Index

A Woman’s Voice International 101
Aarhus Convention
on Access to Public Participation in
Decision-Making and Access
to Justice in Environmental
Matters, European
Commission 232
Almaty Guidelines 144–8, 197–200
appointment of rapporteur 196–7
environmental non-compliance issues
184–5, 186, 188, 189–90, 194,
195–200, 201, 203, 213
and EU 197–8
international environmental law 139,
144–8
and USA 197
Adair, A. 170, 171
Africa
African Court on Human and
Peoples’ Rights 158, 159–60,
170, 177, 210, 214
Commission for Human and Peoples’
Rights (AfrComHR) 158, 159,
163
EU, African, Caribbean and Pacific
countries (ACP) aid 126, 130,
131, 132–3
Great Lakes Region 28
Muslims Agency 88
NGO Informal Regional Network
(UN-IRENE) 91
Organization of African Unity see
African Union
Agence des cités unies pour la
coopération Nord-Sud 96, 97
Agir ensemble pour les droits de
l’homme 99
Algeria, complaints from, about NGOs
95, 96
Alpine Convention, environmental non-
compliance issues 185, 186, 187,
201–2
Alston, P. 6, 156
amicus briefs
European Court of Human Rights
163–4, 166, 175, 177, 180
ICSID 156, 164, 174, 175, 180
and International Court of Justice
(ICJ) 167–8, 174, 178–9, 210
international courts and tribunals
16, 157, 162, 163–9, 171, 172,
174–8
international courts and tribunals,
reasons for rejecting 179
International Criminal Court (ICC)
171, 210, 214
Iran–United States Claims Tribunal
175
NAFTA 164–5, 175
WTO 172, 175
Amnesty International 29, 32, 45, 57, 63,
161, 204, 211
Anderson, K. 163
Angell, E. 164
Argentina, Aguas Argentinas, S.A. case
(ICSID) 174–5
Armstrong, K.A. 62
Arria meetings 28, 54
Ascensio, H. 163
Asian Legal Resource Centre 99
Asociación Cubana de las Naciones
Unidas 87
Association for the Prevention of Torture
32
Aston, J. 25, 29, 30, 85, 143
Australia, Council for Overseas Aid
Code of Conduct 170
Azerbaijan, NGO Informal Regional
Network (UN-IRENE) 91–2
Bahrain, complaints from, about NGOs
97–8
Bakker, Christine 1–17
Baratta, R. 170
Index

Mechanism for Promoting Implementation and Compliance 184, 187, 188, 190, 201

Belgium
Conka v Belgium (ECHR) 158
NGOs, co-financing schemes 121
Bettati, M. 42, 210
Bettin, Valentina 10, 116–34, 212
Bosnia-Herzegovina, servile NGOs 87
Bothe, M. 193
Brazil, NGO Informal Regional Network (UN-IRENE) 91
Breton Wood institutions 27
Brownlie, I. 2
Brunnée, J. 182
Bulgaria, M.C. v Bulgaria (ECHR) 166
Cameroon, M.A. 38
Cameroon, servile NGOs 84
Canada
NGO Informal Regional Network (UN-IRENE) 91
Trail Smelter, United States v Canada 141
United Parcel Service of America Inc v Government of Canada (NAFTA) 165
Cannizzaro, E. 68
Cardoso Report 43, 52–3, 54–7, 63, 65, 111–12, 205
Cartagena Protocol 188, 191, 199, 201
Catholic Group of European Caritas Agencies 119
Centrist Democrat International 93
Centro de Estudios Europeos 85–6
Centro de Estudios sobre Asia y Oceania 85
Centro de Estudios sobre la Juventud 86–7
Chayes, A. and A. 182
China
All-China Women’s Federation 78–9, 80
Care and Compassion Society 88
complaints from, about NGOs 94, 95, 97, 98–9, 101
Disabled Persons Federation 79
Falun Gong 79
Human Rights in China (HRC) 30, 83–4, 94
NGO Informal Regional Network (UN-IRENE) 92
servile NGOs 73, 78–80, 83, 87, 88, 92
Society for Human Rights Studies 79
United Nations Association of China 79
Chinkin, C. 167
Chinkin, C. and R. Mackenzie 163–4
Christian Solidarity International (CSI) 104, 105–6, 107, 115
civil society
advisory roles, formal 34
and EU policy formulation 60–62, 123–33, 230–31
institutional arrangements 23–6, 37–43, 48–52
multi-stakeholder dialogues 35–6
organizations database, EU 62
partnership policy with IGOs 37–9, 65–6
political and financial weight of organizations 33–4
representivity of 43–4
revolution 25
see also NGOs
civil society participation
African union ECOSOCC 48–52
Council of Europe 57–60
European Commission 60–62
formalization, reasons for higher degree of 39–43
formalized but not institutionalized 52–60
informal and administrative facilitation 60–62
institutionalization 48–52
participatory rights definition 16
UNAIDS 36, 37
UN Commission on Sustainable Development 35, 36
UN ECOSOC 23–6
UN General Assembly 27, 28
UN Security Council 28
World Bank 36, 47, 64, 112–13, 212
WTO 64, 113, 168
Index

