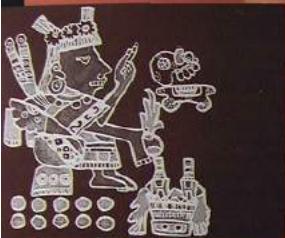


Transnational Associations

The review of the Union of International Associations



5/2000

NGO's and the Military

Comment contrôler
l'activité des
grandes firmes

Revue bimestrielle
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Associations transnationales

La revue de l'Union des associations internationales

Transnational Associations *Associations transnationales*

Transnational Associations is a unique bilingual journal whose aim is to deal with major current problems within the perspective of international nongovernmental organizations. It is intended to provide a forum for authoritative information and independent reflection on the increasing role played by these organizations in the international system, and on its philosophical, political, economic or cultural implications.

The approach is intrinsically interdisciplinary, and calls for both specialist expertise and practitioner experience in transnational association matters. *Transnational Associations* provides background information about the actions and achievements of international associations, and insight into their interrelations with intergovernmental organizations. It covers a wide range of topics, among which social organization, humanitarian law, scientific cooperation, language and culture, economic development, to cite just a few.

The programme of the review, in accordance with the principles of the UIA, clarifies general awareness concerning the association phenomenon within the framework of international relations and, in particular, informs associations about aspects of the problems which they tend to share or which are of common interest to them. Contributors to the journal review include association officers, research workers and specialists of association questions who engage only themselves.

Founded in Brussels in 1907 as the Central Office of International Associations, the UIA became a federation under the present name in 1910 at the 1st World Congress of International Associations. Activities were closely associated with the Institut international de bibliographie, which later became the International Federation for Documentation. Its work contributed to the creation of the League of Nations and the International Institute of Intellectual Cooperation (the predecessor of UNESCO). During the 1920s, the UIA created an International University, the first of its kind.

The UIA has consultative relations with UNESCO, UN/ECOSOC, and ILO. It collaborates with FAO, the Council of Europe, UNITAR, and the Commonwealth Science Council.

Associations transnationales est la seule revue traitant des grands problèmes contemporains dans la perspective des organisations internationales non gouvernementales. Elle se propose d'apporter des éléments d'information provenant des sources les plus autorisées, propres à susciter une réflexion indépendante sur l'affirmation du rôle joué par ces acteurs dans le système international et sur les aspects philosophiques, politiques, sociaux et culturels de cette évolution.

La visée adoptée est essentiellement interdisciplinaire et fait appel au savoir comme à la pratique des spécialistes du champ d'action des associations transnationales. Les documents, articles et études publiés par Associations transnationales traitent également des liens établis entre celles-ci et les organisations intergouvernementales. Les domaines couverts s'étendent aux problèmes de société, au droit humanitaire, à la coopération scientifique, aux questions linguistiques et culturelles, au développement économique ou à tout phénomène affectant la vie de ces associations.

Le programme de la revue, conformément aux buts de l'UIA, vise à éclairer l'opinion sur la signification de la dimension associative des relations internationales, notamment en informant les associations au sujet des questions qui relèvent de leurs domaines ou affectent leurs intérêts communs. Les textes des auteurs publiés par la revue (dirigeants d'associations, chercheurs et spécialistes des questions associatives) n'engagent que leur opinion.

L'UIA a été créée officiellement en 1910 à Bruxelles au cours du premier congrès mondial des associations internationales. Ses fondateurs, le Sénateur Henri La Fontaine, prix Nobel de la Paix 1913 et Paul Otlet, Secrétaire général de l'Institut international à bibliographie, avaient mis sur pied en 1907 l'*«Office central des institutions internationales»* auquel l'UIA succéda sous la forme de fédération. En 1914, elle regroupait 230 organisations, soit un peu plus de la moitié de celles qui existaient à l'époque. L'UIA devait incarner, dans l'esprit de ses fondateurs, les aspirations internationnalistes et les idéaux de paix qui animaient les associations et qui allaient aboutir en 1920 à la création de la Société des Nations.

L'UIA a obtenu le statut consultatif auprès de l'ECOSOC, de l'UNESCO et de l'OIT. Elle collabore avec l'UNITAR, la FAO et le Conseil de l'Europe. Elle entretient des relations générales et ponctuelles avec les organisations régionales.

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Transnational Associations *Associations transnationales*

Strange bedfellows in humanitarian crises: NGOs and the military¹

by Donna Winslow*

Introduction²

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1. This title was inspired by a comment by General Shalikashvili. In a 1995 conference on military efforts in humanitarian crises he referred to the military, humanitarian agencies and the media as "strange bedfellows [that] can be a very good combination. (Cited in Charles Moskos (2000) *The Media and the Military in Peace and Humanitarian Operations*. Chicago: Robert R. McCormick Tribune Foundation p. 34).

2. Funding for this research was received from the Defence and Civil Institute of Environmental Medicine [DCIEM], Canadian Department of Defence. I wish to thank particularly Ross Pigeau for his support of this project. Research funds were also received from George C. Marshall Center in Germany. This research was also funded by US Army Research Institute Contract No. DASW01-98-M-1868, 'Army Culture'. Finally, I wish to thank my research assistants Jason Dunn and Glenn Gilmour for their good humor and hard work on this project.

3. Please note that my use of the word "military" is very loose. Since the vast majority of my research experience is with the Army my knowledge of things "military" mostly refers to Army knowledge and experiences in peace operations.

4. Michael Williams, *Civil Military Relations and Peacekeeping*. Adelphi Paper 321 (London: International Institute for Strategic Studies, 1998) p. 14.

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A qualitative change has taken place in the post Cold-War period concerning the types of peace operation that military³ personnel are asked to participate in. Military missions are now often tasked with facilitating humanitarian relief, social reconstruction and protecting civilians in areas where there is no peace. Moreover, militaries no longer just protect national sovereignty and that of allies. They intervene more and more in intrastate conflicts. Military mandates are wider and more ambiguous and the tasks more multi-dimensional and multi-functional. According to Williams, "the military have taken on new and significant political roles". The military are now asked to broker deals, shelter the displaced, protect human rights, supervise the return of refugees, organize and monitor elections, and support civilian reconstruction.⁴ There are also larger numbers of civilian relief workers in peace operations performing a wide variety of tasks such as food delivery, monitoring elections and human rights, managing refugee camps, distributing medical supplies and services, etc. They can belong to any number of organizations with varying budgets, tasks, goals, competence, types of personnel, etc. which can make liaisons between them and the military at times difficult.⁵ This article intends to examine some of the tensions which can arise between civilian relief workers and military personnel in these new forms of operations.

One of the sources of frustration for the military is the large variety, size and apparent lack of coordination between relief organizations. In peace operations⁶ one can now find the large International Organizations (IOs) such as the UNHCR (United Nations High Commissioner for Refugees) and UNICEF (United Nations Children's Fund). There are the well known international NGOs such as CARE, OXFAM, Médecins sans Frontières (Doctors without Borders) and the ICRC (International Committee for the Red Cross). There is also a larger number of smaller NGOs in areas of conflict in the post-Cold War period. For example, in 1989, 48 international NGOs were registered with the United Nations. By 1998 there were

1500. These NGOs may be religious or secular, may include personnel from one nation or several, may be truly non governmental or may in fact receive large sums from government grants. Finally, a peace operation may also have small groups with a humanitarian interest running around doing any variety of things from distributing old prescription glasses to trying to set up dental clinics. According to one Canadian CMIC (Civil Military Cooperation) officer I interviewed, "Smaller NGOs have [a] more narrow focus. They want the most bang for their money. It's an ad hoc situation".

Traditionally, interactions between the military and humanitarian workers were characterized by avoidance or antagonism. Each group held (and sometimes continues to hold) stereotypes of the other. According to some US analysts American military personnel are described by some NGOs as "boys with toys"; rigid; authoritarian; conservative; impatient; arrogant; civilian phobic, homophobic; excessively security conscious etc.⁸ In contrast one of the battalion commanders I interviewed referred to NGOs as "non-guided organizations" and other authors note the following comments:

"Children of the '60s'; flaky do-gooders; permissive; unpunctual; obstructionist; anarchic; undisciplined; self-righteous; anti-military; etc."

According to Williams, humanitarian organizations form the nucleus of an international civil society whose *esprit de corps* distrusts national military structures.¹⁰ Miller¹¹ tells us that aid workers' antimilitary attitude stems from their organizations' origins. Many were created to alleviate suffering caused by war (e.g. the ICRC) or to provide an alternative to military service (e.g. The American Friends Service Committee). Pamela All has made the following comment on the NGO - military relationship:

Traditionally, NGOs and the military have perceived their roles to be distinctly different and separate. NGOs have felt uneasy with military forces, either from their own countries or from the country receiving assistance, particularly when the latter are employed in the service of dictators with unsavory human rights records. Military leaders, on the other hand, tend to regard NGOs as undisciplined and their operations as uncoordinated and disjointed.¹²

5. David M. Last,
"Defeating Fear and Hatred
Through Peacebuilding:
Multiplying the Impact of a
Military Contribution,"
Canadian Foreign Policy, 5,
No. 2 (Winter 1998). p.
162.

6.I will use the term "peace operations" partly to avoid getting involved in a controversy over labels and to have one term to describe the wide range of activities which are often called peacekeeping... In fact, peacekeeping is NOT a term found in the UN charter but it has come to refer to a wide variety of actions and interventions, which renders the peacekeeping role itself both ambiguous and open to variable definition (F. Pinch, (1994). *Lessons From Canadian Peacekeeping Experience: a Human Resources Perspective*. Ottawa: FCP Human Resources Consulting, August 1994 p. 17). In July 1992 an attempt was made by the UN Secretary General to identify various types of action in *An Agenda for Peace*. In Chapter II of this document peacemaking and peacekeeping are described. Peacemaking is the action to bring hostile parties to agreement while peacekeeping is the deployment of a UN presence in the field. Other concepts found in this chapter are preventive diplomacy (action to prevent disputes from arising, to prevent existing disputes from escalating and to limit the spread of conflict); post conflict peace building (action to identify and support structures which will strengthen and solidify peace); and peace enforcement (restoring and maintaining cease-fire by force). Cited in M.Bertrand, (1995). "The Confusion Between Peacemaking and Peacekeeping", In *New Dimension of Peacekeeping*.

In the 1990s the nature of international conflict meant that relief workers increasingly found their lives and their work at risk. A Canadian Defence Ministry official noted that some NGO workers had more battlefield experience than most Canadian Forces personnel." Relief workers in Rwanda and Chechnya were deliberately killed in 1997. In Burundi and the Sudan NGOs were expelled and workers killed because they were witness to local atrocities. In other countries workers have been victims of land mines, armed hijacking of vehicles, banditry, kidnapping, bombings, etc. As a result of these sad events and the deterioration of field situations, aid workers began to conclude that they needed weapons on their side in order to fulfill their mandates. For example, in Somalia:

The ICRC suspended its normally irrevocable principle of avoiding cooperation with military forces in its relief operation in order to protect its relief convoys. The chaos in Somalia became so bad and the negotiating position of humanitarian agencies so tenuous that military force became the only viable alternative.¹⁴

But even security arrangements can prove to be a contentious issue. David Owen found the military in Bosnia "bitter in their denunciation of some of the NGOs who to them were a pestilential nuisance, resisting all attempts at coordination and then complaining that they were not properly protected."¹⁵ A Canadian officer I interviewed in Bosnia was equally cynical concerning NGOs, saying that the NGOs wanted nothing to do with the military until there was a perceived security threat, then they started showing up to make sure that they could be evacuated or protected by the military.

Until recently, when civilian relief workers and military personnel were both involved in "traditional" peace operations they performed their tasks separately. There was thus little functional need for co-operation between these groups. As the Canadian Chief of Defence Staff, General Maurice Baril has remarked: "Humanitarian agencies and non-governmental organizations seemed to be in every area of conflict but remained independent and reluctant to modify their approach and agree to coordinate their efforts with the military force."¹⁶ Now the military is expected to work not only alongside, but in cooperation with

NGOs and other relief organizations. In these circumstances, an effective interface for civil military cooperation becomes essential.

In order to promote civil military cooperation, it is important to understand some of the difficulties which can arise in peace operations between the members of these communities. In this article I will explore some of the tensions which can arise between the military and relief agencies. I have identified five possible points of tension to be found in peace operations. These points of tension are related to organizational differences in terms of :

1. organizational culture,
2. tasks and ways of accomplishing them,
3. definitions of success and time frames,
4. abilities to exert influence and control information,
5. control of resources.

In addition to documentary sources, particularly the work of US sociologists Laura Miller and Charles Moskos, research for this paper was carried out in the archives of the Canadian Department of National Defence Headquarters. During the crisis in the Great Lakes region of Central Africa, Canada attempted to lead the formation of a multinational coalition. The crisis resolved itself before the coalition could actually be deployed however, there were a number of important lessons learned from this effort. Information also came from unstructured interviews and focus groups carried out with Canadian soldiers in Bosnia (October 1998) and in the Golan Heights (February 1999).¹⁸ In addition to interviews with Canadian military personnel, I have also conducted a few interviews at NATO headquarters and with European battalion commanders who have been deployed to the former Yugoslavia. I have also consulted with members of large international relief agencies such as the UNHCR but have little interview data from the smaller NGOs who do not have contact with the military in an area of operations. This is an area for future research.

Organizational culture

At a speech on civil-military partnerships in humanitarian intervention given in Toronto, Canada in the autumn of 1999, Lieutenant-

D. Warner (ed.),
Netherlands: Kluwer
Academic Publishers, pp.
163-164). Bertrand tells us
that though these terms
seem clear, in fact the dis-
tinction between the differ-
ent forms of action is
blurred, and that there is
confusion among them
(Bertrand, "The Confusion
Between Peacekeeping and
Peacekeeping" p.164)
7. P.J.Simmons (1998)
"Learning to Live with
NGOs", *Foreign Policy*, Fall
1998, pp.75-76.
S.Judith Steihm (1998)
"The Challenge of Civil-
Military Cooperation in
Peacekeeping", *Airmen-
Scholar*, Winter 1998 p.30;
Mark Dearfield (1998)
The CJTF and NGOs -
One Team, One Mission?".
US Naval War College p.4;
Major K.E. Bruno (1999)
"The Regional Civil-
Military Operations Center:
A Force Multiplier in
Military Operations Other
Than War", US Naval War
College mimeo p. 10.
9. Judith Steihm (1998)
"The Challenge of Civil-
Military Cooperation in
Peacekeeping", *Airmen-
Scholar*, Winter 1998
pp.31; J.T. Dworken
(1993) "Military Relations
with Humanitarian Relief
Organizations:
Observations from Restore
Hope", US Center for
Naval Analysis, mimeo p.
38
10. Williams, *Civil
Relations and Peacekeeping*,
p. 39.
11. See Laura Miller (1999)
"From Adversaries to Allies:
Relief Workers' Attitudes
Towards the US Military".
Qualitative Sociology, Vol.22
No.3 pp.181-198.
12. P. Aall (1996)
"Nongovernmental
Organizations and
Peacemaking". In C.A.
Crocker and P.O. Hampson
(eds.) *Managing Global
Chaos*. Washington D.C.:
U.S. Institute of Peace Press
p.440.

Colonel D. D. McAlea described obstacles to
fostering CIMIC:

Number one: NGOs just don't trust the military, they're suspicious of military. Number two: they jealously guard their independence. NGOs have to be careful not to compromise their objectivity because they could loose their funding... There are suspicions on both sides because they have different cultures.¹⁹

In this paper, tension in organizational culture refers to differences in organizational goals (including values and basic assumptions), organizational composition (gender, age, ethnicity), and organizational structure. Organizational culture also refers to the way an organization carries out its business. NGOs and the military are often seen as being at odds with each other concerning their basic goals (alleviate human suffering vs. preparation for war) approaches to violence (non violence vs. controlled use of violence), their approach to nationalism (internationalist vs. strongly nationalistic) and decision making styles (decentralized vs. hierarchical).

The military's primary mission is still fighting and winning wars and in a theater of operations they continue to work on these skills. For example, when I was in Bosnia I was able to observe a Canadian live fire exercise. For some NGO members it is hard to work with the military because it is hard to forget their fundamental purpose. As one NGO member who had worked with the Canadian military on a peacekeeping training exercise remarked, "They seem like nice people, both the civilian and military people mixed, but I think of military people training in acts of war..."²⁰ Some military members feel that participating in peace operations dulls their warrior's edge. These soldiers and officers do not believe in their role as global street workers. Peace operations are considered to be inappropriate for combat soldiers. As a Canadian soldier said to me in Bosnia "This is not what we trained for, which was green". Similarly Canadian politicians have been criticized for trying to make the military into NGOs in uniform. On the other hand, many soldiers and officers acknowledge that their presence in Bosnia makes a difference. As one NCO (non-commissioned officer) remarked, "In UNPROFOR - they were shooting at us and children were throwing rocks at us. In IFOR - we were taking the guns away from

the big guys. In SFOR - we see people coming back, children are waving at us".

Miller's work shows that in spite of the perceived benefits and a shift towards support of armed intervention in the regions where they work, relief workers remain essentially anti-military.

An antimilitary and antiweapons bias persists in relief organizations because militarization and violence are still the primary causes of much of the suffering that these agencies are attempting to relieve. The crisis in Somalia, Rwanda, and Bosnia were all caused by clan or ethnic warfare. The human rights abuses in Haiti were the result of a military coup and a brutal dictatorship. NGOs accepted weapons as a necessary evil for reaching their goals when other methods no longer could provide a safe environment.²¹

Some differences concern motivation. Soldiers and officers participate in a peace operation because it is their job. They stay for their tour of duty and do what they are ordered to. In one Canadian study on ethics "the extra money earned was a strong motivation for participating in peace operations. "I have been on many tours. I do it for the money. I don't believe in peace, in helping people who don't want to help themselves".²² The Ethics Report goes on to tell us that: "The often articulated motivator of extra dollars as the prime consideration for volunteering, complicates the decision making process in high intensity ethical situations. The comment *dollars are the number one motivation, rather than duty* was not uncommon."²³

In contrast, relief workers volunteer for hardship, often making many personal sacrifices in order to pursue altruistic goals.

NGOs, who operate with much less individual security and often with fewer amenities than soldiers, are personally invested in the mission, and are committed for the long term to addressing whatever needs may arise. They are where they are by choice, and are devoted to their vocation. Many of them find it difficult to believe that soldiers could truly be committed to the same goals as they are.²⁴

In Miller's study, relief workers expressed the view that soldiers were there simply because they were ordered to be there. This in turn led some relief workers to feel morally superior to soldiers. "In a number of interviews, distrust of the military was translated into comments suggest-

13. Cited in Williams, *Civil Military Relations and Peacekeeping*, p. 41.
14. Andrew Natsios (1997) "An NGO Perspective".
15. W. Zartman and J.L. Rasmussen (eds.) *Peacemaking in International Conflict*. Washington D.C.: U.S. Institute of Peace Press, p. 354.
16. Maurice Baril, "Peacekeeping and Force" in *Peacekeeping with Muscle: The Use of Force in International Conflict Resolution*, eds. Alex Morrison, Douglas Fraser, and James Kiras (Cornwallis Park, NS: Canadian Peacekeeping Press, 1997), p. 119.
17. See James Appathurai and Ralph Lysvetyn (1997) *Lessons Learned from the Zaire Mission*. Ottawa: Canadian Dept. of Foreign Affairs and International Trade.
18. I wish to thank the Canadian Department of National Defence and the soldiers and officers of the 3rd Battalion of the Royal Canadian Regiment Battle Group deployed in Bosnia and the Canadian Logistics group stationed on the Golan Heights for taking care of me. I am well aware that such trips require time and energy to organize and I am extremely appreciative of the support and information given to me during these trips.
19. Cited in Jennifer Ross (2000) "Human Security in Peace Operations" Paper presented to the Canadian War Museum, June 2, p.2.
20. Cited in Miller, "From Adversaries to Allies" p. 191
21. Miller, "From Adversaries to Allies" p.191
22. National Defence Headquarters, Chief of Review Services, Defence Ethics Program (1999) *Ethics and Operations Project*

ing that the US military or individual soldiers help out only because they are ordered to do so or have self-interested reasons for doing so".²⁶ Differences in organizational structure can affect the way groups interact. What is the hierarchy in the organization? How are decisions taken? Organizations such as NGOs tend to have a more flattened hierarchy with decentralized decision making. When one American colonel in Bosnia referred to NGOs as "one general and many privates" the response of an NGO executive was "How about one general and many colonels?"²⁷ According to Col. Bob Stewart, the commander of the first British deployment to Bosnia in 1992: "The military are hierarchical, authoritarian, centralized, large and robust, while UNHCR is flat, consensus-based with highly decentralized field offices."²⁸ Thus the UNHCR's perceived lack of structure and tendency to delegate decision-making to people of a much younger age than the military can be a source of frustration.²⁹

In addition, the gender and ethnic composition of the organizations in theatre may affect the way they interact with each other. Militaries in peace operations are predominantly male³⁰ while relief workers are often female in their late twenties to early forties.³¹ Similarly, UN field staff is predominantly female. UN agencies such as the UNHCR recruit women on a positive-discrimination basis which means that half of the staff of UN agencies and NGOs operating in Bosnia are female.³² Young male soldiers between 19 — 22 years old may have difficulty dealing with relief workers who are female and considerably older. Finally ethnic (including racial, cultural and religious) differences can impact on the way organizations behave with each other and with the local population. Miller and Moskos showed that military units that were mixed race and mixed gender had more humanitarian attitudes to the local population. Miller and Moskos showed that military units that were mixed race and mixed gender had more humanitarian attitudes to the local population. Miller and Moskos showed that military units that were mixed race and mixed gender had more humanitarian attitudes to the local population.

