetings take place. So the Arria system is an interesting mixture of informality and formality. It allows the Council to sidestep its hide bound Rules of Procedure and open itself in a very limited way to the outside world".[15]

From the perspective of the participating NGOs, these meetings obviously have high priority: "Th[e] work with the Security Council is considered highly valuable for the NGO and has become more important in recent years" (Martens 2004: 1060). Amnesty international, for instance, attaches a great deal of importance to its activity in the Security Council (Martens 2004: Fn 45).

In addition to regular meetings and Arria Formula meetings, *bilateral meetings* between individual NGOs and individual representatives from SC member countries have begun to play an increasingly prominent role in interactions. This applies in particular to expert analyst NGOs like the International Peace Academy or the Interna-

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[14] See <http://www.globalpolicy.org/security/mtgsetc/somavint.htm>, accessed 24 October 2008.

[15] See <http://www.globalpolicy.org/security/mtgsetc/arria.htm>, accessed 24 October 2008.

tional Crisis Group, whose representatives were invited to participate in the SC's field mission to the African Great Lakes Region, in 2002 (Paul 2004: 381). Such informal consultations take place, generally, outside the Council chambers. In 2004, however, NGO representatives from CARE International and the Center for Transitional Justice gave a briefing on the role of civil society actors in post-conflict peacebuilding, for the first time, during a regular Council session (Charnovitz 2006: 368).[16]

Regarding the initiation and evolution of SC-NGO interactions in general, it is worthy of note that NGO access—albeit limited—has been promoted primarily by the non-permanent members of the SC and smaller SC delegations who have had the most to gain by working with NGOs (Alger 2002: 102; Paul 2004: 379). Because of their limited resources, it is argued, smaller delegations simply cannot keep pace with the Security Council's increased workload. As a result, they turn to NGOs in order to obtain information and expertise. Highly professionalized NGOs however, could provide more than just knowledge or expertise: "NGO partnerships could also help counterbalance the power of the permanent members in the Council" (Paul 2004: 376).

Other forms of interaction between NGOs and the Security Council

From its inception, the Security Council has been the target of *lobbying*. For instance, the Quakers and the International Committee of the Red Cross (ICRC) maintain offices near the UN headquarters and, very early on, established relations with the Security Council in the field of conflict resolution (Stoecker 2000: 176-177; Paul 2004: 376-377). Other organizations followed suit in the 1990s, including Amnesty International, Save the Children, Oxfam, Human Rights Watch, and Global Witness. According to Paul (2004: 383), "[a]s NGOs gained experience in Council advocacy, many concluded that the most effective strategy combined diplomacy in New York with world-wide public advocacy campaigns." For specific issues or concerns, NGOs form similar coalitions with like-minded states or other concurring NGOs, on an *ad hoc* basis.

International campaigns are a well-known strategy of NGOs to generate public attention and support for specific issues. Through "naming and shaming," civil society

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[16] See <http://www.globalpolicy.org/security/mtgsetc/brieindx.htm>, accessed 24 October 2008.

actors can exert pressure on states and international institutions to adopt different policies (Price 1998; Keck and Sikkink 1998; Risse et al. 1999; Liese 2006). The NGO campaign against "blood diamonds" is an example of how NGOs successfully gained leverage on Security Council policymaking. In its influential report, "A rough trade," Global Witness stressed the key role of diamonds in the Angolan conflict and documented the relationship between UNITA, de Beers, and other Western diamond producing companies. Shortly after the publication of that report, Global Witness representatives were invited to consultations with the Security Council's Angola sanctions committee, leading ultimately to tougher and more sophisticated sanctions (Paul 2004: 381).