Coalition Gaie et Lesbienne du Québec 109
Colombia, complaints from, about NGOs 99
Conka v Belgium (ECHR)158
Corfù Channel, United Kingdom v Albany (ICJ) 141
Cot, J.P. 208
Cotonou agreement, EU 125, 130, 131, 132–3
Council of Europe
civil society participation 57–60
Convention on the Recognition of the Legal Personality of Non-Governmental Organisations 14
human rights supervisory system 160
international NGO (INGOs) participatory status 39–40, 46, 57–60, 221–6
Liaison Committee 58, 59, 60, 65, 222, 224, 225
NGO consultative relationships 13–14, 40, 58, 59, 65, 220–26
NGO observer status 59
NGO participatory status 39–40, 57–60, 212, 220–26
NGO Resolution (51)30F 13–14
NGO Resolution (2003)8 40, 58, 59, 65, 220–26
NGO self-regulation 58, 59, 64–5, 160–70, 177, 213
Thematic Groupings 58, 59–60
Cuba
complaints from, about NGOs 93–4, 95, 96–7, 100–101, 102, 104, 107–8
Federation of Cuban Women 86
NGO consultative status 73–4
NGOs and conflict intervention 73–5
servile NGOs 73–6, 85–7
Currie, D. 160
Cygan, A. 179
Danish National Association for Gays and Lesbians 109, 110
De Cesari, P. 179
de Frouville, Olivier 9, 15, 71–115, 204
de Schutter, O. 42, 44, 160
De Wet, E. 68
Disaster Relief, NGO Code of Conduct 170
Dominicé, C. 3
Downs, G., D. Rocke and P. Barsoom 182
Dunoff, J. 178
Dupuy, Pierre-Marie 173, 204–15
EC Treaty 117, 118, 179
consultation procedures 230
ECHO Framework Partnership Agreement (FPA) 119–20
Ecopravo-Lviv case 192–4
Ehrmann, M. 181, 192
Elgström, O. 133
Enderlin, T. 186
environmental law, international see international environmental law
environmental non-compliance issues
Aarhus Convention see Aarhus Convention
Alpine Convention 185, 186, 187, 201–2
Cartagena Protocol on Biosafety to the Convention on Biological Diversity (2000) 188, 191, 199
co-operation within treaty regimes 182
compliance procedures under negotiation 202–3
and confidentiality 186
and conflict of interest 195
Ecopravo-Lviv case 192–4
Espoo Protocol 184, 188, 189, 191, 192–4, 213
Implementation Committees 182
institutional arrangements 185–6, 190
International Treaty on Plant Genetic Resources for Food and Agriculture (under negotiation)
| Kyoto Protocol 187, 188, 190, 192, 198, 201 |
| Montreal Protocol 181, 182, 184, 190, 201 |
| Multilateral Environmental Agreements (MEA) 139, 143, 144, 145, 151, 182–3, 184–5, 189–90, 198 |
| NGO accountability 199 |
| NGO consultation 196 |
| NGO legal status 181–203 |
| NGO observer status 184, 185–6, 189–91, 195–6 |
| NGO participation and lessons from past negotiations 197–200 |
| NGO referrals 191–2 |
| NGO role, formalizing 184–8 |
| NGO role and policy considerations 183–4 |
| NGO role, treaty provisions 184–5 |
| NGOs, formal recognition, lack of 188–97 |
| provisions on sources of information 187–8 |
| public involvement 196, 197, 198, 199–200 |
| Rotterdam Convention on Hazardous Chemical and Pesticides in International Trade (under negotiation) 202 |
| trigger mechanisms 186–7, 192 |
| Water and Health Protocol 184, 185, 186, 187, 190, 199, 200, 202 |
| Espoo Protocol 184, 188, 189, 191, 192–4, 213 |
| European Union (EU) and Aarhus Convention 136, 139, 144, 146, 148, 151, 183–6, 188–90, 194, 195, 197–8 |
| Action Plan for Better Regulation 227 |
| African, Caribbean and Pacific countries (ACP) aid 126, 130, 131, 132–3 |
| and Almaty Guidelines 144, 145 |
| civil society organizations database 62 |
| civil society and policy formulation 123–33, 230–31 |
| Committee of the Regions (CoR) 229, 232–3 |
| consultation processes 228–31 |
| cooperation and knowledge transfer between non-state actors (NSA) 127–8, 130–31 |
| Cotonou agreement 125, 130, 131, 132–3 |
| Country Strategy Papers 127 |
| Court of First Instance 158 |
| decentralized co-operation 122–3, 126 |
| development policy and NGOs 116–34 |
| ECHO Framework Partnership Agreement (FPA) 119–20 |
| Economic and Social Committee (EESC) 60, 124–5, 129, 228–9, 231, 232–3 |
| European Charter of Fundamental Rights 230 |
| European Communities – Measures Affecting Asbestos (WTO) 172, 173 |
| European Development Fund 123 |
| financial aid programmes 126 |
| food aid 118–19, 121–2, 125 |
| Humanitarian Aid Office of the European Community (ECHO) 119–20 |
| humanitarian aid 119–20, 125 |
| institutionalised advisory bodies 232–3 |