Ogata³⁴ tells us the UNHCR's humanitarian activities have become closely entwined with the military, strengthening its humanitarian capacity but also complicating its efforts. "If UN peacekeeping forces were to engage in offensive

action, it would no longer be possible to maintain the non-political and impartial base of the UNHCR's humanitarian activities, however serious the needs of the victims might be".³⁵ Ogata expresses concern over the effect that military operations have on the neutral and impartial image of relief efforts. For example, while UNPROFOR convoy escorts provided protection and deterred attack, their presence in some cases heightened local hostility.³⁶ Similarly, when I was in the Canadian Area of Responsibility in Bosnia, some NGOs in the town of Drvar refused to have any more contact with the military because they had been targeted during riots. They felt that they had been singled out for violence because of their association with the military. Therefore, tensions can arise between humanitarian and military actors because of their respective mandates and modes of operation. Humanitarian organizations are concerned with protecting people and ensuring basic human rights and the security of the victims on all sides of a conflict whereas the military use of force might be directed just against one party in a conflict.

Of course the military is also concerned with maintaining objectivity and this can lead to maintaining distance from the local population. Because of security issues, military personnel find themselves in armed camps, behind fortified walls and barbed wire. They remain separate from the local population with little opportunity for extended social contact. Keeping distance from the local population can be perceived as demonstrating a lack of trust in the host population. This is not to say that the military does not go into the community to help. In Bosnia, the Canadians rebuilt a hospital wing, set up a dental clinic, build a woodshed for a school, cut and delivered wood to the elderly, etc. However, the militaries like to do things for people rather than with them. In contrast, relief workers often place themselves in the midst of the local population with few boundaries (be they physical or social) between. Because of the closeness, relief organizations often incorporate local cultural modes in the way they accomplish their tasks. This is reflected in work habits:

[T]he military's standards and preferred way of completing its tasks (the most rapid, most effi-

Draft Report Ottawa: National Defence Headquarters (hereinafter called *Ethics Report*), 23. NDHQ, *Ethics Report*, p. 2-13.
24. NDHQ, *Ethics Report*, p.13
25. Miller, "From Adversaries to Allies" p. 194
26. Miller, "From Adversaries to Allies" p. 193
27. Anecdote cited in Moskos *The Media and the Military in Peace and Humanitarian Operations* p.33.
28. cited in Williams, Civil Military Relations and Peacekeeping, p. 36.
29. Williams, Civil Military Relations and Peacekeeping, p. 37.
30. In traditional peace-keeping operations from 1957 to 1989 only 25 of the more than 26,000 troops were female. From 1989 to 1992 the number of females rose to 255 but that was still approximately 1 percent of the total military members in peace operations (J.C Beilstein (1995) "The Role of Women in United States Peacekeeping" *Women 2000* Vol. 1 p.1)
31. Miller, "From Adversaries to Allies" p.193
32. Williams, Civil Military Relations and Peacekeeping p. 34.
33. L. Miller and C. Moskos (1995) "Humanitarians or Warriors?: Race, Gender and Combat Status in Operation Restore Hope". Armed Forces and Society, Vol. 21, No. 4, Summer 1995, pp 615-637.
34. S. Ogata(1995) "The Interface between Peacekeeping and Humanitarian Action". In D. Warner, ed. *New Dimensions of Peacekeeping*. Netherlands: Kluwer Academic Publishers, pp. 119-127
35. S. Ogata (1995) "The Interface between Peacekeeping and

client, highest quality way) do not mesh with the NGO approach, which employs, teaches, and gives control to members of the community, incorporates local cultural modes, and uses locally accessible resources where possible. In Bosnia the USAID director at that time observed, "[The US military] had a tendency to want to take over, so we had to stop that, I have to teach the military each time not to run things".³⁷

The NGOs themselves can have mandates which differ from each other and this can lead to tensions with the military. The inability of NGOs to collaborate with each other was often cited as a problem during my trip to Bosnia in 1998. I was told "NGOs are a business, each with their own agenda and sometimes their own agendas don't coincide with other NGO activities. Sometimes NGOs don't want to talk to each other." One problem the Canadians faced was that the UNHCR wanted to return refugees (Serbs) while the another organization wanted to get the (Croat) Council going. "So they have different mandates and get into conflict with each other. Sometimes the NGOs here seem to be working at cross-purposes to each other." Another interviewee commenting on the SFOR mission said NGOs were not well co-ordinated, which created "duplication of effort, missed information, poorly completed projects and villages with rebuilt homes but no electricity or water and a host of other problems."

Sometimes there is a gap between civil and military understandings of the strategic goals of a mission. For example, Garofano tells us that in Bosnia US military leaders did not believe that they had a mandate to do nation building (and may have wanted to avoid the burden of one).³⁸ On the other hand, humanitarian workers express frustration with the military's inability to act in certain situations:

Our director witnessed a guy firing randomly in the air after leaving the scene of a crime. A UN peacekeeping truck was looking, trying not to get shot, but otherwise doing nothing I'm sure they were careful because they didn't have a mandate to act. I imagine they were ordered not to do anything. That would be ok, but the military is here doing what?³⁹

Relief workers commonly call upon military forces to become more actively and deeply

involved. In Bosnia a relief worker complained:

You cannot leave demining up to the [warring] parties. You have to take responsibility. You say not, you're not the police, fine; not demining, fine; not capturing war criminals, fine. What are you doing? You have to take responsibility for something.⁴⁰

And in Haiti, relief workers pushed for more military commitment:

The UN [troops] should participate more in peacekeeping: patrols and police work. Foreign troops are not supposed to get involved in local actions, but people think they could have done more to disarm the local thugs.⁴¹

This is the same situation found during the Great Lake crisis. Many NGOs "seemed almost intentionally blind to the political and military implications of some of the suggestions and requests they made both privately and to the media"⁴² This was reflected in different opinions as to what was an appropriate role for the military, i.e. some NGOs wanted the military to go into the refugee camps in Eastern Zaire and separate and/or disarm belligerents.⁴³ However, fulfilling the tasks the humanitarian agencies wanted would have involved serious risks and it would also have required important political decisions that many participating nations did not want to take.

Definitions of success and time frames

According to Pope⁴⁴ the long-term commitments of NGO's in a region may lead to substantial differences in how a mission accomplishment is defined. NGOs may not declare a mission a success until all human suffering has been alleviated in the area.⁴⁵ Public opinion and the media, on the other hand, may simply want to put an end to fighting (send in troops in order to prevent the escalation of the conflict). The national politicians⁴⁶ may have another definition of success (no casualties is the field, good publicity for their government etc.).

The military's definition of success is determined by the mission that has to be accomplished. In addition, European military commanders have told me that a mission may be considered a success if their troops sustain no casualties and (s)he is able to bring them all home safely - even if

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Humanitarian Acción". In D. Warner ed. *New Dimensions of Peacekeeping*. Netherlands: Kluwer Academic Publishers, pp. 119-127.

36. Williams, *Civil Military Relations and Peacekeeping*, p.40.

37. Millet, "From Adversaries to Allies" p. 192.

38. John Garofano (1999) "The United States in Bosnia: Points of Tension and Learning for the U.S. Militar" U.S. Army War College, mimeo p.47.

39. Relief worker cited in Miller, "From Adversaries to Allies" p. 187.

40. Relief worker cited in Miller, "From Adversaries to Allies" p. 189.

41. Relief worker in Haiti cited in Miller, "From Adversaries to Allies" p. 189.

42. James Appathurai and Ralph Lysyshyn (1997) *Lessons Learned from the Zaire Mission*. Ottawa: Canadian Dept. of Foreign Affairs and International Trade p.9

43. James Appathurai and Ralph Lysyshyn (1997) *Lessons Learned from the Zaire Mission*. Ottawa: Canadian Dept. of Foreign Affairs and International Trade p.9

44. T. Pope (1994) *Beans, Bullets, and Band-Aids: Attaining Unity of Effort in Humanitarian Intervention Operations*. Monograph from the School of Advanced Military Studies USACGSC.

45. Sweatt describes how differences in conceptual end states negatively affects NGO and military relations. See S. Sweatt (1995) *The Challenges of Civil-Military Relations at the Trailing Edge of War*.

Monograph of the Naval War College, Newport, RI.

46. National governments may also be responding to political imperatives - e.g. to stop the flow of refugees

the actual mandate was not completely fulfilled. This can be interpreted by some as indifference to the local population or the humanitarian aspects of the mission. According to Miller the US military shares similar concerns about avoiding casualties among its own people and about "mission creep", i.e. prolonging a mission because new objectives are constantly being set. "Many aid workers have detected these concerns, and look down on the military leaders as wanting to perform only the minimum required and then withdrawing as quickly as possible".<sup>47</sup>

The brevity of military tours (usually six months) can also cause tension with NGOs who are often the first to enter and the last to leave a troubled area. "Once familiarized with local conditions, [military] officers have little time left to establish solid working relationships with their civilian counterparts, or acclimate themselves to local values, culture and politics... By contrast, it is unusual for civilians to serve for less than 12 months... It was not unusual for civilians with UNPROFOR to be in their post for three years."<sup>48</sup> In addition, different military units may have different forms of rotation with some militaries rotating individuals while other rotate whole or parts of units at a single time. In addition, humanitarian agencies sometimes demonstrate a misunderstanding of the speed with which the military can deploy. In the Great Lakes crisis, "there was a clear expectation that armies would be fully deployed in theatre almost instantly after a political decision was taken. It is not well understood that this operation involved the movement of tons of machinery and hundreds of people to Africa, and their establishment on the ground, all of which takes time".<sup>49</sup>

Last<sup>50</sup> discusses immediate (2-6 months), short term (1-2 years), medium term (5-10) years and long term (+ 10 years) intervention in the Former Yugoslavia. In each of these time frames the focus is different. So for example, in the immediate and short-term military and civil security are the primary focus, while in medium and long term the emphasis is on economic reconstruction, education and development. Each of these forms of intervention requires different resources (military and security forces vs. social and economic development projects) and

different social actors (military and police vs. relief and development agents). Thus tension can occur when different social actors are operating with different time frames in the same theatre of operations.

Tensions can also arise when no end state has been adequately defined. As C. Dandekar and J. Gow<sup>51</sup> have pointed out, one of the serious points of tension in a strategic peace operation is that the belligerents are in control of the end state and it is only when they decide that the conflict has been satisfactorily resolved will the peace operation end. Thus the Former Yugoslavia could end up as a long Cyprus — type of mission. In peace operations where the goal of the mission is defined as humanitarian, it becomes difficult to decide when the operation should come to an end. For example in the case of Zaire, when the refugees were freed from coercion and began to return to Rwanda, the international community then engaged in a debate over whether the military mission was still required. Those who defined the role of the military mission as humanitarian noted that there were still people in need and supported the extension of the mission, however, as a Appathurai and Lysyshyn point out "there will always be people in need in eastern Zaire...".<sup>52</sup>

#### Abilities to exert influence and control information

Different groups are able to exert influence at a number of levels. In fact the decision to undertake a peace operation may arise because of public pressure brought on by NGO and media reports. Public opinion can also play a critical role in the decision to send in troops.<sup>53</sup> On the other hand, the deployment of troops can attract media and political attention. This can assist NGOs in publicizing their efforts and in raising funds.

Organizations such as the NGOs and the media are able to exert influence not only at the national political level but also in the international arena. This can frustrate military commanders who are not able to influence political and public opinion in the same way. During the Great Lakes crisis, the NGOs had political interests not unlike governments. According to Appathurai and Lysyshyn "These agencies have

to national country. See M. V. Mettselaar, (1997) "Understanding Failures in Intelligence Estimates - UNPROFOR and the Bosnian-Serb Attack on Srebrenica", *Netherlands Annual Review of Military Studies. The Bosnian Experience*, p.27 47. Miller, "From Adversaries to Allies" p. 191.

48. Williams, *Civil Military Relations and Peacekeeping*, p. 36.

49. James Appathurai and Ralph Lysyshyn (1997)

*Lessons Learned from the Zaire Mission*. Ottawa:

Canadian Dept. of Foreign Affairs and International Trade p. 12

50. D. Last (1998)

"Defeating Fear and Hatred

through Peace-Building:

Multiplying the Impact of a

Military Contribution".

*Canadian Foreign Policy*,

Vol.5, No. 2 (Winter 1998)

pp166.

51. D. Dandekar and J. Gow (1997) "The Future of Peace Support Operations: Strategic

Peacekeeping and Success".

Armed Forces and Society,

Vol. 23, No 3 (Spring

1997), pp. 327-348

52. James Appathurai and

Ralph Lysyshyn (1997)

*Lessons Learned from the*

*Zaire Mission*. Ottawa:

Canadian Dept. of Foreign

Affairs and International

Trade p. 11

53. See J.S. van der Meulen

(1997) "Expectations of

Peacekeeping: Dutch Public

Opinion about Missions in

the Former Yugoslavia".

*Netherlands Annual Review*

*of Military Studies. The*

*Bosnian Experience*, pp 173-

185

54. James Appathurai and

Ralph Lysyshyn (1997)

*Lessons Learned from the*

*Zaire Mission*. Ottawa:

Canadian Dept. of Foreign

Affairs and International

Trade p. 6-7

55. L. Miller, (1997)

"Relief Workers' Attitudes

relationships with parties on the ground and with other national governments, and compete with each other for influence and financing. Some (not all) of these clearly tried to influence the Multinational Force during the crisis, providing suspiciously high numbers of refugees in need and using the media as a lever.<sup>54</sup> The commander then finds him or herself trying to explain the disconnect between the information (s)he has about the local situation (numbers of refugees etc.) and the portrait that is being painted back home.

Tied to the ability to exert influence is also the ability to control information. A military commander finds himself at the interface of many relationships where different organizations want access to the information (s)he possesses. According to Miller NGO's belief that the military can assist them in information gathering<sup>55</sup>. In Bosnia the Canadian military shares information with the NGOs through the population survey the CIMIC people carry out. Canadian military personnel also monitor returning refugees.

However, the intelligence community is a two way street and NGO's must be willing to share information as well. Because NGO's often have a longer experience with the local population, their insights might be of value to the military. The military however, has to be willing to accept information that is not packaged in the way they are used to seeing it. According to one relief worker in Bosnia:

There's no sense for the American military to reinvent the wheel: We had a lot of surveys and figures on refugees. The US military was starting to do it all over again. We saved them three to six months of work, and in return we have gotten a lot of support: They opened routes across the zone of separation, for example.

Both of us come from very strong cultures and both of us think we're right and know how to do things best. Who's going to take the first step? We've gone through a process. In the beginning we were very reluctant, but we made the first step to help them learn how we think, how we work, to try to get them to understand the value of what we're doing. They started to realize how much we knew; that we had a sensitivity to what's going on in the country and that we

could help them in situations in which they didn't know what to do.<sup>56</sup>

In addition, different organizations are often not aware of what others are doing so when NGO's criticize the military for "not doing enough", it could be that they simply are not aware of what the military is actually doing. The Canadian military tries to facilitate the sharing of information and promotes coordination between these NGOs in Bosnia. The CIMIC liaison sections role is to assist the international organizations in their Area of Responsibility, particularly the ICRC, the UNHCR, and their partners. CIMIC units also deal with the smaller NGOs in the Area of Responsibility. One of the problems these civilian organizations face is that they are small. They have to be small to keep their overhead down and be capable of direct action. However, because they are small they often lack access to current information and they cannot coordinate with other organizations. Another gap in the information-sharing relates to Islamic activities. The Canadians have little or no information of any development actions from Islamic groups which seem to be quite active in Bosnia. Not only the military is ignorant of Islamic group activities. Moskos reports that 7 of the 33 NGOs with official standing in the United Nations operation in Somalia were Islamic. Yet, Moskos' computer search of US press reports revealed that, "Not one story was ever written on any of the Muslim NGOs - not one".<sup>57</sup>

The Canadian military in Bosnia organizes regular meetings plus ad hoc information-sharing between NGOs. One of the mechanisms for this is the called the Principals Group. The Principals Group of NGOs meets in the Canadian camp in Coralići. The military facilitates the meeting and produces the agenda. "We decide the focus and explain why so we can have a common effort." The military tries to be sensitive to the NGOs. "We don't want to appear heavy-handed so we try to arrive at consensus. In this way, the military tries to develop and coordinate NGO strategy. As one officer said, 'It is important to show consistency of effort.'

Finally, one can not discuss control of information without discussing the media. Both the military and NGOs are concerned about their relations with the media. According to Moskos,

Toward the US Military in Peacekeeping Operations."

Armed Forces and Society, paper presented at the Biennial International Conference, Baltimore, MD, October 24-26, 1997

56. Relief worker quoted in Miller, "From Adversaries to Allies" p. 192.

57. Moskos, *The Media and the Military in Peace and Humanitarian Operations*, p. 46.

58. Moskos, *The Media and the Military in Peace and Humanitarian Operations*, p. 33.

59. Quoted in David Rieff (1999) "Lost Kosovo". *The New Republic*, May 31 p. 27.

60. Quoted in Moskos, *The Media and the Military in Peace and Humanitarian Operations*, p. 34.

61. Moskos, *The Media and the Military in Peace and Humanitarian Operations* p. 46.

62. Relief worker cited in Miller, "From Adversaries to Allies" p. 188.

63. Moskos, *The Media and the Military in Peace and Humanitarian Operations* p. 50.

64. L. Miller, (1997) "Relief Workers' Attitudes Toward the US Military in Peacekeeping Operations"

65. Relief worker cited in Miller, "From Adversaries to Allies" p. 188

"NGO funding often depends of favourable press coverage".<sup>58</sup> And as a leading figure in the International Rescue Committee remarked, "You go where governments or U.N. agencies want you to go to get your share of contracts that otherwise would go to other agencies. And one way to get such contracts is by getting the press to publicize your work".<sup>59</sup> In this sense, the military presence in theatre can be a valuable resource since it often draws political and media attention to an area. Moskos goes on to tell us that NGOs often have strained relations with the media, much the same way as the military does. As a senior officer in Sarajevo told him, "The media understand NGOs even less than we do".<sup>60</sup> The military are often apprehensive about the media and particularly about negative coverage. Then again, so are the NGOs. For the military a bad news story may spell the end of an individual's career; for an NGO it may mean the end of funding.<sup>61</sup>

### Control of resources

In peace operations the different organizations often find themselves in competition for resources. The NGOs may be competing among themselves in order to secure funding and equipment and they may be competing over access to certain areas or regions which the military must safeguard. The military deploys with valuable resources - food and medical supplies, money in the pockets of soldiers, communication equipment, construction equipment, transport and fuel, etc. Relief workers in Haiti described to Miller how early in the mission, in 1994, thousands of soldiers were deployed. At that time they shared their resources:

[A]fter Cyclone Gordon... They volunteered. And they had an outpost next to our office. We knew each other, were friends, and they asked what support we needed. Engineers came out and set the course of the river back, which had just spread out all over. They made walls as barriers to prevent land degradation and protect the banks of the rivers. They also did an aerial survey with their helicopters for us. They worked well with the communities then.<sup>62</sup>

The Canadians also collaborate with IOs and NGOs. Once a month the head of the Canadian Medical Unit in Bosnia has a meeting with the

World Health Organization in Bosnia, and (s)he also keeps in contact with other medical staff in the area (for example, Médecins Sans Frontières) about the main medical problems in the region. These are mainly TB, AIDS, communicable skin diseases, oral hygiene, and cancer. The Canadian military also co-operates with the UN Mine Action Centre. The UN requests someone to work in the mine action centre. While I was there the military had someone in BiHac working as the Centre coordinator. This major was seconded to the Centre. He checks safety, techniques used to actually clear mines, and that the right people for the job are hired. Canadians also work closely with the UNHCR to anticipate resource needs in Bosnia. However, I was told that the demands in 1998 were small compared to 1994-1995 when the UNHCR used Canadian military vehicles. And during the Kosovo crisis, the NGOs on the ground were overwhelmed by the numbers of refugees. The UNHCR asked NATO to coordinate all transportation of food, relief supplies, and medical care. NATO troops also helped set up the camps for the hundreds of thousands of refugees.<sup>63</sup>

As mentioned above, there are also misunderstandings as to the proper use of resources. Humanitarian agencies may want the military to disarm the local population or catch thieves and criminals.<sup>64</sup> At times, they also want the military to use its material resources more effectively. Different from the positive description above, of NGO-military cooperation in the beginning of the mission in Haiti, by 1997 only a minimal US military force was present and it seemed to be conserving its resources. A relief worker expressed the following frustrations:

They have all that equipment here, money, people. Why not build roads, improve streets, build infrastructure? A lot of this is very capital-intensive and they have it. As it is, they're spending all this money to be locked up behind walls, and we don't know what they're doing.<sup>65</sup>

Similarly when the group I observed first arrived in Bosnia, the NGOs wanted the military to deliver goods and cattle for them. The military said no. Thus there is also competition over soldiers as resources. That is, there are a large number of competing demands placed upon a soldier's time and upon military resources to accom-

plish both humanitarian and military aims. According to one Canadian officer in the former Yugoslavia, they didn't have the resources to meet the demands of the military and humanitarian tasks: "We are pushing the envelope and doing our damn best to keep all the balls in the air".