Finally, NGOs may influence Security Council decisions by acting as *implementing agencies* (Brühl 2003: 79). Security Council policy implementation via NGOs is of particular importance in the field of humanitarian assistance. As the Council expanded its activities in peacekeeping and post-conflict peacebuilding, its interaction with humanitarian NGOs has also become intensified. These NGOs are not only present on the ground and provide resources, they also offer technical expertise and information. Beyond the provision of humanitarian assistance, NGOs were also called upon to assist the Security Council in "collective enforcement efforts" (Charnovitz 2006: 355). In two such instances, related by Charnovitz (2006: 355) the Council explicitly asked NGOs to provide information and resources:

> "[I]n a 1992 resolution regarding the former Yugoslavia, the UN Security Council called on states 'and, as appropriate, *international humanitarian organizations* to collate substantiated information' relating to violations of humanitarian law. In a 2003 resolution regarding Sierra Leone, the Security Council called on 'States, international organizations and *non-governmental organizations* to continue to support the National Recovery Strategy of the Government of Sierra Leone.'"

Altogether, according to some observers, these forms of NGO interaction had an impact on a number of Security Council decisions. For instance, it is argued that the transparency of the Council has grown compared to what it was during the Cold War era: "After more than a decade of NGO action the public knows much more about the Council than before, and citizens are in a stronger position to demand accountability for Council action" (Paul 2004: 385). Moreover, non-state actors that were previously

excluded from any admittance to the Security Council, today, have access to that body. Although substantial institutional reform did not occur (and is unlikely to do so in the future), there is now a regular, though informal, process of consultation between SC members and NGOs which has gradually become routine. Third, according to Paul (2004: 385) these interactions had a direct impact on some issues in "soft" policy areas. From this perspective, NGO influence is reflected in the Security Council's broader thematic resolutions including those related to illicit arms flow or the protection of civilians in armed conflict. Likewise, Hill (2002) seeks to show how NGOs in an Arria Formula meeting contributed to the adoption of SC Resolution 1325 on women, peace, and security. According to these authors, NGOs also contributed to the establishment of the *ad hoc* criminal tribunals for Yugoslavia and Rwanda, and to the strengthening of the Angolan sanctions regime. Although more detailed case studies will be required in order to trace the influence of NGOs in the Security Council decision-making process, the impact of SC-NGO interaction on a number of issues is fairly apparent.

The opening of the UN Security Council to non-state actors notwithstanding, the extent to which access is granted remains informal and tightly limited. This becomes all the more apparent if the opening up of Security Council is compared to that of other international organizations like the ILO or ECOSOC, both of which grant substantial participatory rights to non-state actors. Regarding the Security Council, whether and to what extent NGOs may be involved is largely determined by the Permanent Members' interests. Since Arria Formula meetings cannot take place without the prior consent of the Permanent Members (Hill 2002: 28), the P-5 retain control of whether consultations occur at all and which issues are to be addressed in NGO consultation. Thus, depending on the respective preferences, SC consultations with NGOs can also be arranged and used selectively. If any Permanent Member opposes civil society involvement, it does not hesitate to use its power to exclude NGOs. According to Paul (2004: 385),

> "many briefings proposed by NGOs were blocked because of the subject matter (Kashmir and Sudan being two notable cases). … When the P-5 have strong positions as they often do, NGOs encounter immovable opposition. On sanctions reform, Chechnya, the Middle East, Iraq, and many other important issues, even the most vigorous NGO advocacy runs

> into the brick wall of P-5 opposition (especially from the United States), as national inter-
> ests block key NGO concerns."

Apart from the fact that the opening up of the Security Council for NGOs is confined to informal consultations and largely depends on the will of its Permanent Members, substantial institutional reform of the Council is also blocked. Fassbender (2004: 341) observes, in this regard, "a certain ennui or resignation of the interested governments and nongovernmental organizations."