| and Multilateral Environmental Agreements (MEA) 198 |
| National Development Strategies 127 |
| National Indicative Programmes (NIP) 126 |
| NGO accreditation scheme 61, 70, 119, 122, 128 |
| NGO consultation 29, 45, 60, 61–2, 131 |
| NGO independence 120–21 |
| NGO role evolution 117–24 |
| NGO screening process 119 |
| NGO-IGO relationship 61, 212 |
| NGOs as aid implementers 117, 118–23, 125, 126–7 |
| NGOs, co-financing schemes 121–3, 125 |
| NGOs as development partners 121–4 |
NGOs and policy formulation 123–33
NGOs and policy formulation, formal consultation 128–33
NGOs and policy formulation, informal consultation 125–9
Nice Treaty 233
non-European NGOs, dialogue with 126–7, 130–31
North-South cooperation 96, 97, 119, 127–8
organised civil society 129–33
Pollutant Release and Transfer Registers Protocol (PRTR Protocol) 197–8
servile NGOs 88
Stichting Greenpeace Council v Commission 158
UN Economic Commission for Europe (UNECE) 139, 148, 185, 197
European Commission
civil society participation 60–62
CONNIECS database 62, 232, 242
consultation procedures, improving 60–62, 231–3
consultation standards and principles 60–62, 239–47
governance consultation process
access 60–62, 236–7
governance consultation process
outcome 60–62, 233–9
Interactive Policy-Making Initiative (IPM) 231–2
and UN/ECE Aarhus Convention on Access to Information 232
Your-Voice-in-Europe webportal 245
European Convention for Human Rights and Fundamental Freedoms 163
European Court of Human Rights
Conka v Belgium 158
Guerra and Others v Italy 142
Lopez Ostra v Spain 142
M.C. v Bulgaria 166
NGO involvement 156, 157–8, 161, 162–3, 164
NGOs and Rules of Procedure of the Court 172, 175, 177, 180, 210
European Court of Justice (ECJ) 158
European Parliament v Council (Chernobyl) 179
Falk, R. 5, 6
Federation of Cuban Women 86
Félix Varela Center 86
France
Aguas Argentinas, S.A. case 174–5
Lac Lanoux 141
NGOs, co-financing schemes 121
France-Libertés – Fondation Danielle Mitterrand 98–9
Freedom House 75–6, 96, 97
Germany
complaints from, about NGOs 93
LaGrand (Germany v United States) case (ICJ) 174
NGOs, co-financing schemes 121
Ghana, servile NGOs 84
globalization 25–6, 38, 39, 206, 214
Goote, M. 187, 188, 193
Greenpeace International 160, 204
Guerra and Others v Italy 142
Guillet, S. 81
Gupta, J. 149, 150
Heere, W.P. 207
Higgins, R. 5
Himalayan Research and Cultural Foundation 88
human rights
African Commission for Human and Peoples’ Rights (AfICoHR) 158, 159, 163
African Court of Human Rights 158, 159–60, 170, 177, 210, 214
Agir ensemble pour les droits de l’homme 99
Amnesty International 29, 32, 45, 57, 63, 161, 204, 211
Association for the Prevention of Torture 32
Council of Europe supervisory system 160
Downloaded from Elgar Online at 04/09/2019 10:47:01PM via free access
<table>
<thead>
<tr>
<th>EU humanitarian aid</th>
<th>119–20, 125</th>
</tr>
</thead>
<tbody>
<tr>
<td>European Court</td>
<td>see European Court of Human Rights</td>
</tr>
<tr>
<td>Human Rights in China (HRC)</td>
<td>30, 83–4, 94</td>
</tr>
<tr>
<td>Human Rights Watch</td>
<td>95</td>
</tr>
<tr>
<td>Inter-American Commission of Human Rights (AmComHR)</td>
<td></td>
</tr>
<tr>
<td>International Committee of Peace and Human Rights</td>
<td>87</td>
</tr>
<tr>
<td>International League of Human Rights</td>
<td>94</td>
</tr>
<tr>
<td>International League for the Rights and Liberation of Peoples (LIDLIP)</td>
<td>94, 99</td>
</tr>
<tr>
<td>monitoring bodies</td>
<td>4, 156</td>
</tr>
<tr>
<td>Society for Human Rights Studies, China</td>
<td>79</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IGOs access to</th>
<th>23–37, 62–70</th>
</tr>
</thead>
<tbody>
<tr>
<td>accountability</td>
<td>26, 68–70</td>
</tr>
<tr>
<td>decision-making</td>
<td>26</td>
</tr>
<tr>
<td>and GONGOs</td>
<td>15, 71, 72, 92</td>
</tr>
<tr>
<td>international legal personality, reluctance to accept</td>
<td>2–3</td>
</tr>
<tr>
<td>NGO cooperation</td>
<td>8, 16–17, 21–70, 214–15</td>
</tr>
<tr>
<td>NGO Informal Regional Network (UN-IRENE)</td>
<td>91</td>
</tr>
<tr>
<td>participatory status</td>
<td>39–40, 57–60</td>
</tr>
<tr>
<td>transparency and informal participation</td>
<td>42, 43, 46</td>
</tr>
<tr>
<td>and ‘uncivil society’</td>
<td>42</td>
</tr>
<tr>
<td>see also individual organizations; NGOs</td>
<td></td>
</tr>
</tbody>
</table>