### **Conclusions**

NGO's and the military may be strange bed-fellows but they will have to stay in the sheets together because of overlapping tasks and scarce resources in mission areas. Just as in any couple relationship they have to continuously work at improving communication, building bridges and developing mutual respect if they are to coexist and cooperate. Otherwise they will find themselves working at counter purposes to each other.

Although this article has stressed differences, it is also important to remember that NGOs and the military also share many things: a commitment to peace and stability; a hard working attitude; international experience; life with hardship and danger; personal risk of injury, illness and/or death; decision making under pressure, a "can do" attitude or a "make do with what you've got" attitude; an appreciation of competence; a willingness to work among the suffering, the dying and/or the dead; a frustration with conditions on the ground; a frustration with decisions they believe are political and make their work less effective, etc. Moskos has advanced the hypothesis that in peace operations we can observe an embryonic convergence between the two institutions: "a 'softening' of the military, if you will, and a 'hardening' of the NGOs". Thus as the military and NGOs carry out overlapping missions in the same areas they develop common ground for improved relations.

There certainly appears to be a growing recognition by military forces of the value of working with NGOs. For example the US Joint Task Force Commander's Handbook has a whole chapter on civil military relations which includes a discussion of NGOs, UN agencies and other international relief agencies. And, the relief community is developing an appreciation of the military's assistance in realizing humanitarian objectives. Efforts are underway to work

more closely together. Flora MacDonald, Canadian Secretary of State for External Affairs, went with NGOs to both Somalia and Rwanda. She said there were about 200 NGOs operating and "the confusion was total." However, MacDonald said Kosovo was different in that there was tremendous integration in the work being done by the Canadian military and the NGOs there - integration she had not seen elsewhere.

Working together helps each community to view the other as equally professional and committed to common objectives. This is a very important point. In fact Millers central argument is that organizations can share common goal and that depend on each other to reach that goal can develop a cooperative relationship and yet retain distinct organizational memberships and cultures. In short you don't have to be best friends in order to be able to work well together. Good working relations can be developed and I believe that these relationships should be encouraged outside of peace operations. For example, Canadian Forces in 1996 began an exchange with the NGO CARE in which an officer is attached to the organization on a six-month basis. Some NGOs send personnel to the military for mine awareness training. These types of exchanges promote mutual understanding.

In theatre, the CIMIC coordination centers permit detailed cooperation between the many NGOs and local authorities. CIMIC operations need to be finely tuned and staffed with competent people. Of course for a military professional, a career in civil-military relations may not mean professional advancement the way being involved in the core business of combat does. There is a need for clear tracks of professional advancement possible in order to encourage participation in these functions. Another military option is to use reservists who have experience in dealing with civilians since they are civilians themselves.

Another aid would be to co-locate headquarters in the same area. Of course being close to each other is not a guarantee of effective communication, nevertheless it could facilitate it. Dialogue can also be improved through pre-mission meetings between the military and NGOs, early agreement on responsibilities and objectives, central co-ordination, shared communications equip-

ment, regular inter-agency meetings in-field, exchanged liaison officers, to name a few. It is also critical that relief agencies be included earlier in the strategic planning stages of an operation. A particular emphasis should be placed upon improving consultation at the policy level, infor-

mation sharing and analysis. For the foreseeable future, at least, NGOs and the military have no choice but to remain in bed together if they are to ensure the coordination of humanitarian relief, reconstruction, peace building, and the political and security aspects of a mission.

## Comment contrôler l'activité des grandes firmes

Par Michel Capron \*

L'actualité fournit quotidiennement des raisons de penser que les grandes activités économiques internationales (investissements, mouvements financiers, commerce, transports...) affectent directement ou indirectement la vie de chacun de nous. L'opinion publique y est de plus en plus sensible et la question de savoir comment ces activités peuvent être contrôlées ou régulées devient une préoccupation croissante. Les dirigeants des firmes sont, quant à eux, non seulement soumis à la pression de leurs actionnaires, notamment par une présence active des fonds de pension, et aux exigences de la gouvernance d'entreprise, mais ils sont aussi de plus en plus attentifs aux réactions de la société civile quant à l'image de marque de leur entreprise. Cette société civile se manifeste d'ailleurs de plus en plus à travers des groupes de citoyens, écologistes, consoméristes, syndicaux à l'occasion des grands rendez-vous des organismes internationaux (Seattle, Washington...) et d'une manière permanente par des échanges d'informations sur le web.

Les Etats se révèlent impuissants à exercer un véritable contrôle sur les activités économiques internationales, notamment à l'égard des firmes multinationales dont ils sont d'ailleurs souvent complices lorsque celles-ci ont la même origine nationale. Les règlementations internationales issues de discussions inter-étatiques, que beaucoup d'ONG appellent de leurs vœux apparaissent bien hypothétiques : c'est la raison pour laquelle la confrontation directe entre représentants de la société civile et firmes multinationales prend maintenant un caractère plus décisif. Examinons les formes que cette confrontation est en train de prendre, les espérances et les insuffisances qui apparaissent.

La première question qui surgit est celle de la légitimité de l'intervention de la société civile dans l'activité économique des firmes. Les relations entre les entreprises et la société ont toujours été complexes. Cette dernière admet que les entreprises exploitent les ressources qui constituent le bien commun de l'humanité car elle en attend en retour une production de richesses qui contribue au bien-être de ses membres. Mais l'activité des entreprises ne se fait pas sans nuisances, sans destructions, sans externalités négatives pour la société. Jusqu'où peuvent-elles donc aller

sans remettre en cause le fragile édifice social, en d'autres termes où commence et où s'arrête leur responsabilité sociale ? Depuis deux siècles et selon les systèmes économiques, les réponses ont été diverses : toute une gamme d'idées et de situations se sont présentés, allant des libéraux pour qui l'entreprise doit se préoccuper que du profit pour ses actionnaires aux entreprises paternalistes ou soviétiques prenant en charge l'essentiel des besoins de leurs salariés et de communautés qui leur sont liées. Le débat sur "l'entreprise citoyenne" n'est que le dernier avatar de cette quête d'un équilibre entre la vocation première de l'entreprise consistant à assumer un rôle d'activité économique et son engagement dans la société. Le contrat tacite entre l'entreprise et la société implique, pour le moins, une convergence entre les normes de comportement acceptables dans le système social et les valeurs sociales associées ou impliquées par les activités des firmes. Ceci légitime donc le fait que l'entreprise ait à "rendre des comptes" à ses "parties prenantes", en évaluant ses activités et en les informant de ses résultats.

Ce sont d'abord aux apporteurs de capitaux qu'a été reconnu au XIX<sup>e</sup> siècle un droit de regard sur la situation et les résultats des entreprises : les actionnaires des sociétés anonymes n'étaient plus de simples commanditaires n'ayant aucun droit d'immission dans la gestion ; mais il faut noter que la reddition ne porte alors que sur les activités économiques. Au XX<sup>e</sup> siècle, les salariés se sont vus reconnaître également un droit à l'information, voire à la consultation sur les grandes décisions : la reddition s'est étendue, aux questions sociales les concernant. A ces deux catégories, s'ajouteront certainement au XXI<sup>e</sup> siècle d'autres parties prenantes (sous-traitants, collectivités publiques, consommateurs, communautés de proximité...) et la reddition porrera sur l'ensemble des questions ayant trait à l'intégration de l'entreprise dans la société, comme on le constate déjà avec les rapports "environnement" que publient un nombre croissant de firmes.

La seconde grande question porte sur la façon d'apprécier le comportement des entreprises à l'égard de la société. A la suite de la mise en cause d'un certain nombre de grandes firmes notoirement communes, on a vu fleurir ces der-

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nières années une profusion de codes de bonne conduite et de chartes éthiques qui provenaient d'une démarche managériale volontaire visant à prendre des engagements devant l'opinion publique. Cette orientation n'avère pas une bonne solution, car l'entreprise qui fixe ses propres règles se trouve à la fois en position de joueur et d'arbitre, et la multiplication des codes aux critères variables d'une entreprise à l'autre n'a guère apporté la fiabilité à laquelle les diverses parties prenantes aspiraient. Des ONG et des professionnels de l'audit, s'inspirant de l'assurance qualité, ont alors pensé que pour rendre la démarche crédible, il fallait la faire certifier ou labelliser, en ayant recours à une procédure impartiale apportant des garanties aux tiers. C'est par exemple le cas de la norme SA 8000, limité aux aspects sociaux concernant les travailleurs, qui constitue peut-être une voie à suivre, mais qui est encore loin de susciter une reconnaissance universelle étant donné l'ampleur des difficultés techniques, politiques et culturelles.

La notation sociale, pratiquée par quelques agences travaillant essentiellement pour des investisseurs, aborde des domaines plus larges (en particulier l'attitude à l'égard de l'environnement) et souffre encore, malgré les précautions prises, d'une suspicion de subjectivité. Ces approches impliquent généralement un processus d'audit devant conduire à évaluer l'engagement de la firme, son respect des réglementations, des normes, des conventions, les effets de ses activités... ; les dirigeants des firmes ont tendance à vouloir maîtriser ce processus, déterminer les critères de référence, infléchir les obligations, choisir les parties prenantes appelées à entrer dans la procédure d'évaluation, bref l'audit devient alors, avec l'aide de spécialistes, une "capture managériale", selon l'expression d'universitaires britanniques<sup>1</sup> qui dénoncent ainsi la dérive par rapport aux idéaux d'origine de l'audit social. Il est clair que si on ne peut dénier à toute entreprise le droit de rechercher une bonne image de marque et de mettre en oeuvre une stratégie et un marketing adéquats pour y parvenir, il revient à la société civile de définir ses propres référents indépendamment de celles des milieux économiques et de s'assurer que les audits seront effectués par des organismes complètement indépendants.

La troisième question concerne les modalités de contrôle par les parties prenantes.

Actuellement, on peut en dénombrer trois grands types :

- le recours à la justice : il est exceptionnel et ne peut s'exercer qu'en cas de conflit ou de contestation ; cependant les actions ne sont pas toujours recevables, car il faut généralement pouvoir faire la démonstration d'avoir subi directement un préjudice ;
- l'activisme actionnarial : pratiqué aux Etats-Unis depuis plusieurs décennies, il est encore peu répandu en Europe ; cela consiste pour un groupe d'actionnaires à faire pression sur le management en soumettant des projets de résolution à l'assemblée générale des actionnaires ; ce mode d'intervention a été efficace aux Etats-Unis pour inciter les firmes américaines à quitter l'Afrique du Sud à l'époque de l'apartheid, mais on a dénombré en 1996 seulement quelques 300 résolutions présentées ;
- l'investissement socialement responsable qui consiste à sélectionner les placements financiers en fonction d'un certain nombre de critères sociaux et éthiques dans des domaines qui mettent en jeu la responsabilité de l'entreprise ; cela donne maintenant naissance à des fonds (dits "éthiques") qui se spécialisent dans ce type d'activité (à la bourse de New York, 10% des actifs relevant de fonds collectifs ont au moins un critère "éthique"). Sauf à conjuguer ce mode avec l'activisme actionnarial, la pression sur les firmes ne peut se faire que par menace de vente massive de titres ou appel au boycott financier.

Ces trois modes d'intervention apparaissent donc bien limités, même s'ils ne sont pas négligeables dans certains cas. Pour que la transparence et la responsabilisation des firmes ne reste pas un vain mot, il faut que l'activité de contrôle et de surveillance par les parties prenantes soit organisée, voire institutionnalisée, en toute indépendance à l'égard du management des firmes. On peut avancer l'idée que les projets de réforme de la gouvernance d'entreprise soient plus ambitieux, en allant dans le sens de ce que propose l'OCDE<sup>2</sup>, qui prône la prise en considération, au delà de l'intérêt des actionnaires, des intérêts des autres parties prenantes. On pourrait par exemple constituer dans chaque firme un comité permanent

1. David L. Owen et al., *The new social audits: accountability, managerial capture or the agenda of social champions?*, "The European Accounting Review", Vol. 9, number 1, 2000.

2. OCDE, *Principes de gouvernement d'entreprise de l'OCDE*, PARIS, 1999.

ment d'audit réunissant l'ensemble des acteurs concernés par ses activités. Les attributions de ces comités seraient de même nature que ceux d'un conseil d'entreprise, devant obligatoirement être informé et consulté sur toutes les grandes orientations et décisions. Ils pourraient disposer des moyens d'investigation des comités d'audit constitués pour les actionnaires minoritaires et seraient composés de personnalités élues ou désignées en fonction de leur représentativité eu égard aux domaines affectés par l'activité de l'entreprise. Le but de ces comités serait donc de faciliter un dialogue qui a du mal à s'instaurer parce qu'il s'agit de mondes qui n'ont généralement pas l'occasion de se rencontrer, qui se connaissent donc mal et qui ne se comprennent pas.

En conclusion, l'enjeu pour la société civile n'est pas seulement d'inciter le monde des entreprises à adopter un comportement socialement responsable, il s'agit d'organiser le dialogue avec les firmes et d'exercer un contrôle en toute indé-

pendance sur toutes les activités économiques ayant des effets directs ou indirects pour le présent et l'avenir des communautés humaines concernées. Un nombre de plus en plus important de firmes à dimension internationale manifestent une ouverture au dialogue en direction des parties prenantes extérieures et oeuvrent même à la définition et la mise en place de standards de certification sociale en dehors de toute négociation intergouvernementale. Cette opportunité doit être saisie par les organisations ayant vocation à représenter la société civile, d'une part parce qu'il s'agit d'une avancée par rapport aux conceptions traditionnelles de l'entreprise défendues au nom du droit de propriété, de la liberté du commerce et du secret des affaires et, d'autre part, parce qu'on ne peut pas laisser aux seules firmes le soin de définir des normes sociétales internationales et leur abandonner la maîtrise du processus d'évaluation et de concertation.

## Millennium Forum

*Statement by Cyril Ritchie\**

First WOCSOC in Montreal last December, now the Millennium Forum in May 2000: these are events through which Civil Society is pursuing its task of changing the world. WOCSOC was a focal point specifically for civil society networks, and one of its successes was in having a high percentage of women among the participants and an even more significant proportion of women among the speakers and panelists. WOCSOC demonstrated once again that when women exercise leadership, our conferences - and the world - will be better. WOCSOC also underscored two important truths of major relevance to the Millennium Forum. Firstly the essential role the United Nations plays - and must play - in our increasingly interdependent world. Secondly the increasing weight of relevant and competent civil society organizations as partners with the United Nations. These truths are simple in their essence but very complex in their ramifications. On the first point, the principles enunciated in the United Nations Charter have the support of every person of good will, as do the many Conventions adopted over the years under the aegis of the UN or its Specialized Agencies. But in practice the UN is too often ignored or sidelined by its member governments for short-term political reasons. The world needs a strong UN based on incontrovertible principles, managed rationally, financed at an adequate level that does not require it to perform contortions to carry out its mandates, and reflecting in all its actions the enlightened conscience of humanity. Governments and the media must cease to treat the UN as a scapegoat when the political decisions of those same governments prevent it from fulfilling its true role as the world's principal agent of peace, development, equity and justice.

On the second point, Civil Society is now more than ever indispensable to the search for rational and realistic solutions to the world's problems. Civil Society is not a new phenomenon. The use of the words civil society may relatively recently have entered the political lexicon, but the concept of public opinion organizing itself to change the world for the better is nothing new. Civil Society's recent collective and successful world campaigns against mines,

or for an International Criminal Court, find precedents in the Anti-Slavery Movement or the Anti-Apartheid Movement, in last century's societies or in the humanitarian groundswell started by the Red Cross. What is new is the extent to which governments must now open up to, and respond to, the input from competent and relevant civil society organizations. Governments need to draw on the professional, technical, scientific, and grass roots experience and capabilities of CSOs, and the world's remaining authoritarian governments need it more than any, for with the fall of colonialism, of apartheid South Africa and of the communist Soviet empire, we now know that in a world of increasingly limitless communication mechanisms, it is going to be impossible to govern without the genuine consent of the people.

These considerations underline once more why the United Nations and Civil Society share so many principles in common and why the WOCSOC Conference was focused on "Building Global Governance Partnerships". That concept of partnerships is vital. The problems confronting the world's governments and institutions are now so interlinked, so pervasive, so complex, that no isolated solutions will stick. We need partnership-based solutions if we are to achieve the eradication of social and economic injustice, if we are to attain a world community based on the rule of law and on principles of sustainable development, if we are to raise Human Security to the top of the political agenda. Partnerships must include governments, inter-governmental institutions - a strong UN above all, enlightened business leadership, and of course the responsible strata of civil society exemplified by the participants to this Millennium Forum.

In conclusion, and as a further contribution to the Millennium Forum's deliberations and follow up, here are a few of the Action Priorities elaborated at WOCSOC:

- The UN Security Council must be primarily a Peace Council, a Human Rights Council, a Human Development Council, in short a Human Security Council. This role will be furthered by consultative access to the Security Council for competent and relevant civil society organizations (CSOs).

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- The Security Council is invited to establish a Committee of independent experts to assess humanitarian situations endangering peace and to elaborate coherent early warning mechanisms.
- There is need for the International Financial Institutions (IFIs) and the World Trade Organization (WTO) to report to the UN Economic and Social Council (ECOSOC) on their activities - and the consequences thereof in the social, environmental and human rights areas. ECOSOC shall set guidelines to establish the primacy of human values over money values.
- The undermining of the effectiveness of the UN System through inadequate funding can be reversed both by governments fulfilling their legal and logical responsibilities and by the institution of a full or modified Tobin Tax designated for the UN's global work.
- Of top priority for the achievement of a just world is the enactment and implementation of national - and where appropriate local - legislation to ensure gender equality takes root in daily life. National and local legal and administrative measures must ensure that women exercise and enjoy human rights and fundamental freedoms equally with men. Such guarantees must fully extend to life within the family circle, and to girls' access to education and training.
- Governments have the responsibility to create an enabling environment for an active and dynamic Civil society, itself a prerequisite for the true existence of democracy. It is in a government's own interest to foster civil society institutions that work independently and that exercise checks on omissions or excesses committed by governments. Freedom of opinion, freedom of expression, and freedom of association are fundamental and inalienable rights.
- Responsible business creates responsible prosperity and enhances human living standards. Civil society seeks to work with responsible business leaders to bring about a shared understanding of the importance in business and in the community of implementing inter-

nationally-agreed labour, environmental and human rights standards. In conflict areas the business community needs to be aware of and comply with the precepts of international humanitarian law. In all cases, the implementation procedures and outcomes require independent and objective monitoring.

CSOs would welcome cooperation from academia to a) provide scholarships for peace research by CSOs, b) train journalists in CS practices, c) research and expand the comprehension of UN and CSO vocabulary, d) research and expand the mutual comprehension of academic, CS practitioner and popular vocabulary, e) provide services for pro bono translation of CS documents, f) provide scholarships for CS activists to spend periods of time in academia, g) offer objective assessment and evaluation of civil society programmes and practices.