In sum, contrary to our initial theoretical expectations, the Security Council only met a modest level of politicization. At the same time, it did open up to some interaction with, and input from, NGOs. These observations, however, require further clarification. First, although the extent of contestation remained low, there are indications that the increased scope and authority of the Security Council produced normative demands for transparency, accountability, and participation. What is puzzling, however, is why, when compared to institutions such as the IMF, the World Bank, or the G-8, contestation of the Security Council has remained relatively modest. Again, additional research will be needed in order to determine whether and how the increased authority and power of multilateral organizations accounts for politicization (see Ecker-Erhardt and Wessels 2008). Second, while the Security Council has granted access to NGOs, civil society participation is confined to informal consultations, mostly in "soft" policy areas. However, compared to institutions such as NATO, which almost completely excludes NGOs, this opening up is remarkable.

4. Why do international institutions open up for non-state actors?

While it is widely agreed that international organizations increasingly grant access to transnational actors, two questions are puzzling. First, why do institutions agree to open up for non-state actors? And second, how can variation in the transnational access across institutions be explained? So far, a number of explanations have been offered (Weiss and Gordenker 1996; Raustiala 1997; Brühl 2003; Nölke 2000; Liese 2008, Tallberg 2008; Steffek 2008) that very broadly refer to (1) resources, (2) power considerations and (3) norms.

From a rationalist-functionalist perspective it is argued that international organizations open up for transnational actors if these institutions benefit from NGO *resources* in terms of expertise, personnel, or funding, and if the benefits outweigh the increased transaction costs resulting from the interaction with NGOs. If the complexity of problems is high and the resources of international institutions are limited, then NGO assistance in providing additional knowledge and expertise, implementing international organization (IO) policies, and monitoring compliance with international agreements are expected to be particularly beneficial to international institutions (Zürn et al. 2007: 138). Non-state actors that provide these services, it is argued, might receive access in exchange—they "trade" resources for participation (Raustiala 1997, Nölke 2000, Brühl 2003). Thus, from a resource exchange perspective, the hypothesis would lead us to expect that the opportunities for an NGO to access an IO increase with the complexity of the issue and the IO's demand for resources controlled by the NGO (Mayer 2008: 134).

When it comes to explaining transnational access to international *security* institutions, Mayer (2008) argues that the differences between OSCE and NATO in opening up for NGOs result in part from their respective fields of activity. Compared to NATO, OSCE is more concerned with conflict prevention, peacekeeping and post-conflict peacebuilding. It is exactly in these areas of security governance, where NGOs do control resources that can be traded for participation. The same holds for the UN Security Council which has also stretched its scope of activity beyond "traditional" security threats to include more complex behind-the-boarder issues of human security. This shift would explain why the Security Council granted (limited) access to those NGOs that provide resources in these areas (in the form of expertise, human rights verification, humanitarian assistance etc. …).[17] Likewise, resources might explain why the smaller, non-permanent members with limited resources are usually much more favorable to NGO participation than the Permanent Members who have much less to gain from interaction with NGOs.

According to other scholars, access by civil society actors might be explained in terms of *power considerations*. The inclusion of NGOs is not neutral: it is expected to

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[17] Behind-the-boarder issues in particular lead to a demand for monitoring and verification (Zürn et al. 2007: 146).

change power relations between the members of an international organization (Tallberg 2008). Some states might benefit more than others from interaction with NGOs. Thus, transnational access is expected to vary depending on relative power concerns of member states. We expect "support for likeminded actors, opposition to antagonistic actors, and reinforcement of existing power structures" (Tallberg 2008: 25). Similarly, power relations might also matter between an international organization and transnational actors willing to participate. Steffek (2007: 123) argues that extensive asymmetries between international organizations and NGOs in terms of resources or expertise negatively affect the opportunities for NGOs to participate.

Regarding Security Council interaction with non-state actors, there is strong evidence for power considerations being at work. First, the smaller delegations that have particularly promoted consultations with transnational actors seek not only to benefit from NGO resources, but also to "counterbalance the power of the permanent members in the Council" (Paul 2004: 376). Second, concern for preserving existing power structures is reflected in the Permanent Members' policy not only to prevent substantial reform, but also to control SC-NGO interaction at will. On many occasions the P-5 used their power to block Security Council consultations with NGOs. In the end, the Permanent Members managed to confine NGO interaction to a semi-formal consultation process of *ad hoc* meetings. This results in civil society participation "à la carte," whereby the members of the SC gain legitimacy at the cost of only very small losses in autonomy.