| India complaints from, about NGOs | 94 |
| NGO Informal Regional Network (UN-IRENE) | 92 |
| servile NGOs | 73, 76, 77–8, 88 |
| information technologies | 25–6 |
| Inter-American Commission of Human Rights (AmComHR) | 158–9 |
| International Association for the Defence of Religious Liberty | 76 |
| International Association for Democratic Lawyers (IADL) | 96 |
| International Association of Educators for World Peace | 75–6, 95–96 |

| International Centre for Settlement of Investment Disputes (ICSID) | 156, 164–5, 175 |
| Aguas Argentinas, S.A. case | 174 |
| International Commission of Jurists | 32 |
| International Committee of Peace and Human Rights | 87 |
| International Council of the Association for Peace in the Continents (ASOPAZCO) | 76, 96, 97, 101, 102, 104, 107–8 |
| International Court of Justice (ICJ) and amicus briefs | 167–8, 174, 178–9, 210 |
| LaGrand (Germany v United States) case | 174 |
| Practice Direction XII | 167, 178 |
| Reparations for Injuries Suffered in the Service of the United Nations | 2, 208–9 |
| Wimbledon case | 206 |

| international courts and tribunals advocacy NGOs | 161, 162 |
| Aguas Argentinas, S.A. case (ICSID) | 174–5 |
| amicus curiae briefs | 8, 16, 157, 162, 163–9, 171, 172, 174–8, 214 |
| amicus curiae briefs, reasons for rejecting | 179 |
| arbitral tribunals | 180, 210 |
| dispute settlement | 160 |
| European Communities – Measures Affecting Asbestos (WTO) | 172, 173 |
| European Parliament v Council (Chernobyl) (ECJ) | 179 |
| LaGrand (Germany v United States) case (ICJ) | 174 |
| M.C. v Bulgaria (ECHR) | 166 |
| Methanex Corporation v United States of America (NAFTA) | 165, 177, 178 |
| NGO participation, codes of conduct | 169–71, 177, 213 |
| NGO participation and degree of regulation | 169–75 |
| NGO participation, formal regulation | 171–5, 210–12, 213 |
| NGO participation, informal regulation | 169–71, 210, 211, 212 |
Index