- Democracy can only exist in the context of a dynamic civil society. Civil society action is rooted in the voluntary giving of resources, time and skills to benefit communities and individuals, near and far. Every occasion should be taken to foster and give incentive to the voluntary spirit. A particular opportunity to focus on the universal values of volunteerism is provided by the Year 2001, the International Year of Volunteers.

For our week's work together, and for the follow up after this Millennium Forum let us be inspired by the words of the UN Secretary General, Kofi Annan, spoken at the opening of WOCSC in Montreal:

"The UN is keenly aware that if the global agenda is to be properly addressed, a partnership with civil society is not an option, it is a necessity. Solutions can be found only if we address global issues together - through better cooperation, closer alliances, increased commitment, and a renewed sense of solidarity. By bringing your energy, creativity and practical idealism to the process you will give global civil society its rightful place as one of the pillars of the international community in the twenty-first century.

*New York, May 2000*

## *Document*

### **Solidarité mondiale**

#### **La voie de la paix et de la coopération internationale**

*par Abdelaziz Bouteflika*

*Nous publions ci-après, pour l'information de nos lecteurs, le discours prononcé par Abdelaziz Bouteflika, président de la République algérienne, en clôture de la 53ème conférence annuelle des ONG organisée par le Bureau d'information des Nations unies (DPI).*

*Ont participé à la réunion plus de 1.800 représentants d'ONG venus d'une soixantaine de pays, sur le thème Solidarité mondiale : la voie de la paix et de la coopération internationale".*

**D**ans cette enceinte, j'ai eu le privilège, 16 années durant, de faire entendre la voix de l'Algérie. Je m'adressais alors aux représentants des Etats formant la communauté internationale. Je me retrouve aujourd'hui dans la même salle, mais l'oréopage auquel je m'adresse est tout à fait différent puisqu'il représente ce que l'on appelle maintenant la société civile internationale.

Je ressens d'autant plus l'honneur que vous m'avez fait de m'associer à la clôture de votre conférence, que je devais me retrouver en prestigieuse compagnie, celle de Gabriel García Marquez dont l'absence, ici, aura été unanimement et affectueusement déplorée. Ce chantre inspiré de l'humain, avec beaucoup de profondeur et de talent, à travers les symboles et les mythes, a contribué grandement à faire prendre conscience de certains aspects tragiques de la vie des peuples en Amérique latine et dans le sud de notre planète. Le monde a beaucoup évolué durant ces trois dernières décennies. Mais Macondo, dans sa déchéance, et les innombrables Macondo dans tous les pays du Sud, sont toujours là, avec tous leurs déshérités, avec les mêmes souffrances quotidiennes, les mêmes espérances et la même solitude toujours recommandée. Des espérances devenues si modestes, à notre époque de progrès vertigineux et restées cependant si obstinément inaccessibles!

Et pourtant, quelque chose a changé. Cette solitude, la longue solitude, la cruelle solitude n'est plus si absolue. Grâce à tous ceux qui sont ici et à tous ceux qu'ils représentent : ces dizaines et ces dizaines de milliers d'hommes et de femmes qui, à travers le monde, s'évertuent à faire de tous les Macondo un reproche à l'indifférence et à l'egoïsme et à invoquer en leur faveur les exigences de justice, de dignité et de solidarité entre les hommes.

C'est un hommage à leur action, à votre action, que je voudrais d'abord rendre.

Non pas qu'il n'y ait eu, auparavant et partout, des hommes et des femmes profondément sen-

sibes à la déresse des "damnés de la terre" et viscéralement révoltés par les iniquités du monde. Mais il s'agissait alors de voix dispersées et quelque peu assourdis par le tumulte des rivalités étatiques, de bonnes volontés souvent démunies et parfois détournées de leurs finalités pat l'interférence des intérêts politiques.

L'essor du mouvement associatif ces dernières années a élargi et renforcé le cadre de rassemblement, de conjugaison des efforts et de mobilisation de ces bonnes volontés, conférant ainsi à l'action humanitaire, à l'expression concrète de la solidarité humaine et à la réflexion sur le développement commun de l'humanité une dimension et une portée nouvelles.

Le monde avait cruellement besoin de ce nouvel élan à notre époque où un matérialisme effréné et un progrès technologique fortement accéléré accroissent gravement les inégalités et multiplient les dangers collectifs.

Avocats des droits et de la dignité de la personne humaine, défenseurs d'une mondialisation orientée vers un développement mieux équilibré à finalité humaine et respectueux de l'environnement, les ONG incarnent aujourd'hui la dimension éthique et les valeurs de solidarité qui pourront infécher les tendances et corriger les effets dévastateurs de la volonté persistante de domination et du culte impitoyable du profit.

Car si le spectre d'un cataclysme nucléaire fatal pour l'humanité a semblé s'éloigner, l'ordre mondial actuel, où se multiplient les contradictions et où s'aggravent les inégalités, est générateur de nouveaux dangers non moins redoutables.

Alors que le progrès technique tend à abolir les distances, jamais n'a été aussi grand l'écart séparant des hommes et des autres hommes, les riches et les pauvres, le sud et le nord de la planète, et cet écart ne cesse de s'élargir.

Alors que la capacité de l'homme à produire les biens de toute nature a été prodigieusement accrue et s'accroît sans cesse, un nombre de plus

en plus élevé d'êtres humains souffre de la faim et de la malnutrition, un nombre de plus en plus élevé d'êtres humains souffre et meurt faute de médicaments. A l'heure de l'Internet, ce symbole caractéristique de la mondialisation, des centaines de millions d'hommes, de femmes et d'enfants ignorent l'usage et jusqu'à l'existence du téléphone.

Alors que la démocratie est très largement pro-née comme mode d'organisation interne, elle recule de plus en plus dans l'ordre international. Les pays représentant la majorité des habitants de la planète restent totalement exclus des mécanismes de décision dans le système financier international et sont de plus en plus marginalisés dans les processus de décision politique.

Cruel paradoxe encore qui voit, sous l'effet des mécanismes inéquitables et aliénants de la dette, les plus pauvres contraints de financer les plus riches.

Paradoxe qui voit la libération totale des échanges de biens et de services s'accompagner de restrictions de plus en plus drastiques et humiliantes quant à la circulation des personnes venant du Sud.

Et voilà que le monde est livré, sans régulation et sans mécanismes correcteurs, à la toute puissance des forces du marché, insensibles aux détresses humaines qu'elles agravent, indifférentes aux dommages irrémédiables qu'elles imposent aux générations futures dans la frénésie de leur course au profit.

Alors que sont partout proclamés le droit à l'instruction, les vertus du savoir et de la connaissance, voilà des pays contraints par les institutions financières internationales de réduire leurs dépenses d'éducation, déjà dérisoires par rapport aux besoins.

Voilà que, dans le besoin vital de se procurer des devises par l'exportation ou d'attirer quelques investissements étrangers de délocalisation, des pays sont acculés à réduire les droits sociaux, contraints de se livrer à une cruelle surenchère dans la régression et de laisser revivre dans le monde du travail les époques abjectes de Dickens et de Zola.

Et tout cela, alors même que dans ces régions du monde ravagées par la faim, la malnutrition et la maladie, se manifestent de nombreux foyers de tension, des désordres et des conflits qui

détournent des ressources, combien nécessaires par ailleurs, et provoquent des morts, des destructions, des souffrances.

Dans ce contexte général, la voix et l'action des ONG viennent témoigner que la solidarité humaine, la défense de la dignité de l'Homme, la promotion de ses droits fondamentaux, le devoir d'assistance, sont des causes qui n'ont pas abdiqué, et que pour des femmes et des hommes, de plus en plus nombreux, la résignation face aux iniquités et aux dérives du monde est inacceptable et le silence coupable.

Votre action a eu déjà des résultats importants. Vous avez grandement contribué à mettre un frein à la prolifération nucléaire. Votre campagne contre les mines antipersonnel a abouti spectaculairement au traité d'Ottawa. Vous avez œuvré à répandre la culture de la paix et celle des droits de l'Homme. Vous avez contribué à mettre fin à l'apartheid et à faire reculer la discrimination entre les races et entre les sexes.

Partout où se développaient des drames collectifs, vous avez, avec courage et abnégation, secouru et œuvré à atténuer les souffrances. Au Rwanda, au Kosovo et dans tant d'autres contrées frappées par un sort tragique, vous avez fait revivre l'espoir des populations et chassé leur cruel sentiment d'abandon.

Plus récemment, votre irruption dans les affaires mondiales a ébranlé la quiétude des organisations gouvernementales multilatérales dans le champ des finances et du commerce et alerté sur les dangers de politiques vouées à la seule défense des intérêts des plus puissants et des plus riches.

Vous avez plaidé pour un règlement du problème de la dette des pays du tiers-monde et votre action a été à l'origine des actions d'allégement engagées, encore bien tristeuses malheureusement, et dont le processus s'élire interminablement.

Vous êtes ainsi, vous les ONG, devenues, et à plus d'un titre, une réalité puissante de notre temps. En tant que facteur déterminant d'une conscience du monde qui tend à émerger, à travers égoïsmes nationaux et intérêts catégoriels, à travers préjugés et barrières culturelles. Vous êtes devenues une réalité, aussi, en tant qu'aiguillons pour l'action des Etats et en tant qu'acteur décisif de l'action humanitaire internationale.

Parce que votre poids spécifique s'est affirmé dans la force des aspirations du genre humain et parce que vous contribuez, essentiellement, à la formation d'une conscience universelle sauve de toute manipulation, la double question de votre statut et de votre rôle futurs entre l'Etat et les individus, d'une part, dans la concertation internationale, d'autre part, est dorénavant un problème qui se pose pour chaque pays et pour la communauté internationale, un problème qui nourrit, à juste titre, le débat majeur de l'approfondissement de la pratique démocratique à travers le monde.

Permettez-moi à ce sujet de vous faire part de certaines interrogations qui me viennent à l'esprit et de quelques inquiétudes inspirées par des développements possibles de votre action.

Je vous parlerai avec la franchise d'un militant de la cause du tiers-monde dans les années 60 et 70, qu'un long recul a convaincu de tirer lucide les leçons du passé et qui est pleinement conscient que le monde a changé d'ère et les problèmes de nature depuis ces années de combat.

Et tout d'abord, je voudrais parler de cette méfiance, cette hostilité même que, me semble-t-il, vous manifestez, à l'égard des Etats, et à la vision fortement négative et par conséquent réductrice de leur rôle, notamment lorsqu'il s'agit des pays du tiers-monde. Une telle vision comporte des dangers réels, car il faut convenir que ce qui fait problème dans nombre de pays du Sud, ce qui fait obstacle à leur bonne gouvernance, ce n'est pas un excès d'Etat, mais plutôt une défaillance de l'Etat, un Etat trop faible par manque d'organisation, de moyens ou de légitimité.

Dans des pays où la conscience nationale ou civique est imparfaitement formée, où prévalent des solidarités claniques, ou des rivalités anciennes risquent à tout moment d'être exacerbées et exploitées sous les effets de la misère, des frustrations et de l'ignorance, la tragédie peut résulter de l'effacement de l'Etat. L'exemple dramatique de la Somalie ou de la Sierra Leone montre suffisamment les conséquences de telles situations.

Il faut être conscient, par ailleurs, que seul un Etat national et souverain, un Etat fortement légitimé, un Etat de droit, peut incarner l'intérêt général face aux intérêts particuliers et catégoriels, et que, dans des pays où la grande majorité de la population est en proie à la précarité, à la dispersion, seul cet Etat peut corriger les

dérives élitistes, et les abus des catégories privilégiées, seules capables de s'organiser.

Dans le cas de mon pays, par exemple, certaines ONG sont allées jusqu'à contester le droit et le devoir de l'Etat de maintenir l'ordre public et de protéger les citoyens et leurs biens. Cependant que la responsabilité des actes odieux perpétrés par le déchaînement aveugle de la violence terroriste était passée sous silence ou alors entourée de doute. Un tel comportement a pu être interprété comme un encouragement au crime et à la destruction.

Je ne mets pas en cause la bonne foi de ces ONG, mais simplement ce qui me semble être le résultat de visions préconçues et systématiques. Je comprends que les particularités de la situation, l'impossibilité d'une présence sur place, ont conduit à dépendre de sources d'information douteuses. Je reconnais, par ailleurs, que les circonstances sociales et politiques à l'origine de la crise de mon pays, si elles ne pouvaient justifier les crimes atroces, pouvaient expliquer des égarements.

En considération de ces données, j'ai moi-même, et dès mon investiture, initié après une large approbation populaire, une politique de concorde civile fondée sur la compréhension et une large plateforme de réconciliation. J'ai tenu, il y a quelques mois, à inviter toutes les organisations de défense des droits de l'Homme qui le souhaitaient, à venir en Algérie, pour s'informer sans aucune restriction. Je l'ai fait tout en étant conscient des lacunes et des défaillances de l'Etat de droit en Algérie, mais confiant dans la ferme détermination de mon pays à corriger ces faiblesses.

Je suis en effet persuadé qu'un regard extérieur critique, lorsqu'il procède de la bonne foi et du souci de contribuer à l'amélioration des choses, constitue une protection salutaire contre les dérives possibles d'un pouvoir souverain dans un contexte où restent à parfaire et à roder les mécanismes de la pleine expression démocratique.

C'est pourquoi, je remercie toutes les organisations non gouvernementales qui ont répondu à mon invitation, quel qu'ait pu être le contenu de leur rapport à l'issue de leur visite, et je les assure de la volonté des autorités algériennes de poursuivre avec elles, dans la transparence, des relations d'ouverture, de collaboration et de dialogue loyal sans arrière-pensée sinon celle de construire une meilleure société.

Le deuxième point que je voudrais évoquer concerne les limites et les modalités de l'action humanitaire. Pour admirable qu'elle soit, cette action doit être accompagnée d'une forte mobilisation pour l'élimination des causes profondes des situations de détresse qu'elle se propose de soulager. Faute de quoi, vos dévouements risqueraient de devenir la bonne conscience des plus puissants et vous contribueriez à faire apparaître la misère et les inégalités iniques comme une fatalité inéfutable de l'ordre du monde.

Sans doute, votre action humanitaire s'accompagne-t-elle de la dénonciation vigoureuse, et avec un impact de plus en plus significatif, des atteintes à la liberté, des abus de pouvoir, des crimes et des atrocités organisées en système. Qu'il me soit permis d'associer à cette reconnaissance Madame Mary Robinson pour son action remarquable en tant que haut commissaire aux droits de l'homme, et davantage en tant que secrétaire générale de la Conférence mondiale qu'elle prépare en vue de mobiliser les bonnes volontés contre toutes les formes de discrimination. La vision qu'elle a proposé dans ce cadre procède d'une hauteur de vue remarquable, et j'y ai reconnu les valeurs pour lesquelles le peuple algérien a milité depuis sa guerre de libération nationale. Puisse Madame Robinson trouver ici l'expression de toute notre considération pour la démarche nouvelle qu'elle envisage d'initier et l'assurance de notre soutien résolu et sans réserve à sa mise en œuvre.

Mais comment ne pas voir que, du fait du système actuel des relations économiques internationales, les droits économiques et sociaux élémentaires, à la nourriture, à la santé, à l'éducation, au logement, au travail, sont ignorés et bafoués pour des centaines de millions d'êtres humains, et que ce déni est aggravé par le processus de mondialisation tel qu'il se déroule.

C'est pourquoi dans les pays du Sud, nous avons accueilli avec satisfaction les actions déployées récemment par certaines ONG à Seattle, notamment, et lors de la dernière réunion annuelle des institutions financières internationales, comme nous saluons les campagnes lancées par certaines de vos organisations en vue de l'annulation de la dette des pays en développement.

Nous souhaitons que ces actions s' amplifient pour atteindre en intensité celles que vous déve-

lopez dans la défense des droits de l'Homme. Car nous refusons la hiérarchie établie par certains entre droits économiques et sociaux, et droits civils et politiques, et qui font dépendre les premiers des seconds. Nous pensons qu'il faut en assurer globalement la promotion, sans méconnaître la complexité de cette problématique dans les pays du Sud, et notamment en Afrique. Nous voulons aussi de cette manière éviter toute instrumentalisation politique de la question des droits de l'Homme.

A cet égard, permettez-moi de vous faire part du trouble où me plongent certains développements comme ce droit d'ingérence que, dans le sillage de votre action, l'on prétend ici ou là s'arroger. Loin de moi l'idée de défendre, à travers la souveraineté des Etats, le droit d'opprimer, de massacrer et de se livrer à des génocides. Loin de moi l'idée de contester à la conscience humaine, où qu'elle se manifeste, le droit de s'émouvoir de tels dépassements et de se mobiliser avec force contre eux. Mais, tout au long de l'Histoire, combien de visions généreuses se sont révélées porteuses de perversions qui les ont détournées de leurs fins. Je pense ici, notamment, aux hommes qui, peut-être de bonne foi, voulaient apporter la civilisation aux "sauvages" et qui n'ont fait que frayer la voie à l'esclavagisme abject, au colonialisme et à la ségrégation sous toutes ses formes.

Comment dès lors ne pas s'inquiéter des déviations dangereuses auxquelles pourrait conduire le droit d'ingérence? Certes, la communauté internationale doit se donner les moyens d'intervenir lorsque des situations tragiques le commandent. Mais elle doit le faire dans le cadre de règles démocratiquement élaborées et selon des procédures largement concertées, et ne pas s'en remettre à l'appréciation et à la volonté unilatérales du plus fort, qui serait libre, ainsi, d'imposer au plus faible sa vérité, sa seule vérité. C'est pour cela que je considère que le combat humanitaire, sous cet aspect, est inséparable de la revendication d'une plus grande démocratie au sein des instances et dans les relations internationales, seul moyen d'éviter les abus et les dérives qui viendraient perpétuer et renforcer les rapports de domination dans le monde.

Je voudrais enfin dire que votre action humanitaire s'adresse principalement et par la force

des choses aux pays du tiers-monde qui constituent la partie déshéritée de l'humanité. Au regard de vos moyens, cette solidarité que vous témoignez reste insuffisante par rapport aux gigantesques besoins. Ne peut-on pas penser, dès lors, que votre action doit être relayée et pour cela trouver des justifications dans l'histoire et les vicissitudes auxquelles elle a condamné bon nombre des peuples du Sud.

S'agissant de misère et de détresse humaine, comment ne pas penser, d'abord, à l'Afrique ? Et pour parler de ce continent qui se meurt, ne faut-il pas se souvenir qu'il a souffert cruellement, odieusement et durant très longtemps d'amputations de sa substance vive par les pratiques les plus infamantes : les massacres collectifs, l'esclavage et la traite des noirs. Il a subi une domination et une exploitation coloniales impitoyables. Il a été l'objet des marchandages des plus cyniques et les plus honteux de l'Histoire des relations internationales, culminant au congrès de Berlin qui organisait son dépeçage et son abandon aux appétits les plus indignes et les plus féroces. Il a dû arracher souvent dans le sang l'indépendance de ses peuples et la reconnaissance du droit de ses habitants à la dignité humaine.

Voués à la misère, à l'ignorance et à l'arrière-ération par le colonisateur qui exacerbait parmi eux les germes de division, quand il ne les créait pas pour mieux assœur sa domination, en proie aux traumatismes profonds et douloureux d'un ordre inique et longuement prolongé, les pays d'Afrique, pour la plupart, totalement dépourvus de cadres et de tradition étatique, ne disposaient à l'indépendance que d'une marge d'action très faible. Cette marge allait être encore réduite par les pressions et les interventions résultant du jeu de la défense des intérêts particuliers et des rivalités géostratégiques ou commerciales à l'échelle planétaire.

Des haines fratricides ont été bien souvent stimulées et des divisions sanguines suscitées de l'extérieur du continent. Des régimes et des hommes étaient imposés et maintenus au pouvoir contre le vœu des populations. Des modes de gouvernement et des systèmes de gestion pervertis étaient mis en place avec des complicités externes qui facilitaient le pillage des ressources et celui de la matière grise, et contribuaient à l'extension de la corruption.

**Alors que des pays ont, à juste titre, reconnu leur responsabilité pour les atrocités infligées au peuple juif, alors que l'Eglise catholique — et c'est à son honneur — présente des excuses pour sa passivité face à cette tragédie, l'Afrique, mutilée, ravagée au long des siècles, ne bénéficie d'aucune sollicitude de cette nature. Dans des analyses trop fréquentes hélas en Occident, elle est citée au banc d'infamie du tribunal de la démocratie et des droits de l'Homme, et en fait de réparation, elle n'a eu droit qu'à des politiques d'ajustement structurel dévastatrices, qui ont exacerbé les facteurs de frustration, d'instabilité et de violence.**

Elle est sommée d'établir, immédiatement, un ordre d'organisation et un consensus social que les pays développés, au prix de longues luttes, d'efforts et de moyens sans cesse accrus, ont mis des siècles à réaliser.