Finally, it is argued that the increased interactions between international institutions and civil society actors have been promoted by a shift in international *norms, principles* and *routines*.[18] From the perspective of sociological institutionalism, international organizations open up for civil society participation because the norms of democracy, transparency, and participation spread globally, and therefore international organizations adapted their respective institutional designs according to these norms (Di Maggio and Powell 1983: 151, Scott 1995). More specifically, Reimann (2006) identifies a "pro-NGO norm" and Charnovitz (2006) wonders if there is an emerging "duty to consult NGOs?" as the principle by which international organizations to grant access to civil society actors. Accordingly, NGOs have appealed to these norms

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[18] Organizational culture as a further explanation is not taken into account here. See Liese (2008).

whenever they demand access to IOs (O'Brien et al. 2000). This normative shift could have considerable explanatory power for transnational access, "because it may explain why organizations such as the IMF and the World Trade Organization have somewhat opened up to civil society although there are very little clear-cut [material] incentives for collaboration on the IGO side" (Steffek 2008: 23). However, while we might see institutional isomorphism in the sense that, globally, international organizations increasingly open up to civil society participation, there is considerable unexplained variance across international institutions vis-à-vis the extent to which access is granted to NGOs.

This variance could perhaps be explained by politicization. According to this thesis, although normatively motivated demands for transparency, accountability, and participation clearly matter, they are not expected to automatically and uniformly translate into access for civil society actors. Rather, it is contended that the opportunities for NGO participation may depend on the (varying) strength of politicization. Indeed we can observe that the extent of politicization does vary and that some institutions are clearly more contested than others. For purposes of future research, we might therefore consider politicization as an additional independent variable and test for whether there is a pattern that links (the degree of) opening up of international organization to the level of contestation. Such a relation, for instance, seems plausible for the World Bank and (to a lesser extent) the IMF which supposedly opened up due to mass protests (Woods and Narlikar 2001; Karns and Mingst 2004: 236).

A similar case can be made for the UN Security Council. It has been shown that legitimacy is an important resource of the Council (Hurd 2007). Moreover, it appears that the Members of the Council care about its legitimacy and thus have responded to the norms of "good international governance" by opening up the Security Council for consultations with NGOs (Paul 2004: 375). At the same time, SC-NGO interactions remain limited. This, in turn, may result from the relatively modest level of public contestation of the Security Council. Thus while norms can account for the fact the Council has opened up, the low level of politicization explains why the access for NGOs remains largely confined to informal consultations and "soft" policy areas.

5. Conclusion

In this paper I have tried to illustrate the plausibility of three alleged trends: the shift in the scope and authority of the Security Council, its politicization through civil society actors, and, finally, the reluctant opening up of the Council for transnational actors. Somewhat contrary to our initial theoretical expectations, the Security Council is not strongly contested, though politicization can be observed at a more modest level. Likewise, against all expectations, the Security Council did open up for NGO interaction, although these interactions remain largely confined to informal consultations and to soft policy areas.

To be sure, all of these trends must be substantiated by supplemental empirical evidence. Second, while there are a number of indications that these trends are linked one another, more research is needed to determine whether and how, exactly, these processes are related. In particular, we need to focus on the factors that influence the extent of politicization. Why is it that, despite its expansion in both scope and authority, the Security Council has not been as contested as other international institutions, including the World Bank, the IMF or the G-8? Third, the reasons why (varying) access is granted to NGOs require further analysis. Regarding possible explanations for NGO access, the politicization of international organizations has thus far been widely neglected as a promising independent variable. Likewise, the brief overview provided in this paper indicates that different explanations put forward in the academic literature seem to contribute to the explanation. Rather than testing different explanations against each other, this would suggest combining conditions from different theoretical perspectives in order to develop an explanatory model of transnational access to international organizations.

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