NGO participation, judicial regulation 172–5
NGO participation, safeguards of the rights of the parties 180
NGO representation 163
NGOs before 155–80
NGOs, conditional participation 175–80
NGOs, direct participation, legal standing 157–63
NGOs, indirect participation 163–8
NGOs, legal standing 161
NGOs, overview of involvement 156–68
NGOs, representation issues 177–9
and public interest 163, 166, 177–8
service-delivery NGOs 161, 162
Tadic case (ICTY) 168
United Parcel Service of America Inc v Government of Canada (NAFTA) 165
United States – Duties on Certain Hot-Rolled lead and Bismuth Carbon Steel Products Originating in the UK (WTO) 173
United States – Import Prohibition of Certain Shrimp and Shrimp Products (WTO) 173–4
International Criminal Court (ICC) 26, 155, 164
amicus submissions 171, 210, 214
International Criminal Tribunals 155, 164, 172
Tadic case 168
international environmental law
Aarhus Convention (1998) 139, 144–8
Access Initiative 138–9
Business Charter on Sustainable Development 140
Corfù Channel, United Kingdom v Albury (ICJ) 141
and corporate sector 140–42
Global Ministerial Environment Forum 138
Guerra and Others v Italy (ECHR) 142
Inter-American Strategy for the Promotion of Public Participation in Decision-Making for Sustainable Development 138–9
Lac Lanoux 141
Lopez Ostra v Spain 142
Multilateral Environmental Agreements (MEAs) 139, 143, 144, 145, 151, 160
NGO power and implementation of 148–51
NGOs decision-making development and 142–8
OECD Guidelines for multinational enterprises 141
partnerships and regulatory framework 150–51
public participation developments 135–52
public participation principle 137–42, 145
Rio Declaration 137–8, 141, 144, 205
and sustainable development 137, 138–9, 140, 146
Trail Smelter, United States v Canada 141
World Summit on Sustainable Development (WSSD) 36, 136, 138, 140, 143, 148–50
International Federation of Free Trade Unions (IFTU) 94
International Federation of Human Rights (FIDH) 32, 45, 95, 96, 97–8, 113, 158, 204
International Federation of Women in Legal Careers 96
International Human Rights Watch 32, 45
International Islamic Federation of Students Organisations (IIFSO) 76–7
International Law Commission 68–9, 120
Responsibility of States for Internationally Wrongful Acts (Article 33(2)) 6
International League of Human Rights 94
International League for the Rights and Liberation of Peoples (LIDLIP) 94, 99
Downloaded from Elgar Online at 04/09/2019 10:47:01PM via free access
International Lesbian and Gay Association (ILGA) 100, 102–4, 108, 109, 110, 115
International Treaty on Plant Genetic Resources for Food and Agriculture (under negotiation) 202–3
International Tribunal for the Law of the Sea 155
Iran
complaints from, about NGOs 94, 95, 96, 97
Organization for defending victims of violence 88
Iran–United States Claims Tribunal, amicus submissions 175
Iraq
complaints from, about NGOs 95
General Federation of Iraqi Women 88
Islamic African Relief Agency 104–5
Islamic World Studies Center 88
Italy
Guerra and Others v Italy (ECHR) 142
NGOs, co-financing schemes 121
Ivanova, M. 151
Japan, NGO Informal Regional Network (UN-IRENE) 92
Jilani, H. 110
Kamminga, M. 14, 15
Kazakhstan, Aarhus Committee compliance 196
Koester, V. 186, 195
Koskenniemi, M. 182
Krisch, N. and B. Kingsbury 70, 214
Krislov, S. 164
Kyoto Protocol, environmental non-compliance issues 187, 188, 190, 192, 198, 201
Lac Lanoux case 141
LaGrand (Germany v United States) case (IJC) 174
Lapucci, A. 118, 121, 125
Latin American and Caribbean Continental Organization of Students (OCLAE) 88
League of Nations 23–4, 44, 207, 208
Lebanon, complaints from, about NGOs 103
Lesbian and Gay Federation in Germany 109, 110
Liberal International 75
Libération 96
Libya, complaints from, about NGOs 99
Lindblom, A.-K. 1, 8, 15, 22, 30, 48, 159, 177, 205
Long-Range Transboundary Air Pollution Treaty (LRTAPT) 201
Lopez Ostra v Spain 142
Lowman, M. 164
Macedonia, NGO Informal Regional Network (UN-IRENE) 91
Marauhn, T. 181
Martines, F. 118
Mauritania
NGO Informal Regional Network (UN-IRENE) 91
servile NGOs 92
Mauritius, complaints from, about NGOs 97
M.C. v Bulgaria (ECHR) 166
Methanex Corporation v United States of America (NAFTA) 165, 177, 178
Montagnard Foundation 101–2
Montreal Protocol 181, 182, 184, 190, 201
Movement Against Racism and for Friendship Among Peoples (MRAP) 96
Movimiento Cubano por la Paz y la Soberania de los Pueblos 86, 87
Multilateral Environmental Agreements (MEA) 182–3, 184–5, 189–90, 198
NAFTA
amicus submissions 164–5, 175
Methanex Corporation v United States of America 165, 177, 178
non-disputing party participation 257–9
United Parcel Service of America Inc v Government of Canada 165
Nair, R. 71