Elle est contrainte de se soumettre totalement, pour soulager ses dépressions, à un système de relations économiques internationales impitoyable, modelé par et pour les plus forts et qui l'éloigne encore plus de son salut.

Sans doute la responsabilité des Africains est-elle pleinement engagée dans les drames et les déchaînements de violence qui affectent aujourd'hui certaines zones du continent. Mais l'histoire ne nous apprend-elle pas qu'au-delà de la folie de certains hommes, ces débordements ne se développent que dans un climat rendu propice par les humiliations, la misère et le désespoir ?

Les Africains ont bien pris conscience de cette responsabilité et de la part importante qu'ils doivent prendre dans la réhabilitation de leur continent. Des efforts louables dans ce sens sont engagés au niveau national, régional ou continental, notamment à travers l'OUA. Mais des initiatives personnelles sont aussi à encourager, telles celle de Myriam Makeba, sud-africaine, mais aussi de nationalité algérienne, qui compte organiser avec une ONG une série de concerts au bénéfice de la lutte contre le SIDA en Afrique. Il existe certainement d'autres bonnes volontés disponibles à travers le continent qui gagnent à se connaître et à être connues et encouragées.

Les appréciations développées à propos du continent africain par vos organisations négligent parfois l'arrière-plan historique. Ne peut-on penser que parfois, de ce fait, elles ont pu servir

d'alibi au refus d'assistance et de solidarité ? Ne peut-on estimer que les ONG, qui ont milité pour l'imprescriptibilité des crimes contre l'humanité, qui ont défendu le devoir de mémoire, devraient peser davantage, de toute leur influence sans cesse grandissante, de toute l'autorité morale qu'elles ont acquise pour une reconnaissance des torts causés à l'Afrique et plaider pour une obligation historique de réparation si l'on veut vraiment éviter de voir ce continent pratiquement rayé de la carte d'un monde redessiné par une globalisation inhumaine.

Si j'ai tant parlé de l'Afrique, c'est parce que c'est là que se concentre la plus grande misère du monde, avec sa cohorte hideuse de fléaux mortels, et que c'est là, essentiellement, que se jugera dans l'avenir votre capacité à infléchir la course folle du monde.

Votre conférence annuelle, en mesurant la chemin parcouru et tout ce qu'il reste encore à faire, renforce la mobilisation de la société civile dans cette entreprise chaque jour plus urgente et plus difficile d'humanisation de la société internationale. Votre conférence se tient chaque année à la veille de l'Assemblée générale de l'ONU et je comprends parfaitement les raisons pratiques pour lesquelles elle se tient à New York. Sachez cependant que, si vous le jugez possible, l'Algérie serait prête à vous accueillir pour l'une de vos prochaines conférences et vous assure déjà de sa disponibilité à vous fournir toutes les facilités pour garantir le succès de vos travaux. Le monde a plus que jamais besoin de votre action, comme il a besoin du rêve que vous portez d'une société à visage humain où régneront enfin la fraternité et la compréhension.

## *Document*

### The realization of economic, social and cultural rights: the question of transnational corporations

*The following document is the joint written statement submitted by Centre Europe- Tiers Monde, a non-governmental organization in general consultative status, the American Association of Jurists and Pax Romana, non-governmental organizations in special consultative status, to the UN Commission on Human Rights (Sub-Commission on the Promotion and Protection of Human Rights, Fifty-second session, item 4 (c) of the agenda). This written statement is issued, unedited, as sent to the UN Secretary General by the submitting non-governmental organizations and publicized by ECOSOC, 2 August 2000, in the English translation of the Spanish original (E/CN.4/Sub.2/2000/ NGO/17).*

#### Mandate of the working group.

The Working Group of the Human Rights Sub-Commission on the working methods and activities of transnational corporations (resolution 1998/8) was given a six-point mandate, set out in a logical sequence, to enable it to complete successfully the task entrusted to it.

It is stressed that the Working Group needs to receive the necessary assistance so that it can carry out its mandate in full, which should start with the identification of the subject of its study (the methods, the activities and the problems) and conclude with the making of proposals and recommendations.

In 1999 the provisional agenda was drafted in such a way as to truncate the mandate and anticipate the views of the Working Group (document Sub.2/1999/WG.2/1). In fact, two fundamental activities that the Sub-Commission had entrusted to the Working Group had disappeared from the provisional agenda: to identify and examine the subject of its study and to make recommendations and proposals, which correspond to paragraphs (a) and (d) of Sub-Commission resolution 1998/8. The Working Group itself put the missing topics back on the agenda. Moreover, this provisional agenda included under item (d) two sub-items ((i) and (ii)) which gave precedence, as a solution to the problems to be considered by the Working Group, to voluntary codes of conduct drawn up by the transnational corporations themselves and to pseudo-inspections carried out by some NGOs or so-called NGOs or consultant companies, also transnational, engaged by the very corporations that are submitting to these inspections.

The secretariat of the Working Group is therefore urged to draw up the agenda for the Working Group's sessions in the year 2000 in accordance with the mandate given by the Sub-Commission, without anticipating the decisions to be taken by the Working Group.

#### Need for the working group to identify the subject of its studies

The Working Group needs to identify the subject of its studies, which is on the one hand the transnational corporations as such and on the other hand the effects of their activities on human civil, political, economic, social and cultural rights and the right to development. This implies a large-scale study in view of the wide range of activities of the transnational corporations covering the most varied and essential aspects of human life: work, food, health, education, culture, information, environment, social, political and recreational activities, etc.

A non-exhaustive list of the topics to be studied could comprise the effect of the activities of transnational corporations on:

1. Labour law and the right to work;
2. The right to information (to information in general and to scientific and technical information);
3. The right to health (drugs, vaccines and the effects of the chemical and pharmaceutical industry in these areas);
4. The right to natural resources (water, petroleum, etc.);
5. The right to adequate and healthy food (e.g. genetically modified organisms);
6. Biogenetics: can the genetic heritage and the genetic code be privatized?
7. The right to national identity and culture;
8. Civil and political rights;
9. The influence of the transnational corporations on the United Nations system, the European Union and other intergovernmental organizations;
10. The environment (polluting industries, toxic wastes, etc.);
11. Women's rights;
12. The rights of the child;

1. See: Eva Joly, "Notre affaire à tous", Les Arènes, Paris, June 2000, especially pp. 161, 174, 182-183, 202-205, 208 and 209. See also, "Noir, gris, blanc", Les cahiers de la sécurité intérieure No. 36, Institut des Hautes Études de la Sécurité Intérieure, La Documentation Française, Paris, 1999.

2. Ibid.

3. See the articles on the subject by Peter Utting and Alejandro Terelbaum in "Sociétés transnationales et droit de l'homme", published by the American Association of Jurists, Centre Europe-Tiers Monde (CETIM) and Pax Romana, Geneva, July 2000, 150 pp. See also: Peter Utting, "Business responsibility for sustainable development", UNRISD Occasional Paper 10, January 2000; and J. Diller, "A social conscience in the global marketplace? Labour dimensions of codes of conduct, social labelling and investor initiatives", in International Labour Review, 1999, No. 2, International Labour Office, Geneva.

13. The right of peoples to self-determination;  
14. Transnational corporations and financial capital. At present, the large transnational corporations are involved both in production activities and in speculative financial activities.

This latter aspect basically takes two forms: one is the purchase of shares in such corporations by institutional investors, i.e. managers of pension funds, insurance company funds, etc., who then intervene in the decisions of the corporations in order to ensure that their investment produces the anticipated high income, even to the detriment of human rights. The close relationship can now be seen between the announcement of dismissals by a company and the immediate increase in the value of its shares based on the expectation of greater profitability. The other way in which the transnational corporations have entered the sphere of speculative financial capital is simply by investing part of their profits in speculation instead of in production.

15. Closely related to the previous point is the issue of the relationship of the transnational corporations - as such or through their senior management - with financial crime, through the laundering of money derived from criminal activities such as drug trafficking, exploitation of prostitution, illegal arms trafficking, corruption of public and private officials, etc. Some judges and prosecutors specializing in this subject believe that a high proportion of large corporations are involved in financial crime and that almost all the offences committed go unpunished.<sup>1</sup>

16. Finally, the role of the transnational corporations in political, economic and social corruption should be studied.<sup>2</sup>

#### Need to study the various legal aspects.

Analysis of the compatibility between the various international human rights instruments and the activities of the transnational corporations naturally raises the question of the legal framework in which the latter operate. For this purpose a number of basic premises need to be set out:

1. National communities and the international community are communities subject to the rule of law, that is, they are established on

legal foundations (national and international standards) that are binding on all persons, both natural and artificial, regardless of the extent to which these foundations are respected in practice.

2. The transnational corporations are artificial persons and as such they are the subject and object of law. Thus the legal standards are also binding on the transnational corporations.

The managers of the transnational corporations are natural persons, and obviously the legal standards in force are also binding on them. The question therefore is to establish in what way the legal supervision of the transnational corporations and their managers is applied in terms of legal personality, applicable jurisdiction, civil and criminal liability, etc., so that the Working Group can make well-considered and well-founded proposals to the Sub-Commission. This may require the extension and possibly the widening of the Working Group's mandate.

Need to recognize that the existing standards on Human Rights are binding on the transnational corporations and to study the possibility of drafting specific standards also of a binding nature.

There are many standards in force with peremptory force, either because they are binding (covenants, conventions, etc.) or because they form part of *the jus cogens*, which are universally applicable to human rights in general, to civil and political rights and to economic, social and cultural rights. These standards are certainly applicable without exception to the transnational corporations by virtue of the principle of equality before the law. The principal attempt to create a specific international legal framework that is binding on the transnational corporations (code of conduct and code on transfer of technology) have not been successful. There is only the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy of the International Labour Organization (the monitoring mechanisms of which need to be updated and strengthened) and a few other non-peremptory instruments.

4. For example, there is the well-known arbitral award in the "Trail Smelter" case: liability directly includes that of the State where the activities are carried out and that of the enterprise conducting the harmful activity.

5. See: "Prevenciere is the well-known arbitral award in the "Trail Smelter" case: liability directly includes that of the State where the activities are carried out and published by American Association of Jurists and Centre Europe-Tiers Monde, Geneva, August 1998.

6. Examples of such lawsuits are: in New York against Texaco (for environmental damage in Ecuador); before Distria 212 of the County Court of Galveston, Texas, against the manufacturers and users of a pesticide in the banana plantations of Costa Rica, Honduras and Nicaragua which caused the sterility of 1,500 workers; Shell Oil Company, Dow Chemical Company, Occidental Chemical Corporation, Standard Fruit Company, Standard Fruit and Steamship Co., Dole Food Company, Inc., Dole Fresh Fruit Company, Chiquita Brands Inc. and Chiquita Brands International; in Brazil against Monsanto for the use of genetically modified soya in violation of the principle of precautionary measures; in India and the United States of America against Union Carbide for the Bhopal disaster; and in courts in Paris against the management of Eurotunnel and Elf for financial offences.

An exception to this legal vacuum of binding standards, with specific reference to corporations, is the Convention on Discrimination against Women, article 2 (e) of which states: "... to take all appropriate measures to eliminate discrimination against women by any person, organization or ENTERPRISE" (emphasis supplied). And of course there is article 29 of the Universal Declaration of Human Rights which stipulates that "everyone" has duties to the community.

It is therefore appropriate to reconsider the possibility of introducing one or more compulsory codes of conduct for the transnational corporations, which could take the form of international conventions.

Experience has shown that the efficacy of voluntary codes of conduct is very limited and sometimes temporary and that in most cases the corporations adopt them basically for image reasons ("greenwash") , which may even help them to win new markets. In any case such codes cannot be a substitute for binding standards.<sup>3</sup>

It must be borne in mind, however, that there are other peremptory international instruments which, although they do not refer specifically to transnational corporations, deal with activities that are generally characteristic of such corporations. They are concerned mainly with the protection of the environment, and include the Rio Declaration of 1992, which has the force of *jus cogens*, the Basel Convention of 1989 and the Bamako Convention of 1991 on hazardous wastes and their transport and disposal, the 1992 Helsinki Convention on the Transboundary Effects of Industrial Accidents, the 1993 Lugano Convention on Civil Liability for Damage resulting from Activities Dangerous to the Environment (in which the civil liability of whoever carries out such activities is recognized), etc.

### Mechanisms for implementing the standards.

There are various mechanisms for monitoring and implementing the human rights standards, none of which is specifically designed for the transnational corporations, but which could play a role in that respect: the national courts, the committees of international covenants and

conventions, the Inter-American Court of Human Rights, the European Court of Human Rights, the Luxembourg Court, the international courts of arbitration,<sup>4</sup> and the International Court of Justice which in 1993 created a Chamber for Environmental Matters.<sup>5</sup>

It is true that only States can be parties to some of these mechanisms, but that does not prevent States from answering for the activities of private persons who act within their jurisdiction or have their headquarters within their territory.

Some lawsuits against large transnational corporations are currently in progress in various national courts, for damage to the environment resulting in serious consequences for the health of the population and/or the health of the workers, for infringement of the principle of preventive measures, for financial offences, etc.<sup>6</sup>

Unfortunately, the Statute of the International Criminal Court approved in Rome in 1998, which established an important precedent by creating an international court for natural persons accused of certain serious offences, did not include artificial persons or offences against economic, social and cultural rights.

### Monitoring mechanisms in the field of the commission on Human Rights.

Finally, the Working Group could propose monitoring mechanisms in the field of the Commission on Human Rights, which might consist in a working group of the Commission on transnational corporations, along the lines of the Working Groups on Enforced Disappearances and on Arbitrary Detention, or a special rapporteur.

### Contribution by the NGOs.

As a contribution to the fulfilment of the mandate of the Working Group, the American Association of Jurists, the Centre Europe-Tiers Monde and Pax Romana published a 150-page volume in July 2000 entitled "*Sociétés transnationales et droits de l'homme*" containing contributions on the subject by various authors.

**Liste des associations internationales auxquelles la personnalité civile a été accordée par application de la loi belge du 25 octobre 1919, modifiée par la loi du 6 décembre 1954.**

*(4 partie: 1990-1993)*

*Avec l'aimable autorisation du Ministère belge de la Justice, on trouvera ci-dessous, far ordre chronologique, la liste officielle des associations internationales auxquelles la loi belge a accordé la personnalité civile. Cette loi est U seule au monde qui octroie aux associations internationales un véritable statut juridique. La liste pour les années précédentes 1919-1976, 1977-1986 et 1985-1990 a paru respectivement dans les numéros 5/1985, 1/1986, et 1/1998 de Associations Transnationales.*

| Dénomination - siège                                                                                                                                                               | Arrête royal<br>Personnalité civile<br>Modification statuts | Date mention au Moniteur<br>belge | Annexes Moniteur<br>Publication statuts<br>Publication modification statuts |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------|
| IC-Europe<br>Clos des Acacias 6, bte 1<br>1150 Bruxelles                                                                                                                           | 14.11.90                                                    | 21.12.90                          |                                                                             |
| European Ossointegration training<br>Center El Brainermark Capucijnenvoer<br>3000 Leuven                                                                                           | 19.12.90                                                    | 19.01.91                          |                                                                             |
| Foundation Euroconcerto - Stichting<br>Euroconcerto E. Flagcylein 7<br>International Collaborative society for supportive Care in Oncology<br>Rue Héger Bordet 1<br>1000 Bruxelles | 19.12.90<br>12.12.90                                        | 28.12.90<br>15.01.91              | 11.07.9?                                                                    |
| Centre Européen du Civisme<br>Chaussée de Gand 1073<br>1080 Bruxelles                                                                                                              | 12.12.90                                                    | 15.01.91                          |                                                                             |
| European Recovery and Recycling Association<br>Avenue Mounier 83<br>1200 Brüssel                                                                                                   | 12.12.90                                                    | 15.01.91                          |                                                                             |
| Centrum voor de studie van de toepassing van het gemeenschapsrecht<br>in financiële en strafrechtelijke aangelegenheden Poelaertplein 1<br>1000 Brussel                            | 09.01.91                                                    | 18.01.91                          | 03.05.91                                                                    |
| Bureau Lingua<br>Av. de la Joyeuse Entrée 1/16<br>1040 Bruxelles                                                                                                                   | 09.01.91                                                    | 18.01.91                          |                                                                             |
| European Defence Industries Groups<br>Rue des Drapiers 21<br>1050 Bruxelles                                                                                                        | 12.12.90                                                    | 15.01.91                          |                                                                             |
| Réseau Européen d'Information et de Documentation sur l'Amérique Latine<br>Rue Washington 40<br>1050 Bruxelles                                                                     | 12.12.90                                                    | 15.01.91                          |                                                                             |
| Firilite<br>Rue de Bruxelles 61<br>5000 Namur                                                                                                                                      | 22.01.91                                                    | 12.01.91                          |                                                                             |
| Comité de la Communauté Economique Européenne des Industries<br>et du Commerce des Vins. Vins Aromatisés. Vins Mousseux. Vins de Rond point Schuman 9 bte 4<br>1040 Bruxelles      | 22.01.91                                                    | 12.01.91                          |                                                                             |

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| Association de l'Industrie Laitière des Communautés Européennes<br>Rue des Deux Eglises 7<br>1040 Bruxelles                                                | 07.01.91 | 31.01.91 |  |
| European Citizen Action Service<br>Rue du Trône 98<br>1050 Bruxelles                                                                                       | 02.01.91 | 31.01.91 |  |
| Association Européenne des Gaz Industriels Av. des Arts<br>1040 Bruxelles                                                                                  | 02.01.91 | 31.01.91 |  |
| European Powder Metallurgy Association Rue Ravenstein 3<br>1000 Bruxelles                                                                                  | 02.01.91 | 31.01.91 |  |
| Association Internationale pour la promotion de la chirurgie osseuse<br>et de l'orthopédie Fonds Moïse Blaimont<br>Rue Jean Paquot 61-63<br>1050 Bruxelles | 11.02.91 | 08.03.91 |  |
| European Federation of City Farms<br>Manerlaarlaan 23<br>1000 Bruxelles                                                                                    | 19.03.91 | 12.04.91 |  |
| Thouven Chedroux Ling Avenue Pirenné 23<br>1180 Bruxelles                                                                                                  | 19.03.91 | 12.04.91 |  |
| Fédération Internationale des clubs de Motorhomes<br>Rue Washington 40<br>1050 Bruxelles                                                                   | 09.03.91 | 12.04.91 |  |
| Université Francophone Internationale Avenue de l'Amée 40<br>1040 Bruxelles                                                                                | 19.03.91 | 12.04.91 |  |
| Fédération Européenne pour le Transport et l'Environnement<br>Courtsive Plein Ciel 32<br>1150 Bruxelles                                                    | 07.03.91 | 12.04.91 |  |
| Enfance-Adoption-Accueil Confédération Européenne Rue du Marteau 19<br>1040 Bruxelles                                                                      | 10.04.91 | 04.05.91 |  |
| International Association of Agricultural Students<br>Kardinaal Mercierlaan 92<br>3001 Leuven (Heverlee)                                                   | 04.04.91 | 04.05.91 |  |
| Association Européenne des Villes intéressées par l'utilisation de<br>Véhicules électriques<br>Pleinlaan 2<br>1050 Bruxelles                               | 10.04.91 | 04.05.91 |  |
| Rehabilitation International - European Communities Association<br>(RI-ECA)<br>Rue de l'Ancre 1A<br>6000 Charleroi                                         | 23.04.91 | 15.05.91 |  |
| Ordre des Chevaliers Hospitaliers de Saint Jean de Jérusalem (OSJ)<br>Mechelsestraat 202<br>3000 Leuven                                                    | 23.04.91 | 15.05.91 |  |
| Vademecum International Femmes Education Développement<br>(VIDES)<br>Chaussée de Wemmel 98B<br>1090 Bruxelles                                              | 23.04.91 | 15.05.91 |  |