Index
Index

National Association of Cuban Economists 86
National Union of Jurists of Cuba 86
NATO, Parliamentarians for Global Action (PGA) 31
Netherlands
NGOs, co-financing schemes 121
*Stichting Greenpeace Council v Commission* (Court of First Instance and ECJ) 158
New Human Rights 96
NGOs
accountability 4, 13, 15, 42–6, 56, 58–9, 61, 64–6, 136, 174
advocacy 22, 37–8, 161, 162
*amicus curiae* briefs 8, 16, 157, 162, 172, 210
BINGOs (business interest NGOs) 71, 136
co-financing schemes 121–3, 125
conflict intervention between states 73–8
consultative relationship 13–14, 23–37, 40, 58, 59, 65, 73–4, 220–26
consultative status and participation control 27–31
consultative status and participation facilitation 31–7
and Council of Europe see Council of Europe
decision making development and international environmental law 142–8
defining, in international law 12–17
definition, absence of agreed 13–15, 21
development policy in EU 116–34
and environmental non-compliance see environmental non-compliance
EU see under EU
flexibility 16, 17, 62, 65, 172, 175, 211, 213
GONGO (governmental NGOs) 15–16, 42, 71, 72
governmental delegations, denied access 32–3
IGO cooperation with 8, 16–17, 21–70, 214–15
independence, EU 120–21
independent 16, 43–6, 82–3
institutionalization 22, 23, 46–7, 48–52, 89–92, 143, 185–6, 190
and international courts and tribunals see under international courts and tribunals
and international law, open attitude towards 3–5
international legal personality, cautious recognition 5–7, 14, 66
international legal personality, reluctance to accept 2–3
involvement, European Court of Human Rights 156, 157–8, 161, 162–3, 164
laudatory and imitative 78–81
legal functionality requirements 6–7
legal status 1–2, 22, 23–5, 37–9, 39–43, 46–60, 62–6, 204–15
legal status questionnaire 216–19
legal status, selected documents relating to recent developments 220–59
lobbying 32, 33–4, 42
and mainstream international law 1–7
negative consequences of normative loophole 15–17
network partners 56, 205
NGO-IGO relationship, EU 61, 212
NGO Informal Regional (UN-IRENE) 91
non-legal category (servile society) 71–2, 205
non-profit aim 14
observer status 25, 59, 143, 184, 185–6, 189–91, 195–6
participation formalization 37–46, 48–52, 52–60
participation formalization, dangers of 43–6
participation formalization, reasons for higher degree of 39–43
participation, multiplying patterns of 46–62

Pierre-Marie Dupuy and Luisa Vierucci - 9781844441330
Downloaded from Elgar Online at 04/09/2019 10:47:01PM via free access
Index