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| Solidaridad Sin Fronteras- Section de Belgique<br>Rue Mercelis 33C<br>1050 Bruxelles                                                                                                                   | 21.03.91 | 04.05.91 |  |
| Centre Européen juif d'Information (CEJI)<br>Avenue Brugmann 319<br>1180 Bruxelles                                                                                                                     | 23.04.91 | 15.05.91 |  |
| Association Européenne pour le Droit Bancaire et Financier -<br>Belgium (REDBE-Belgium)<br>Europese Vereniging voor Bank en Financieel Recht - Belgium<br>Blaak en Reyers 103 bis 30<br>1040 Bruxelles | 02.05.91 | 08.06.91 |  |
| Prestige de l'Europe<br>Manoir de Chiray, Chinni Haut 14-15<br>4910 Polleur (Theux)                                                                                                                    | 12.06.91 | 25.07.91 |  |
| Top Manufacturers of Europe (TME)<br>Rue Breydel 10<br>1040 Bruxelles                                                                                                                                  | 12.06.91 | 13.07.91 |  |
| Business<br>Eendrachtsstraat 51<br>1050 Bruxelles                                                                                                                                                      | 12.06.91 | 25.07.91 |  |
| European Diagnostic Manufacturers Association Square Marie-Louise 49<br>1040 Bruxelles                                                                                                                 | 06.06.91 | 25.07.91 |  |
| (EHIBCC)<br>Rue Washington 40<br>1050 Bruxelles                                                                                                                                                        | 10.06.91 | 25.07.91 |  |
| Opleiding (European Association for Technology Transfer and<br>Training)<br>Eendrachtsstraat 51<br>1050 Bruxelles                                                                                      | 27.05.91 | 25.07.91 |  |
| Forum Européen pour un Contrat de génération Nord-Sud (Forum Européen)<br>Bruxelles                                                                                                                    | 01.07.91 | 25.07.91 |  |
| Académie Européenne du Cinéma et de la Télévision<br>Bruxelles                                                                                                                                         | 13.05.91 | 13.07.91 |  |
| Fondation Marc Hurard<br>Bruxelles                                                                                                                                                                     | 12.06.91 | 25.07.91 |  |
| Fédération Internationale des Déménageurs Internationaux (FIDT)<br>Bruxelles                                                                                                                           | 27.05.91 | 13.07.91 |  |
| Société Internationale de Chirurgie Orthopédique et de Traumatologie<br>Rue Washington 40<br>1050 Bruxelles                                                                                            | 13.05.91 | 25.07.91 |  |
| Europese Oudervereniging<br>Europese Parents Association<br>Association de Parents d'Elèves Européens                                                                                                  | 12.06.91 | 25.07.91 |  |
| Aiesec Alumni International<br>Bruxelles                                                                                                                                                               | 16.05.91 | 13.07.91 |  |
| Coseil Mundial des Agences d'Intervention pour le<br>Développement (CMAD)                                                                                                                              | 01.07.91 | 25.07.91 |  |
| Bruxelles                                                                                                                                                                                              |          |          |  |

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| European Textile Dental Association                                                                                | 01.07.91 | 25.07.91 |          |  |
| International Electronic Article Surveillance Manufacturers Association<br>Bld de la Regence 40<br>1000 Bruxelles  | 08.07.91 | 30.08.91 |          |  |
| European School of Oral Rehabilitation, Implantology and Biomaterial Rue Washington 40<br>1050 Bruxelles           | 08.07.91 | 30.08.91 |          |  |
| Europese Federatie voor Vorming en Informatie van Overheidspersoneel Trierstraat 33<br>1040 Bruxelles              | 12.07.91 | 30.08.91 |          |  |
| Congrès Panafricain de la Jeunesse<br>Chemin de la Procession 193<br>7000 Mons                                     | 08.07.91 | 30.08.91 |          |  |
| Société des Européanistes Université Libre de Bruxelles Avenue Jeanne 44<br>1050 Bruxelles                         | 08.07.91 | 30.08.91 |          |  |
| Association Francophone Européenne des Diagnostics Infirmiers Rue du Marais 100<br>1000 Bruxelles                  | 08.08.91 | 14.09.91 |          |  |
| Avenue Jeanne 29<br>1050 Bruxelles                                                                                 | 08.08.91 | 14.09.91 |          |  |
| Global Legislators Organisation for a Balanced Environment.<br>European Dep<br>Rue du Tacinum 50<br>1040 Bruxelles | 03.09.91 | 02.10.91 |          |  |
| Le Groupe de Sesimba Rue du Tacinum 50<br>1040 Bruxelles                                                           | 28.08.91 | 02.10.91 |          |  |
| Expoclima<br>Rue des Drapiers 21<br>1050 Bruxelles                                                                 | 28.09.91 | 09.10.91 |          |  |
| Missing Children International Network<br>Rue Verte 9<br>1950 Kraainem                                             | 24.09.91 | 09.10.91 |          |  |
| Francarli<br>Boulevard du Rectorat 7<br>4000 Liège                                                                 | 24.09.91 | 09.10.91 |          |  |
| Comité Européen des associations d'intérêt général<br>Rue Washington 40<br>1050 Bruxelles                          | 26.09.91 | 25.10.91 | 09.01.92 |  |
| Institut Mondial des Sciences<br>Rue Washington 40<br>1050 Bruxelles                                               | 01.10.91 | 25.10.91 |          |  |
| International Osteoporosis Information Council<br>Avenue Louise 430<br>1050 Bruxelles                              | 12.09.91 | 21.11.91 |          |  |
| Académie Syndicale Européenne<br>Bvd de l'Impratrice 66 bte 17<br>1000 Bruxelles                                   | 14.10.91 | 21.11.91 |          |  |

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| Fédération Européenne des Discothèques et Dancing<br>Av de l'Armée 82A<br>1040 Bruxelles                                 | 14.10.91 | 21.11.91 |          |
| Association pour la Récupération et le Compostage des Matériaux Organiques<br>Tenseelaan 100<br>1853 Strombeek-Bever     | 17.10.91 | 21.11.91 |          |
| Centre International de Formation Rue Eugène Cattoir 18<br>1050 Bruxelles                                                | 17.10.91 | 21.11.91 |          |
| Aide Informatique à l'Information<br>Rue de Washington 40<br>1050 Bruxelles                                              | 22.10.91 | 21.11.91 |          |
| Global Legislators Organisation for a Balanced Environment International<br>Rue du Tacturne 50<br>1050 Bruxelles         | 22.08.91 | 26.11.91 |          |
| European Family Therapy Association Rue Defacqz 1<br>1050 Bruxelles                                                      | 12.11.91 | 14.12.91 |          |
| Groupe Européen de recherche sur la Douleur<br>Rue Héger - Border 1<br>1000 Bruxelles                                    | 12.11.91 | 14.12.91 |          |
| Académie Europe Centre de Recherche et de Formation auprès de la CESI<br>Rue des Adalbertes 50<br>1040 Bruxelles         | 12.11.91 | 14.12.91 |          |
| Association Interuniversitaire Européenne Société, Science et Technologie<br>Place des Doyens 1<br>1348 Louvain-la-Neuve | 25.11.91 | 14.12.91 |          |
| Europe en Progrès<br>Rue Mercelis 33C bte 12<br>1050 Bruxelles                                                           | 13.11.91 | 17.12.91 |          |
| Communauté des Associations d'Editeurs de Journaux de la C.E.E.<br>Rue Belliard 20<br>1040 Bruxelles                     | 17.12.91 | 11.01.92 |          |
| Groupe de Recherche et de Développement de la Relation Interpersonnelle<br>Rue Fossé-aux-Loups 28A<br>1000 Bruxelles     | 03.12.91 | 17.01.92 |          |
| Charis<br>Rue de Bertaimont 24<br>7000 Mons                                                                              | 29.10.91 | 28.11.91 | 23.01.92 |
| Association Européenne d'Organisation d'Aides et de Soins à Domicile<br>Av Adolphe Lacombé 69-71<br>1040 Bruxelles       | 29.10.91 | 28.11.91 |          |
| The European Society for Micrographic Surgery Av de Laerbeek 101<br>1090 Bruxelles                                       | 29.10.91 | 28.11.91 |          |
| APEBS Association des Parents d'Elèves de l'European Business School Benelux                                             | 30.10.91 | 28.11.91 |          |

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| Av Moliere 462<br>1060 Bruxelles                                                                             |          |          |  |
| Centre de Communication non Commercial<br>Rue Basa 157A<br>1070 Bruxelles                                    | 30.10.91 | 28.11.91 |  |
| Association pour l'Education Publique Européenne par Télévision<br>Square Ambiorix 50<br>1040 Bruxelles      | 30.10.91 | 28.11.91 |  |
| Polygon<br>Albert Grisaarstraat 36<br>2018 Antwerpen                                                         | 12.12.91 | 17.01.92 |  |
| The International Washer Research Institute<br>Goudbloemstraat 8<br>2060 Antwerpen                           | 30.12.91 | 24.01.92 |  |
| Comité Européen de Coopération des Industries de la Machine-Outil<br>Rue Captain Crespel 9<br>1050 Bruxelles | 06.01.92 | 24.01.92 |  |
| UNISTOCK<br>Rue Belliard 197 bte 6<br>1040 Bruxelles                                                         | 06.01.92 | 24.01.92 |  |
| Union Interrégionale de Coopération<br>Rue Froissart 123<br>1040 Bruxelles                                   | 06.01.92 | 24.01.92 |  |
| Euro-Orientation<br>Rue de l'Industrie 10<br>7100 La Louvière                                                | 07.01.92 | 24.01.92 |  |
| Association Européenne des Sociétés de Télédétection<br>Rue Van Campenhout 28<br>1040 Bruxelles              | 30.12.91 | 24.01.92 |  |
| Fondation Pégease Association Européenne pour la Culture<br>Rue Belliard 97-113<br>1040 Bruxelles            | 06.01.92 | 24.01.92 |  |
| Euroforum Rail<br>Rue de la Loi 99<br>1040 Bruxelles                                                         | 17.12.91 | 12.02.92 |  |
| Europe-Afrique-Echanges Économiques<br>Bv Auguste Reyers 103<br>1040 Bruxelles                               | 22.01.92 | 12.02.92 |  |
| Extrême<br>Av Piétonne 23<br>1180 Bruxelles                                                                  | 04.02.92 | 28.02.92 |  |
| European Tissue Repair Society<br>Av de l'Hôpital 13<br>4000 Liège-Saint-Tilman                              | 04.02.92 | 28.02.92 |  |
| European Group of Television Advertising<br>Av Louise d'Or 79<br>1050 Bruxelles                              | 04.02.92 | 28.02.92 |  |
| La Psychoanalyse Unitaire<br>Rue Sans Souci 71<br>1050 Bruxelles                                             | 28.01.92 | 28.02.92 |  |
| Lobby Européen des Femmes                                                                                    | 28.01.92 | 28.02.92 |  |

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| Rue du Méridien 22<br>1050 Bruxelles                                                                                                                                                                     |          |          |  |
| Club Européen de l'Economie Sociale<br>Rue Haute 28<br>1000 Bruxelles                                                                                                                                    | 13.01.92 | 28.02.92 |  |
| European Lawyer's Association Dageraadstraat 2 bus 2<br>1050 Bruxelles                                                                                                                                   | 20.02.92 | 14.03.92 |  |
| Fondation des Régions Européennes pour la Recherche en Education et en Formation<br>Liaison des Groupes Volontaires de Lutte contre la Pauvreté en Europe<br>Rue Rempart des Moines 78<br>1000 Bruxelles | 20.02.92 | 14.03.92 |  |
| Union Européenne des Experts comptables Stagiaires<br>Av Marinis 22<br>1050 Bruxelles                                                                                                                    | 03.03.92 | 26.03.92 |  |
| Centre Européen du Volontaire<br>Rue de la Concorde 51<br>1050 Bruxelles                                                                                                                                 | 03.03.92 | 26.03.92 |  |
| Association Européenne Inédits Passage de la Bourse<br>6000 Charleroi                                                                                                                                    |          |          |  |
| Comité Européen des Ligues d'Improvisation<br>Rue J. B. Colyns 57<br>1060 Bruxelles                                                                                                                      | 25.02.92 | 28.03.92 |  |
| Conseil Fiapei Communauté Européenne<br>Chausse de Waterloo 715<br>1180 Bruxelles                                                                                                                        | 25.02.92 | 28.03.92 |  |
| The Committee of European Environmental Engineering Societies Av de la Renaissance 1<br>1040 Bruxelles                                                                                                   | 26.02.92 | 28.03.92 |  |
| Association Européenne des institutions d'Enseignement supérieur<br>Rue de la Concorde 60<br>1050 Bruxelles                                                                                              | 28.02.92 | 28.03.92 |  |
| Fédération Européenne des Communautés de Sant Egido<br>Rue Marché aux Herbes 105<br>1000 Bruxelles                                                                                                       | 03.03.92 | 28.03.92 |  |
| International Confederation of Music Publisher<br>Av Louise 65<br>1050 Bruxelles                                                                                                                         | 06.03.92 | 28.03.92 |  |
| Torre des Femmes Rue de la Regence 61<br>1000 Bruxelles                                                                                                                                                  | 28.02.92 | 28.03.92 |  |
| Europese Federatie van Erfelijke Araxieen Haagvindelaan 19<br>3090 Overijse<br>Association d'Etude des Relations Industrielles en Europe<br>Av Rouier 323<br>1030 Bruxelles                              | 25.02.92 | 26.03.92 |  |
| HOOD Users Groups                                                                                                                                                                                        | 31.03.92 | 25.04.92 |  |

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| Chaussee de la Hulpe 117 bte 14<br>1170 Bruxelles                                                                                                                            |          |          |          |
| Association de solidarité Femmes du Maghreb et de la communauté<br>Rue Saint-Jean 32<br>1000 Bruxelles                                                                       | 31.03.92 | 30.04.92 |          |
| Association de l'Industrie Pétrolière Européenne<br>Soc de l'Industrie 52<br>1040 Bruxelles                                                                                  | 31.03.92 | 30.04.92 |          |
| Union des Associations Techniques Internationales<br>Rue Washington 40<br>1050 Bruxelles                                                                                     | 31.03.92 | 30.04.92 |          |
| Confédération Européenne des Organisations de Conservateur<br>Coudenberg 70<br>1000 Bruxelles                                                                                | 31.03.92 | 30.04.92 |          |
| Solidaridad Sin Fronteras - Fédération Internationale<br>Rue Mencelis 33C bte 12<br>1050 Bruxelles                                                                           | 31.03.92 | 30.04.92 |          |
| Fédération Européenne pour la Planification Stratégique<br>Rue Ravenstein 3<br>1000 Bruxelles                                                                                | 31.03.92 | 30.04.92 |          |
| Confédération des organisations nationales de la Boulangerie,<br>Patisserie, Glacerie, Chocolaterie, Confiserie artisanales de la CEE<br>Rue le Corrège 37<br>1040 Bruxelles | 31.03.92 | 30.04.92 |          |
| Amnesty International - European Community Project Rue Berckmans<br>9<br>1060 Bruxelles                                                                                      | 31.03.92 | 30.04.92 |          |
| European Scientific Association for Residential and Foster Care for<br>Children and Adolescents Vesaliusstraat 2<br>3000 Leuven                                              | 31.03.92 | 30.04.92 |          |
| Association Européenne pour la Vente à Distance<br>Rue Fernand Neuray 8<br>1060 Bruxelles                                                                                    | 31.03.92 | 30.04.92 |          |
| The European Marketing Research Center<br>Av Louise 283 bte 12<br>1050 Bruxelles                                                                                             | 08.04.92 | 09.05.92 |          |
| Défense des droits des Investisseurs<br>Rue Vise 93<br>1170 Bruxelles                                                                                                        | 08.04.92 | 09.05.92 |          |
| International Menalus Association<br>Av Guillaume Poels 15<br>1160 Bruxelles                                                                                                 | 08.04.92 | 09.05.92 |          |
| Association communautaire Autisme - Europe<br>Rue Emile Léger 4<br>1495 Villers-la-Ville                                                                                     | 08.04.92 | 09.05.92 |          |
| Confédération des Industries papetières Européennes<br>Rue Defrroy 1<br>1050 Bruxelles                                                                                       | 08.04.92 | 09.05.92 |          |
| Packaging & Design Association of Europe<br>Av George Lecoqntre 50                                                                                                           | 08.04.92 | 09.05.92 | 19.11.92 |

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| 1180 Bruxelles<br>Sihai<br>Naamsestraat 63/4<br>5000 Leuven                                         | 08.04.92 | 09.05.92 |          |
| International Rana Foundation<br>Populierenlaan 17<br>3080 Tervuren                                 | 08.04.92 | 09.05.92 |          |
| European Confederation of Care Home Owners<br>Av de la Couronne 213<br>1050 Bruxelles               | 08.04.92 | 09.05.92 |          |
| United Nations of Ju Jitsu<br>Rue Eglise St. Martin 87<br>1080 Bruxelles                            | 08.04.92 | 09.05.92 |          |
| European Society of Anaesthesiologists<br>Route de Lemnik<br>1070 Bruxelles                         | 10.04.92 | 21.05.92 | 09.10.92 |
| Fédération des Associations Européennes de Matériaux<br>Rue de Washington 42<br>1050 Bruxelles      | 07.05.92 | 13.06.92 |          |
| Rue de la Loi 200<br>1049 Bruxelles                                                                 | 07.05.92 | 13.06.92 |          |
| Association des Ecoles (Supérieures) d'Aménagement Celestijnenlaan 131 3001 Heverlee - Leuven       | 07.05.92 | 13.06.92 |          |
| Fédération Internationale de Scrabble Francophone<br>Bld Saint Lazare 4 bte 16<br>1030 Bruxelles    | 07.05.92 | 13.06.92 |          |
| European Safety Federation<br>Rue Gaschard 88 bte 4<br>1050 Bruxelles                               | 06.06.92 | 07.07.92 |          |
| Centre International Africain<br>Av Fr. Roosevelt 266 bte 9<br>1050 Bruxelles                       | 09.06.92 | 07.07.92 |          |
| Confédération Européenne des Administrateurs de Biens<br>Chaussée de Waterloo 715<br>1180 Bruxelles | 18.06.92 | 07.07.92 |          |
| EURESCO (Alumni Schola Europea)<br>Av du Vert Chasseur 46<br>1180 Bruxelles                         | 18.06.92 | 07.07.92 |          |
| Réseau Européen de l'Economie Alternative et Solidaire<br>Rue Royale 171<br>1210 Bruxelles          | 23.06.92 | 07.07.92 | 17.11.92 |
| Fédération des Éditeurs Européens<br>Av de Tervueren 92<br>1040 Bruxelles                           | 09.06.92 | 07.07.92 |          |
| Jeunesse et Coopération<br>Bld Général Jacques 50<br>1050 Bruxelles                                 | 09.06.92 | 07.07.92 |          |
| European Association for Textile Polyolefins<br>Av E. van Nieuwenhuysse 4<br>1160 Brussels          | 09.06.92 | 07.07.92 |          |

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| Fédération Humaniste Européenne Blv du Triomphe, C.P. 236<br>1050 Bruxelles                                                | 18.06.92 | 07.07.92 |          |
| CEPI - Carton<br>Av Louise 306<br>1050 Bruxelles                                                                           | 18.06.92 | 07.07.92 |          |
| European Plastics Pipe and Fitting Association<br>Av de Cortenbergh 66<br>1040 Bruxelles                                   | 18.06.92 | 07.07.92 | 19.11.92 |
| European Public Telecommunications Network Operators<br>Asociación<br>Blv Bischofsheim 29<br>1000 Bruxelles                | 25.06.92 | 28.07.92 |          |
| Fédération Internationale d'Equitation Thérapeutique<br>H. Frère Orbanlaan 41<br>9000 Gent                                 | 25.06.92 | 28.07.92 |          |
| Eurometrika -Euroskopia<br>Rue Washington 40<br>1050 Bruxelles                                                             | 10.04.92 | 23.06.92 |          |
| Fédération Européenne des Etudiants Ages aux Universités<br>Av Ad. Lacomblé 69<br>1040 Bruxelles                           | 10.04.92 | 23.06.92 |          |
| Fédération Européenne des Syndicats de Fabricants de Panneaux de<br>Parcloses<br>Rue de l'Association 15<br>1000 Bruxelles | 07.05.92 | 23.06.92 |          |
| Euro-Prei - Rehabilitation<br>Rue Fonsdrière 12<br>1050 Bruxelles                                                          | 07.05.92 | 23.06.92 |          |
| Association Européenne pour les Sciences cognitives de la Musique<br>Place du Vingt-Août 16<br>4000 Liège                  | 15.05.92 | 23.06.92 |          |
| Association Européenne des formateurs du Transport<br>Rue Archimède 5<br>1040 Bruxelles                                    | 13.05.92 | 23.06.92 |          |
| Conseil Européen de l'Industrie de la Bande Magnétique<br>Rue Montoyer 31 bte 2<br>1040 Bruxelles                          | 09.06.92 | 07.07.92 | 08.10.92 |
| Bureau International de Médecins sans Frontières<br>Blv Léopold II 209<br>1080 Bruxelles                                   | 02.06.92 | 07.07.92 |          |
| Société Internationale des Facteurs d'Orgues<br>Marcelarepelin 6<br>1050 Bruxelles                                         | 23.06.92 | 07.07.92 |          |
| La Maison de l'Afrique<br>Av F. Roosevelt 266 bte 9<br>1050 Bruxelles                                                      | 09.06.92 | 07.07.92 |          |
| International Zinc Association<br>Blv Paepoen 22<br>1070 Bruxelles                                                         | 09.06.92 | 07.07.92 |          |
| Fédération Européenne des commerçants en électronique domes-<br>tique et électroménager                                    | 09.06.92 | 07.07.92 |          |

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| Rue des Drapiers 21<br>1050 Bruxelles                                                                                     |          |          |           |
| Club Européen Moncc<br>Rue Chapelle Lessire 12<br>5020 Malonne                                                            | 25.06.92 | 28.07.92 |           |
| Fédération Internationale du Sport Universitaire Rue Général Thys 12<br>1050 Bruxelles                                    | 03.07.92 | 20.08.92 |           |
| Association Européenne pour la Compétitivité par les Ressources<br>Humaines<br>Chaussée de la Hulpe 185<br>1170 Bruxelles | 16.07.92 | 20.08.92 |           |
| European Association of Refrigeration Compressor Manufacturers Blvd du Régent<br>40<br>1000 Bruxelles                     | 25.06.92 | 20.08.92 |           |
| Fédération Européenne des Instituts de Dirigeants Financiers<br>Av de Tervueren 12/10<br>1040 Bruxelles                   | 13.07.92 | 20.08.92 |           |
| Association Européenne de Producteurs et Distributeurs de Médicaments<br>naturels<br>Av Jean Jaurès 46<br>1030 Bruxelles  | 03.07.92 | 20.08.92 |           |
| Forum des Migrant(e)s des Communautés Européennes Rue de Trèves 33<br>1040 Bruxelles                                      | 16.07.92 | 20.08.92 |           |
| Theaterschrift Ninfaufplein 9<br>1000 Bruxelles                                                                           | 24.07.92 | 18.09.92 |           |
| Réseau d'Informations Européennes<br>Rue Joseph II 172<br>1040 Bruxelles                                                  | 27.07.92 | 18.09.92 |           |
| Fondation Européenne de la Culture - Belgique Rue de la Concorde 51<br>1050 Bruxelles                                     | 27.07.92 | 18.09.92 | 12.011.92 |
| Centre de Culture Européenne<br>Av des Cerisiers 128<br>1200 Bruxelles                                                    | 27.07.92 | 18.09.92 |           |
| Club Privé des Communautés Européennes<br>Av de la Taison d'Or 77<br>1060 Bruxelles                                       | 27.07.92 | 18.09.92 |           |
| Registre Européen des Ostéopathes<br>Rue Washington 40<br>1050 Bruxelles                                                  | 14.08.92 | 18.09.92 |           |
| Eurovent Rue des Drapiers 21<br>1050 Bruxelles                                                                            | 14.09.92 | 15.10.92 |           |
| European Organisation for Packaging and the Environment<br>Rue du Commerce 20/22<br>1040 Bruxelles                        | 07.09.92 | 15.10.92 |           |
| Nostra Vita<br>Chaussée de Ninove 153 bte 5<br>1080 Bruxelles                                                             | 14.09.92 | 15.10.92 |           |

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| Nimnaint<br>Av de la Croix Rouge 17/45<br>4020 Liège                                                                                  | 14.09.92 | 15.10.92 |  |
| COHEHRE, Consortium of Institutes of Higher Education in Health and Rehabilitation in Europe<br>9000 Gent                             | 23.09.92 | 28.10.92 |  |
| Association des Fabricants Européens de Billes de verre pour marquages routiers de Sécurité<br>Av Louis Lepoutre 28<br>1060 Bruxelles | 23.09.92 | 28.10.92 |  |
| Réseau Européen du Monde rural Rue du Trône 98 bte 8<br>1050 Bruxelles                                                                | 23.09.92 | 28.10.92 |  |
| Alzheimer Europe<br>Rue du Trône 98<br>1050 Bruxelles                                                                                 | 23.09.92 | 28.10.92 |  |
| CSI Association Internationale Christian Solidarity International<br>Av d'Auderghem 57/5<br>1040 Bruxelles                            | 23.09.92 | 28.10.92 |  |
| Hagia Sophia<br>Postbus 7<br>(nv Bag Hfsschule)<br>1000 Bruxelles                                                                     | 06.10.92 | 11.11.92 |  |
| Portable Common Tool Environment Interface Management Board<br>Rue Ducale 31<br>1000 Bruxelles                                        | 06.10.92 | 11.11.92 |  |
| Centre Européen des Parents de l'Ecole Publique<br>Galerie du Roi 25 bte 21<br>1000 Bruxelles                                         | 06.10.92 | 11.11.92 |  |
| Avenue Albert Lancaster 79A<br>1180 Bruxelles                                                                                         | 20.10.92 | 25.11.92 |  |
| Nymphe (New Youth Monitoring Program in Horticulture and Environment Areas)<br>Grande rue au Bois 65<br>1030 Bruxelles                | 20.10.92 | 25.11.92 |  |
| European Generics Association<br>Route de Lemmek 551<br>1070 Bruxelles                                                                | 20.10.92 | 25.11.92 |  |
| Euronimexals<br>Rue Ravestein 3<br>1000 Bruxelles                                                                                     | 20.10.92 | 25.11.92 |  |
| European Consortium for Primary Health Care<br>Rue Joseph II 30<br>1040 Bruxelles                                                     | 26.10.92 | 25.11.92 |  |
| Association Européenne de la Petite Hydraulique<br>Rue du Tacinurie 50<br>1040 Bruxelles                                              | 20.10.92 | 25.11.92 |  |
| EDMA European Direct Marketing Association<br>Rue du Gouvernement Provisoire 36<br>1000 Bruxelles                                     | 04.11.92 | 01.12.92 |  |
| European Committee for Interoperable Systems                                                                                          | 04.11.92 | 01.12.92 |  |

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| Rue du Moniteur 9<br>1000 Bruxelles                                                                                            |          |          |
| Fondation pour les Arts à Bruxelles<br>Avenue Louise 500<br>1050 Bruxelles                                                     | 07.01.93 | 10.02.93 |
| Aoimath Rue Montague de Saint-Job 92<br>1180 Bruxelles                                                                         | 10.12.92 | 10.02.93 |
| Amelis International<br>Rue Archimède 11<br>1040 Bruxelles                                                                     | 07.01.93 | 10.02.93 |
| International Toy Library Association - Association Internationale<br>des Ludophèques<br>Rue Soeurs de Hasques 9<br>4000 Liège | 24.11.92 | 10.02.93 |
| European Federation of Engineering Consultancy Associations<br>Av de Cortenbergh 79<br>1040 Bruxelles                          | 24.11.92 | 10.02.93 |
| Europafactoring<br>Av de Tervuren 267<br>1150 Bruxelles                                                                        | 10.12.92 | 10.02.93 |
| Fondation pour la Coopération entre la Russie, la Belgique et<br>l'Europe<br>Av du Feuillage 38<br>1180 Bruxelles              | 02.02.93 | 19.02.93 |
| European Heart Network<br>Rue du Trône 98<br>1050 Bruxelles                                                                    | 18.02.93 | 01.04.93 |
| Centre International d'Evenements Rue Washington 40<br>1050 Bruxelles                                                          | 18.02.93 | 01.04.93 |
| Fédération Européenne des Associations d'Allergiques Rue du<br>Président 55<br>1050 Bruxelles                                  | 18.02.92 | 01.04.93 |
| Comité Européen des Coopératives de Production et de Travail<br>Associé<br>Rue Guillaume Tell 59<br>1060 Bruxelles             | 18.02.93 | 01.04.93 |
| Association Européenne de transplantation des tissus de l'Appaveil<br>Locmotoeur<br>Av Mourier 53<br>1200 Bruxelles            | 18.02.93 | 01.04.93 |
| Société Internationale de systématique biochimique Place Delcour 17<br>4020 Liège                                              | 18.02.93 | 01.04.93 |
| European Spine Society<br>Eugène Plaskylaan 11<br>1030 Bruxelles                                                               | 18.02.93 | 01.04.93 |
| Organisation des Relations Humaines Internationales Place Julien Dillens<br>10<br>1060 Bruxelles                               | 18.02.93 | 01.04.93 |
| Section Belge de l'AIACE<br>Rue de la Loi 200                                                                                  | 18.02.93 | 01.04.93 |

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| 1049 Bruxelles<br>Euroflages<br>Av de Broqueville 12<br>1150 Bruxelles                                                                                            | 08.03.93 | 09.04.93 |  |
| Centre Européen de Recherche Industrielle<br>Av Albert Elisabeth 66 bte 33<br>1200 Bruxelles                                                                      | 09.03.93 | 17.04.93 |  |
| Organisation Européenne pour les Essais et la Certification<br>Rue de Stassart 33<br>1050 Bruxelles                                                               | 23.03.93 | 17.04.93 |  |
| Nouvelle Société Internationale pour la Recherche sur les Maladies de Civilisation<br>et de l'Environnement Confédération<br>Square Larousse 29<br>1060 Bruxelles | 23.03.93 | 17.04.93 |  |
| Amitiés Belgique - Guinée<br>Av H.Jaspal 125<br>1060 Bruxelles                                                                                                    | 23.03.93 | 17.04.93 |  |
| ADRA-CE (Aderst Development and Relief Agency - Communauté<br>Européenne)<br>Rue Ernest Allard 11<br>1000 Bruxelles                                               | 23.03.93 | 17.04.93 |  |
| Agence Européenne pour la Culture - European Cultural Agency<br>Rue de la Concorde 51<br>1050 Bruxelles                                                           | 23.03.93 | 17.04.93 |  |
| European Organisation for Technical Approvals Rue du Trône 12<br>1050 Bruxelles                                                                                   | 23.03.93 | 17.04.93 |  |
| European Lighting Companies Federation<br>Biv Lambiermont 432<br>1030 Bruxelles                                                                                   | 23.03.93 | 17.04.93 |  |
| Groupement des Retraites et des Pensionnés des caisses d'Épargne<br>Européennes<br>Av de la Renaissance 12<br>1040 Bruxelles                                      | 08.04.93 | 27.05.93 |  |
| Faculté Ouverte des Religions et des Humanisces Laiques<br>Av Général Michel 1 B<br>6000 Charleroi                                                                | 08.04.93 | 27.05.93 |  |
| Association Européenne des Constructeurs de Pompes<br>Rue des Drapiers 21<br>1050 Bruxelles                                                                       | 08.04.93 | 27.05.93 |  |
| Comité Européen du Commerce et de la Réparation Automobiles<br>Biv de la Woluwe 46 bte 10<br>1200 Bruxelles                                                       | 08.04.93 | 27.05.93 |  |
| Initiatives des Producteurs d'Assurances pour la Formation dans les<br>Communautés Européennes<br>Av Albert Elisabeth 40<br>1200 Bruxelles                        | 08.04.93 | 27.05.93 |  |
| Association des Opérateurs Postaux publics Européens<br>Rue de la Fusee 100<br>1150 Bruxelles                                                                     | 29.04.93 | 27.05.93 |  |
| Comité International Catholique des Infirmières et des Assistantes<br>Médico - Sociales<br>Square Vergote 43                                                      | 29.04.93 | 27.05.93 |  |

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| 1040 Bruxelles<br>Confédération Européenne des Distributeurs publics communaux d'Energie<br>Rue Royale 55<br>1000 Bruxelles                                                            | 13.05.93 | 23.06.93 |  |
| International Marine Certificación Institute<br>Trierstraat 45<br>1040 Bruxelles                                                                                                       | 13.05.93 | 23.06.93 |  |
| KARWAN International Association<br>Zomestraat 55<br>9000 Gen                                                                                                                          | 13.05.93 | 23.06.93 |  |
| The European College of Obstetrics and Gynaecology<br>Pachecolau 19/5<br>1010 Bruxelles                                                                                                | 13.05.93 | 23.06.93 |  |
| European Decorative Plastic Foils Association<br>1040 Bruxelles<br>Ordre des Chevaliers de Saint -Georges de Bourgogne — OSGB<br>Basilique de Koekelberg<br>Parvis 1<br>1080 Bruxelles | 13.05.93 | 23.03.93 |  |
| Salire Europe A.I.<br>Av Louise 222 bte 4<br>1050 Bruxelles                                                                                                                            | 19.05.93 | 23.06.93 |  |
| Réseau Européen d'Approche Communautaire<br>Rue Francart 17<br>1050 Bruxelles                                                                                                          | 19.05.93 | 23.06.93 |  |
| Vereniging van Fabrikanten van Lactose Tweekerkenstraat 7<br>1040 Bruxelles                                                                                                            | 16.06.93 | 24.07.93 |  |
| Forum Europees Cultures Blv Charlemagne 80<br>1040 Bruxelles                                                                                                                           | 14.06.93 | 24.07.93 |  |
| Office de Coopération en Education Rue de la Concorde 60<br>1050 Bruxelles                                                                                                             | 14.06.93 | 24.07.93 |  |
| A.R.G.I.C. Automotive Replacement Glass Identification Center<br>Blv du Régent 40<br>1000 Bruxelles                                                                                    | 14.06.93 | 24.07.93 |  |
| European Community Banana Trade Association Av de Broqueville 272<br>1200 Bruxelles                                                                                                    | 14.06.93 | 24.07.93 |  |
| Rue Froissart 123/133<br>1040 Bruxelles                                                                                                                                                | 29.06.93 | 11.08.93 |  |
| Groupe Européen pour la certification de l'Acier de Construction<br>Rue Côte d'Or 253<br>4000 Liège                                                                                    | 29.06.93 | 11.08.93 |  |
| Up with People Europe<br>Av de Roodebeek 44<br>1040 Bruxelles                                                                                                                          | 29.06.93 | 11.08.93 |  |
| European Design and Automatic Association                                                                                                                                              | 29.06.93 | 11.08.93 |  |

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| Kapeldreef 75<br>3001 Leuven                                                                                                                                                            |          |          |  |
| Unesda<br>Biv Louis Schmidt 35 bte 14<br>1040 Bruxelles                                                                                                                                 | 29.06.93 | 11.08.93 |  |
| The European Open Systems Association<br>Place Stephanie 20/2<br>1050 Bruxelles                                                                                                         | 29.06.93 | 11.08.93 |  |
| Réseau Européen d'Action Sociale Av de l'Optimise 93 1140 Bruxelles                                                                                                                     | 29.06.93 | 11.08.93 |  |
| Internationale Vereeniging Finse Zeemanskerk<br>Italielie 67<br>2000 Antwerpen                                                                                                          | 29.06.93 | 11.08.93 |  |
| Club des Eurocéropoles<br>Rue Archimède 5<br>1040 Bruxelles                                                                                                                             | 15.07.93 | 11.08.93 |  |
| Culture et Communication Square Sainteclaire 12<br>1000 Bruxelles                                                                                                                       | 15.07.93 | 11.08.93 |  |
| Association Internationale pour la Promotion de la coopération avec<br>les Scientifiques des Etats indépendants de l'Ancienne Union<br>Sovétique<br>Square de Meuse 8<br>1040 Bruxelles | 19.07.93 | 11.08.93 |  |
| Caritas Europa Rue Pascale 4-6<br>1040 Bruxelles                                                                                                                                        | 19.07.93 | 11.08.93 |  |
| L'Espoir<br>Rue Omer Lepreux 23<br>1080 Bruxelles                                                                                                                                       | 19.07.93 | 11.08.93 |  |
| Terra Africa<br>Rue de Bruxelles 81<br>5000 Namur                                                                                                                                       | 19.07.93 | 11.08.93 |  |
| The European Foundation for Educational Capacity Transfer<br>Rue Joseph II 30<br>1040 Bruxelles                                                                                         | 19.07.93 | 11.08.93 |  |
| The International Institute of Applied Technologies<br>Rue Montoyer 40<br>1040 Bruxelles                                                                                                | 19.07.93 | 28.09.93 |  |
| Uinstraling-Radiance- Radiation-Ausstrahlung<br>Grote Markt 27<br>9600 Ronse                                                                                                            | 19.07.93 | 28.09.93 |  |
| The European Transport Safety Council<br>Marcel Thirylaan 204<br>1200 Bruxelles                                                                                                         | 10.09.93 | 13.10.93 |  |
| Eurofriends<br>Av des Arcs 194<br>1040 Bruxelles                                                                                                                                        | 13.09.93 | 13.10.93 |  |
| Alliance Européenne pour l'Ethique en Publicité<br>Av du Barbeau 28<br>1160 Bruxelles                                                                                                   | 13.09.93 | 13.10.93 |  |

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| Association pour l'Etude de l'Intégration Européenne<br>Av de Tervuren 78<br>1040 Bruxelles                                                                                      | 13.09.93 | 13.10.93 |  |
| Cerfine Coated<br>Av Louise 306<br>1050 Bruxelles                                                                                                                                | 13.09.93 | 13.10.93 |  |
| Confédération Européenne du Marketing<br>Av de Cortenberg 79<br>1040 Bruxelles                                                                                                   | 13.09.93 | 13.10.93 |  |
| Convention des Sociétés Nationales d'Ingénieurs Électriciens de l'Europe<br>Canteenstraat 3<br>1000 Bruxelles                                                                    | 15.09.93 | 13.10.93 |  |
| European Crop Care Association<br>Chaussée de Namur 50<br>5310 Eghem                                                                                                             | 15.09.93 | 13.10.93 |  |
| Conseil International des Radios-Télévisions d'Expression Française<br>Bld August Revers<br>1044 Bruxelles                                                                       | 22.09.93 | 13.10.93 |  |
| Fédération des Sociétés Européennes Oncologiques Kapucijnenvoer 53<br>3000 Leuven<br>Mouvement des Travailleurs Chrétiens d'Europe - MTCE<br>Rue des Palais 90<br>1210 Bruxelles | 22.09.93 | 13.10.93 |  |
| EUROPEA<br>Av Marie Renard 1<br>1070 Bruxelles                                                                                                                                   | 28.09.93 | 22.10.93 |  |
| European Universities continuing Education Network<br>Quai Banning 6<br>4000 Liège                                                                                               | 28.09.93 | 11.11.93 |  |
| Union Européenne des Producteurs d'Alcool<br>Av de Tervuren 192 bte 6<br>1150 Bruxelles                                                                                          | 12.10.93 | 11.11.93 |  |
| European Public Health Alliance<br>Rue Defacqz 1<br>1050 Bruxelles                                                                                                               | 12.10.93 | 11.11.93 |  |
| International Efficiency Center Av Louise 486<br>1050 Bruxelles                                                                                                                  | 22.10.93 | 04.12.93 |  |
| European Community Wholesale and International Trade Associations<br>Rond Point Schuman 9<br>1040 Bruxelles                                                                      | 22.10.93 | 04.12.93 |  |
| Association pour la Coopération Académique<br>Rue d'Egmont 15<br>1050 Bruxelles                                                                                                  | 04.11.93 | 24.12.93 |  |
| Conseil Européen des Associations de Traducteurs Littéraires<br>Rue Joseph Hazard 34<br>1180 Bruxelles                                                                           | 17.11.93 | 24.12.93 |  |
| International Ecumenical Fellowship<br>Av Monte Carlo 104 bte 84<br>1190 Bruxelles                                                                                               | 17.11.93 | 24.12.93 |  |

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| Confédération Européenne des Producteurs de Spiritueux<br>Av de Tervuren 192<br>1150 Bruxelles                                                         | 17.11.93 | 24.12.93 |  |
| European Cable Communications Association<br>Biv Anspach 1<br>1000 Bruxelles                                                                           | 22.11.93 | 24.12.93 |  |
| Conférence internationale permanente de directeurs d'instituts universitaires de traducteurs et interprètes<br>Rue Joseph Hazard 34<br>1180 Bruxelles  | 22.11.93 | 24.12.93 |  |
| Genito-Urinary Tract Cancer cooperative group of the European Organisation for Research and Treatment of Cancer<br>Eric Sassebaan 45<br>2020 Antwerpen | 04.11.93 | 07.12.93 |  |
| HOTREC<br>Biv Anspach 111<br>1000 Bruxelles                                                                                                            | 04.11.93 | 07.12.93 |  |
| Association Européenne pour la Recherche en Robotique mobile à Pattes<br>Rue Limagne 13<br>1040 Bruxelles                                              | 04.11.93 | 07.12.93 |  |
| Federation of European Tank Storage Associations<br>Av F. van Nieuwenhuysse 4 bte 8<br>1160 Bruxelles                                                  | 07.12.93 | 29.01.94 |  |
| European Gastrointestinal Mobility Society<br>Herestraat 49<br>3000 Leuven                                                                             | 16.12.93 | 29.01.94 |  |
| Europharm Small and Medium Size Companies<br>Minervalaan 6 Kieffer II<br>1930 Zaventem                                                                 | 16.12.93 | 29.01.94 |  |
| European Dredging Association<br>De Praterstraat 2-4<br>1180 Bruxelles                                                                                 | 16.12.93 | 29.01.94 |  |
| Virgilia<br>Rue M. Jaumain 15<br>5330 Asse                                                                                                             | 16.12.93 | 29.01.94 |  |
| European Association for Psychotherapy<br>Wetenschapsstraat 9<br>1040 Bruxelles                                                                        | 23.12.93 | 29.01.94 |  |
| Association Européenne des Fabricants de blocs de mousse souple de polyuréthane<br>Square Marie-Louise 49<br>1040 Bruxelles                            | 23.12.93 | 29.01.94 |  |
| Eurinser<br>Square Ambiorix 30<br>1040 Bruxelles                                                                                                       | 23.12.93 | 29.01.94 |  |
| EDIFICAS Europe<br>Rue de la Loi 83<br>1040 Bruxelles                                                                                                  | 23.12.93 | 29.01.94 |  |
| European Consortium for the Learning Organisation<br>Chaussée de Bruxelles 135<br>1310 La Hulpe                                                        | 23.12.93 | 29.01.94 |  |

## Euro-Mediterranean Partnership

*Comité de Suivi (CdS) Statement to the SMAP Correspondents Meeting  
Brussels, 13-14 June 2000*

We, the members of the CdS\*, would like to thank the European Commission for inviting us to participate in this meeting.