political weight, increased 25–6, 37–9, 42–3, 62, 67
public interest (PINGOs) 135–6, 140 and Rules of Procedure of the Court, European Court of Human Rights 172, 175, 177, 180, 210
service-delivery, international courts and tribunals 161, 162
servile society, creation of 73–92
servile in UN see under UN
UN see under UN
see also civil society
Nigeria, servile NGOs 84
Noortmann, M. 45
North Korea, human rights 84
North-South cooperation, EU 96, 97, 119, 127–8
OECD Guidelines for multinational enterprises 141
Ohlhoft, S. and H. Schloemann 176
One World 120
Organization of African Unity (African Union)
civil society organizations' accreditation 29, 46, 48–52
Cluster Committees, ECOSOCC 51–2, 60
Economic, Social and Cultural Council (ECOSOCC) 46, 48–52, 65, 212, 213
NGO consultative status 29
Organization of American States (OAS)
civil society participation 24, 40, 46–7
Guidelines for Participation by Civil Society Organizations 14, 41, 248–56
NGO consultative status 25, 29
NGO participation 159, 212
Summit of the Americas on Sustainable Development 249–50
Organization of the Islamic Conference 106
Organization for the Solidarity of the Peoples of Asia, Africa and Latin America (OSPAAL) 86
OSCE (Organization for Security and Co-operation in Europe), NGO consultation 29, 113
Oxfam 119
Pakistan
All Pakistan Women’s Association 76, 92
complaints from, about NGOs 103
NGO Informal Regional Network (UN-IRENE) 92
servile NGOs and Kashmir conflict 73, 76–7
terrorist support 78
Parliamentarians for Global Action (PGA) 31, 32, 33, 46
Parmentier, R. 150
Pax Christi International (PCI) 95, 96
Pinochet case 162
Pitea, C. 11-12, 181–203, 211
Pollutant Release and Transfer Registers Protocol (PRTR Protocol), EU 197–8
public interest
environmental non-compliance issues 196, 197, 198, 199–200
and international courts and tribunals 163, 166, 177–8
international environmental law 135–52
NGOs 135–6, 140
Qatar Charitable Society 88
Quadri, R. 209
Ratner, S. and A.M. Slaughter 207
Rebasti, E. 9, 21–70
Red Crescent Movement, NGO Code of Conduct 170
Red Cross 3, 210
NGO Code of Conduct 170
Reinsch, A. 3, 4, 15, 68
Reisman, M. 4, 207
Reporters Without Borders 100–101, 104
Rio Declaration, international environmental law 137–8, 141, 144–205
Rüben, V. 143
Romania, NGO Informal Regional Network (UN–IRENE) 91
Russia, complaints from, about NGOs 95, 101
Sachaiew, K. 181
Seary, B. 22, 23, 44
Senegal, complaints from, about NGOs 103
Shelton, D. 139, 167
Simon Wiesenthal Centre 99
Society for Threatened Peoples 95, 96, 98
South Africa, NGO Codes of Conduct 171
Spain, Lopez Ostra v Spain 142
Sri Lanka
complaints from, about NGOs 99
Tamil Center for Human Rights (TCHR) 30–31
Stern, B. 168
Stichting Greenpeace Council v Commission (Court of First Instance and ECJ) 158
Sudan
complaints from, about 97, 103, 104–6, 107
International Women’s Muslim Union 88
RFK Human Rights Award 94
Sur, S. 2
Swinarski, C. 3
Tadic case (ICJ) 168
Tanzi, A. 10, 135–52
Thomas, L. 140
Thuerer, D. 5, 7, 14
Trachtman, J. and P. Moremen 176
Trail Smelter, United States v Canada 141
Transnational Radical Party 98, 99, 101
Treves, T. 57, 67, 160, 161, 162, 179, 189, 196
Tunisia
human rights 80–81
NGO Informal Regional Network (UN–IRENE) 91
servile NGOs 73, 80–81, 87, 92
Tupaj Amaru 100, 102
Turkey, complaints from, about NGOs 99
Turkmenistan, Aarhus Committee compliance 196
Udombana, N. 159
UK
Corfu Channel, United Kingdom v Albany (ICJ) 141
NGO Codes of Conduct 171
NGOs, co-financing schemes 121
United States – Duties on Certain Hot-Rolled lead and Bismuth Carbon Steel Products Originating in the UK (WTO) 173
Ukraine
Aarhus Committee compliance 196
Ecopravo-Lviv case 192–4
UN
Agenda 21 28, 34–5, 144
Arria meetings 28, 54
Assembly of States Parties of the Rome Statute 31
Cairo Conference (1994) 27–8
Cardoso Report 43, 52–7, 64, 65, 111–12, 205
civil society domestication 71–115
Commission on Human Rights (UNCHR) 32, 36, 42, 71–2, 73, 75–6, 77–8, 80, 81, 94, 96, 97–8, 99, 100–101, 111, 114
Commission on International Trade Law 165
Committee on NGOs 25, 29–31, 44–5, 55, 65, 73–4, 81, 83–8, 90, 93, 95–6, 102, 104–8, 110–11
Conference on Environment and Development (UNCED) 34, 143
Conference of NGOs (CONGO) 63, 66, 89, 106
Development Programme (UNDP) 36
Economic Commission for Europe (UNECE) 139, 148, 185, 197
Economic and Social Council 23–6, 27, 32, 34, 36, 39, 72, 81, 84, 88, 89, 97–8, 101, 115
Global Compact 39, 140
Index
Global Environment Facility 39
Global Policy Reform (GPR) 63, 66
and GONGOs 15–16, 92
Group of 77 27
HIV/AIDS Programme (UNAIDS) 36–7, 48, 50, 65
Human Rights Council (HRC) 57, 67–8, 71–2, 73, 81
International Labour Organization (ILO) 39, 44, 48, 49, 51, 64, 205, 207, 208
NGO access and cooperation 27–8, 29–30, 52–60, 212
NGO accreditation procedure 24, 25, 29–31, 53–7, 112
NGO consultative status 23–37, 40, 54, 81–4, 85
NGO Informal Regional Network (UN-IRENE) 73, 89–92
NGO Planning Committee 28
NGO sanctions 100–108
NGO self-regulation 55–7
NGO space allocation 32–3
NGO status withdrawal 104–108, 115
NGO trust fund for developing countries 56, 90–91
Non-Aligned Movement 27
Non-Governmental Liaison Service (NGLS) 41
Office on Drugs and Crimes (UNODC) 36
Oil for Food Program 69
Panel of Eminent Persons on United Nations-Civil Society Relations 46, 52–7, 112
Reparations for Injuries Suffered in the Service of the United Nations (ICJ) case 2, 208–9
Security Council 27, 28, 54, 68, 69
security measures 33
servile NGOs, application and passive voting 87–92
servile NGOs, application support for 85–7
servile NGOs, introduction into system 81–4
servile NGOs, oral attacks on 92–100
servile NGOs, special reports 95–100
and servile society 73–92, 114–15
servile society, institutionalization of 89–92, 166
Specialised Agencies 24, 25, 27, 36, 40
UN reform proposals 57, 67, 69, 71, 111, 112
UNAIDS Program Coordinating Board 36–7
Universal Declaration of Human Rights 4
World Summit on Sustainable Development (WSSD) 36, 136, 138, 140, 143, 148–50
UN Charter
Article 71 13, 22, 23, 45, 67–8, 143
UN, ECOSOC (Economic and Social Council) 13, 14, 23–6, 27, 29–31, 32, 55–7, 66
accreditation procedure 25, 29–31, 40–41, 54–5
accreditation requirements 40–41
Commission on Sustainable Development (CSD) 34–6
Committee on NGOs 25, 29–31, 44–5, 55, 65
NGO consultative status 23–37, 40, 53–7, 79, 81–2, 84–6, 87–8, 91, 96, 106–8, 110
NGO consultative status, recommendations to deny 109–10
NGO observer status 25, 143
Permanent Forum on Indigenous Issues 34, 43–4, 48, 50, 51, 65
Resolution 1296 – 1968 27
Resolution 1994/50 103, 115
Resolution 1995/2 36
Resolution 1996/31 27, 30, 31, 40, 41, 79, 81–2, 84–5, 88, 93, 96–100, 103–9, 113, 114, 115
Resolution 1996/297 27
Resolution 2000/22 34, 43–4, 49
Resolution 2002/225 90
UN General Assembly 27–8, 41, 54, 55, 56–7, 67–8
decision A/52/453 27
decision A/60/1 69
decision A/60/251 67–8, 72
Special Session, 19th 28, 35
United Arab Emirates, NGO Informal Regional Network (UN-IRENE) 91
USA

and Aarhus Convention 197

AFL-CIO 93–4

complaints from, about NGOs 100, 102–4, 105–6, 107

foreign policy and selective indignation of servile NGOs 88

Iran–United States Claims Tribunal, amicus submissions 175

LaGrand (Germany v United States) case (ICJ) 174

Methanex Corporation v United States of America (NAFTA) 165, 177, 178

NGOs and conflict intervention 73–5

servile NGOs 73, 75–6, 85, 93

Trail Smelter, United States v Canada 141

United Parcel Service of America Inc v Government of Canada (NAFTA) 165

United States – Duties on Certain Hot-Rolled lead and Bismuth Carbon Steel Products Originating in the UK (WTO) 173

United States – Import Prohibition of Certain Shrimp and Shrimp Products (WTO) 173–4, 180

Valencia-Ospina, E. 168

Victor, D. 190

Vierucci, L. 1–17, 155–80, 210

Vietnam

complaints from, about NGOs 99, 101–2

servile NGOs 84

Water and Health Protocol,
environmental non-compliance issues 184, 185, 186, 187, 190, 199, 200, 202

Wates, J. 189

Wedgewood, R. 6, 7

Weiler, J. 176

White, L.C. 24

Willetts, P. 27, 28, 44, 66, 207

Williams, J.F. 208

Wimbledon case (ICJ) 206

Witte, J.M., C. Streck and T. Benner 149, 150–51

Wolfrum, R. 182

Women’s Human Rights International Association 96

World Association of NGOs, Code of Conduct 170–71

World Bank
civil society participation 36, 47, 64, 112–13, 212

Inspection Panel 69

World Confederation of Labour 96, 97

World Conference on Human Rights 79

World Council of Churches 119

World Federation of United Nations Associations 90

World Muslim Congress 76, 92

World Organisation Against Torture 32

World Serbian Union 87

World Summit on Information Society 92

World Summit on Sustainable Development (WSSD) 36, 136, 138, 140, 143, 148–50

World for World Organization 92

WTO

Additional Procedure (2001) 172

amicus submissions 172, 175
civil society participation 64, 113, 168

Dispute Settlement Understanding 168, 173–4, 175, 176, 180

European Communities – Measures Affecting Asbestos 172, 173

notification requirements 246

statutory powers 171

United States – Duties on Certain Hot-Rolled lead and Bismuth Carbon Steel Products Originating in the UK 173

United States – Import Prohibition of Certain Shrimp and Shrimp Products 173–4, 180

Zagorac, D. 161

Zimbabwe, complaints from, about NGOs 95