We would also like to:

- reaffirm our commitment to the objective of sustainable development called for under the Barcelona Declaration, the Work Programme and the Euro-Mediterranean Partnership Process;

- emphasize the need for greater and more essential participation of civil society in the whole process as a key element leading to regional understanding, efficient co-operation, long lasting peace and sustainable development around the Mediterranean;

- make clear that:
- the CdS and the Mediterranean NGOs in general, welcomed the initiative of the European Commission to undertake the co-ordination of the SMAP as a framework for co-operation in the field of environment and sustainable development, within the Euro-Mediterranean Partnership;

Prior to and since the last SMAP Correspondents Meeting (Brussels, 16/11/98) the CdS has

on many occasions proven its commitment and support of the efforts made by the European Commission in the implementation of the SMAP and has often congratulated the Commission for its efforts in ensuring an innovative process of consultation with NGOs.

At the same time however, we would like to convey, this time with more emphasis, our

concern and disappointment in the apparent lack of any concrete progress or tangible commitment on the part of the Commission to reform its procedures, speed up the process and make the necessary human resources available for the proper management of this Program.

We feel that the selection process left out important projects, while the seven initiatives selected more than a year ago have not been formally approved and funded yet.

We are concerned about the cut down in the budget proposals initially submitted by the seven projects, as this implies for the implementing parties financial burden, particularly for those projects where joint commitments were taken with local authorities.

We regret that only one call for proposals has been published under MEDA I, contrary to what was committed in Helsinki.

We therefore urge all the competent bodies to:

- support the SMAP by devoting higher financial resources both in the regional and bilateral envelopes of MEDA.

- publish the new Call for Tenders based on revised SMAP criteria, aimed to reduce the difficulties faced by NGOs and others formulating and submitting proposals. The issue of public awareness and information on environmental matters should be given much higher priority and support.

- create a pre-proposal submission phase and provide financial and technical support for project

development by NGOs and local authorities.

- facilitate the access of Mediterranean Environmental and Development NGOs to the funds available by:

- a. Simplifying the administrative procedures
- b. Restricting some financial technicalities (e.g. bank guarantees) and dispensing the required governmental approval (especially in the case of regional projects) for NGO projects, due to the additional delays incurred. As a decentralized initiative in its original conception - open to civil society and local authority partners - this program, aimed to support regional initiatives of common environmental interest, should not be handicapped by heavy National institutional procedures. Attention should also be given to avoiding any duplication in the submission of projects.

- to raise awareness about the SMAP at both official and public level. At the public level we suggest the launching of adequate information campaigns to raise awareness of the significance and potential impacts of the SMAP, as an original regional instrument envisioned to deal with the environmental dimension of the Euro Mediterranean Partnership both in EU and non-EU countries.

- to act upon the need for further transparency in the next round of the project selection process, and more coherence within the Commission policy guidelines for project submission, as well as between the Commission and its Delegations

\* Arab Network for Environment and Development (RAED), ENDA Tiers Monde, European Environmental Bureau (EEB), Friends of the Earth (FoE) MedNet, Mediterranean NGO Network MED Forum, Mediterranean Information Office for Environment, Culture and Sustainable Development (MIO-ECSCDE), WWF Mediterranean Programme (WWF/MEDPO)

in Partner Countries, when applicable and possible.

- to facilitate, through the SMAP implementation, more and effective synergies with other Mediterranean programs and Multilateral/Intergovernmental institutions in support of the strategy of the Mediterranean Action Plan.

- put forward in the current revision of MEDA the implementation of the supportive measures

indicated in Chapter 6 of the SMAP as a tool to promote sustainable development and environmental integration in the whole process.

Finally, we are confident that the projects that will be soon initiated, after the release of the respective funding allocated to them, will demonstrate the pertinence of the SMAP, as an innovative and operational oriented mechanism to the service of a

Mediterranean concerted approach of the environmental constraints; as we reiterate our appeal for a prompt launching of the 1999 call for tenders to enable within reasonable deadlines the submission of proposals and more fluid procedures in their treatment.

*From: Friends of the Earth  
MedNet Coordination:  
Eugene Clancy  
E-mail:mednet@foeeurope.org*

## Ensemble, se réapproprier l'avenir de la Méditerranée

A Seattle, la société civile s'est mobilisée contre la mondialisation libérale et a fait obstacle à l'impulsion déterminante que le Cycle du Millénaire entendait donner à la liberalisation du commerce international.

A Bangkok (Appel aux Peuples du Monde), à Washington (mobilisation contre le FMI et la Banque Mondiale), à Genève (Sommet social alternatif) nous considérons la victoire de Seattle.

Pendant ce temps, dans un silence assourdissant, l'Union Européenne travaille à soumettre les peuples de la Méditerranée à la logique libérale. En 1995, la déclaration de Barcelone lancit le partenariat euro-méditerranéen qui prétend instaurer une "prospérité partagée", en Méditerranée, en imposant une zone de libre échange entre les 15 pays de l'Union et les 12 pays de la rive sud. Au travers d'accords bilatéraux, l'Union assied sa suprématie politique, militaire et économique dans une zone dont les Etats Unis, lui disputent l'hégémonie (Oslo, Dayton). Au prétexte d'assurer "la paix et la stabilité" en Méditerranée, le partenariat euro-

méditerranéen a pour projet d'intégrer les économies de la rive sud à celle de l'Union avant 2010, quel que soit le prix que devront payer les populations concernées. Les mesures d'accompagnement n'y changeront rien.

La conférence Barcelone IV, qui réunira à Marseille, en novembre 2000, les chefs d'Etat des 27 pays concernés, prétend consacrer ce processus.

Les associations signataires appellent à une mobilisation massive autour des Rencontres Euro-méditerranéennes contre la mondialisation libérale qui se tiendront à Marseille le 9 novembre 2000 pour tirer un premier bilan du processus de Barcelone et tracer les contours d'un autre partenariat.

Elles préparent une action citoyenne et développent une contre-expertise sur le volet économique du partenariat euro-méditerranéen : mise en place des zones de libre-échange (ZLE) ; mesures d'ajustement structurel et conséquences sociales.

Elles invitent les organisations citoyennes et populaires des deux rives à les rejoindre pour apporter

leurs expériences respectives comme autant de "preuves à charge" contre le libre-échange en Méditerranée.

A l'issue de ces Rencontres, une déclaration commune sera présentée publiquement. Sur cette base, nous interpellons la conférence officielle et inviterons les peuples des deux rives à manifester leur détermination à se réapproprier ensemble l'avenir de la Méditerranée.

*- Center for trade union worker's service (Egypte)  
- Association pour une taxation des transactions financières pour une aide aux citoyens<sup>1</sup> (Attac Espagne)  
- Paz y solidaridad<sup>2</sup> (Espagne)  
- RED Ciudadana por la abolición de la deuda externa<sup>3</sup> (Espagne)  
- Association pour une taxation des transactions financières pour une aide aux citoyens<sup>4</sup> (Attac France)  
- Collectif "Le Monde n'est pas une marchandise" Marseille (France)  
- Coordination nationale des collectifs des sans-papiers (France)  
- Méditerranée Solidaire(s) (France)  
- Syndicat National de l'Enseignement Supérieur*

1.  
<http://atta.org/es/index.html>  
2.

(SNESup)<sup>5</sup> (France)  
- *Associazione Mediterranea*  
(Italie)  
- *Institut Nord-Sud* (Liban)  
- *Association pour une taxation*  
*des transactions financières pour un*

*aide aux citoyens*<sup>6</sup> (Attac Maroc)  
- *Democracy and worker's rights*  
*center*<sup>7</sup> (Palestine)  
- *Rassemblement pour une alter-*  
*native internationale de développe-*  
*ment*<sup>8</sup> (RAID-Attac Tunisie)

- *Sindacato intercategoriale dei*  
*Comitati di base (Sin.COBAS)*  
(Italie)  
Contacts :  
secretariat.euromed@attac.org<sup>9</sup>

## L'émergence au Cameroun d'un droit "post-moderne" à travers l'action d'une ONG camerounaise de femmes juristes

*Compte rendu du séminaire du*  
13/05/1998 animé par Rosé  
Innack, DHDI, groupe de travail  
Droits de l'Homme et Dialogue  
Interculturel.

L'objet du séminaire était de réfléchir sur la manière dont, à travers une action humanitaire, de véritables outils méthodologiques et épistémologiques peuvent être mis en place, pour apporter des réponses neuves au problème de crise du droit dans les pays africains. Le but de l'ACAFÉJ (Association Camerounaise de Femmes Juristes) est de diffuser, de vulgariser le droit auprès des populations féminines du Cameroun. Il s'agit de donner à ces dernières, les moyens nécessaires leur permettant de se défendre contre injustices et préjugés et donc, d'améliorer leurs conditions de vie et leur statut social. Il a été créé deux structures les *Cliniques Fixes*, qui proposent des consultations juridiques, et les *Cliniques Mobiles*, activités de terrain organisées sous la forme de rencontres au profit de groupes de femmes, dans leur environnement.

Ces cadres d'action mettent en jeu des rationalités à la fois différentes et complémentaires. A l'analyse, on constate que l'on a face à face, le mode de pensée moderne, à travers les différents instruments

juridiques diffusés auprès des masses, et les conceptions autochtones de régulation sociale. La pensée traditionnelle africaine se caractérise par les notions de diversité, de différenciation, de communautarisme. La pensée occidentale, dont l'Etat est le véhicule, oppose les concepts d'uniformité, d'individualisme. Malgré l'incapacité de l'Etat à assumer ses fonctions régaliennes, son droit par un bon nombre de côtés a réussi à s'intégrer dans la société et à y trouver signification. Si la modernisation du Tiers-Monde est un échec, il faut tout de même tenir compte des mutations qui se sont opérées. La coexistence entre logiques diverses, n'est cependant pas à rattacher uniquement au fait colonial. Il faut également procéder à une observation de l'intérieur. Cela permet de constater que la *pluralité est* toujours au fondement des systèmes de représentation, des modes d'organisation en Afrique. L'économie dite " informelle " est un exemple, aujourd'hui, de la capacité d'invention et de la faculté d'adaptation des sociétés africaines. Il est démontré que c'est dans le cadre des systèmes de pensée qui leur sont propres, que les populations puisent les ressources leur permettant de se retourner efficace-

ment, et de créer cet environnement économique particulier.

Toutefois, il s'agit de dépasser la prise en compte des problèmes en termes d'alternative. L'acceptation, voire même l'encouragement, par l'Etat, du rôle de la société civile dans la gestion de la société globale doit inviter tous les citoyens (individuellement et/ou collectivement), à une réflexion sur un véritable projet de société. Le défi est alors d'intégrer dans la réflexion ce que la pratique révèle déjà : l'enchêtrément entre données culturelles endogènes, données culturelles exogènes, ainsi que le produit résultant de leur contact.

La post-modernité nous apparaît comme un paradigme permettant d'entamer une telle démarche. Ce concept, originaire des milieux artistiques et littéraires, trouve aujourd'hui à s'exprimer dans le domaine du droit. La philosophie post-moderne offre à la réflexion sur le droit de la société post-industrielle, la reconnaissance de la multiplicité, de la diversité des espaces, de la pluralité des discours. Le droit " post-moderne " permettrait la prise en compte de la complexité des phénomènes sociaux. C'est un droit qui remetttrait en valeur le rôle et la responsabilité des acteurs sociaux dans l'édition de la

4. <http://attac.org/fra/>  
5. <http://www.sneup.fr/>  
6. <http://attac.org/maroc/index.html>  
7. <http://www.dwrc.org/>  
8. <http://attac.org/tunisie/index.html>  
9. mail to:  
secretariat.euromed@attac.o

société globale (André-Jean Arnaud).

#### Discussion

Le tout de table a porté particulièrement sur ce concept de post-modernité. Sa proximité sémantique avec la modernité ne risque-t-elle pas de dérouter, et de limiter à une critique de ce dernier courant ? Ne sous-entend-il pas l'idée d'une "pré-modernité" ? Ne risque-t-on pas de se trouver en train de reprendre, en Afrique, une fois de plus des concepts élaborés en Occident ? Ne serait-ce pas réactualiser les théories sur l'évolution unilinéaire de l'espèce humaine ?

Les débats ont permis d'écartier le danger, en se fondant sur la notion

d'acculturation. Il n'y a aucun mal à emprunter ailleurs. D'autre part, le "droit de la post-modernité" est un concept qui se construit encore par ses défenseurs. Les différents auteurs proposent des pistes de réflexion. Rien n'empêche les intellectuels africains ou africaniens de servir des éléments qui existent actuellement, si ceux-ci leur semblent pertinents pour faire avancer les recherches.

La parenté entre le courant littéraire post-moderne et certains aspects de la culture africaine a d'ailleurs été relevée, à savoir le *symbolisme*, qui imprègne fortement toutes les dimensions de la société africaine et que Senghor a particulièrement mis en exergue dans ses

œuvres. En fin de compte, il ne faut pas craindre d'envisager une pensée juridique post-moderne spécifique. Le plus important pour l'heure est de la nourrir, le vocabulaire ayant par ailleurs aucun caractère définitif. L'essentiel est qu'il puisse impulser une dynamique euristique.

*Etaient présents :*  
*CARVAJAL Lilian (IHEAL),*  
*de GRAVEROL Gael (INALCO),*  
*de*  
*MONTVALON Prune (Paris V),*  
*EBERHARD Christoph (LAJP),*  
*GBAGO Bamabe Georges (LAJP),*  
*INNACK Rose (LAJP),*  
*LIWERANT Sara (Paris X),*  
*MARTIN Boris (juristes-Solidarités),*  
*MAS Jean-Claude (juristes-Solidarités), SOYKAN Muzzez (INALCO).*

## Hungary Just Says NGO

The spirit of direct involvement and widespread participation in Hungarian politics, which came to a head in the revolutionary days between 1989 and 1990, is headed for the history books. Intellectuals isolated in the countryside, bands of students, and engaged young professionals no longer rush to informal meetings or independent clubs to clamor for sweeping change.

During the 1990s, so-called professional politics slowly moved into the public arena, marginalizing the groups that had built that public arena in the first place. The successful political parties became preoccupied with internal and external power struggles, and a colorful and creative period of political, cultural, and social innovation came to an end.

But there is hope. The Hungarian Review of Political Science, a prominent journal on democratization launched in 1992,

sparked a wide debate among politicians and intellectuals last year with a controversial article by Ervin Csizmadia. Csizmadia, a post-1989-generation political scientist, argues that a new network of efficient professional think tanks offers an alternative to the informal social groups of the past and the big political parties of the present. Indeed, Csizmadia claims that FIDESZ, Hungary's Young Democrats and the anchor of a new ruling center-right coalition, owes its victory in the 1998 parliamentary elections to the intellectual and public relations savvy of a handful of those young think tanks; they played a decisive role in building a new and convincing image for FIDESZ as a party of the future.

This emerging network includes informal professional clubs or groups of business people, educational NGOs, and opinion poll-

sters. In many cases, their independence, which they take such pains to emphasize, is dubious; their existence precarious, due to a lack of resources; and their identity uncertain. In fact, Csizmadia suggests that most of these organizations should be considered "quasi-think-tanks"—that is, they are more financially and ideologically beholden to established political parties than their Western counterparts. Nevertheless, they exist, even flourish, and as Csizmadia observes, they have already shown that they can influence the political landscape.

Hungary's democracy will not simply move, as some conservative observers seem to believe, from a romantic political movement to strictly professional politics. Its future will be more complex. It lies in the still unpredictable interactions between old and new

players, governments and think tanks, and the ability of those players to mobilize intellectual resources.

*Ferenc Misztivetz  
Sociologist and senior research fellow at the Hungarian Academy of Social Sciences and professor at*

*Daniel Berzsenyi College in Szombathely,  
(From: The Hungarian Political Science Review, Budapest)*

## IFOAM 2000 — The world grows organic « Déclaration de Bâle »

Conclusion de la 13ème Conférence scientifique internationale de l'IFOAM

*Perspectives et missions du mouvement mondial de l'agriculture biologique*

I. De l'état de pionnier à celui d'élément important de la politique agricole

Depuis la première Conférence scientifique internationale organisée par l'IFOAM, l'agriculture biologique fait beaucoup de chemin. L'enthousiasme des premiers pionniers a fourni des impulsions fondamentales à la définition et à l'application de principes qu'on retrouve aujourd'hui dans toutes les bouches : durabilité, respect des besoins des animaux, directives claires et contrôles fiables.

S'ensuit l'histoire d'un succès : les surfaces cultivées selon les critères biologiques et les élevages respectant les besoins des animaux affichent dans de nombreuses régions des taux de croissance à deux chiffres, et de nombreux projets d'agriculture biologique fleurissent un peu partout dans les conditions socio-économiques et locales les plus diverses. L'agriculture biologique a permis aux agriculteurs novateurs d'accéder à la liberté d'entreprise et au savoir-faire dont ils avaient besoin pour influencer activement la mutation de l'agriculture. L'agriculture biologique est donc devenue un élément important de la politique agricole nationale et internationale.

II. Il faut continuer le développement des directives pour la transformation et le commerce

Ces dernières années ont vu les produits bio arriver jusque sur les rayons des supermarchés. La mise en place d'un partenariat avec les grands distributeurs oblige de nouveau l'agriculture biologique à faire œuvre pionnière : elle doit se doter de directives pour la transformation, l'emballage et le commerce.

L'objectif reste en effet de ne pas soumettre la qualité des aliments aux besoins des méthodes industrielles de fabrication : les denrées alimentaires doivent permettre une alimentation saine et holistique. L'IFOAM a la ferme intention d'assumer son rôle de responsable des directives et de continuer le développement démocratique et communautaire de l'agriculture biologique.

III. La production biologique forme la base d'une alimentation plus sûre et de plus grande valeur

Production high-tech, génie génétique, arômes artificiels, colorants artificiels, enzymes, etc., tout cela permet aux fabricants de créer un maximum d'illusion à partir d'un minimum de matières premières d'ailleurs souvent de qualité inférieure. La production alimentaire conventionnelle est en passe de bannir toute vitalité des denrées alimentaires à cause du risque élevé qu'elle leur fait soi-disant courir.

Les consommateurs nagent actuellement en pleine confusion, et l'un des plus grands défis posés à l'agriculture biologique est d'arriver à garantir tant la production agricole biologique elle-même que la sécurité et la qualité des produits grâce au sérieux des contrôles et à la transparence de l'étiquetage.

IV. Les principaux thème de la recherche bio de demain :

La santé des animaux et les semences bio

La recherche bio se consacre entièrement aux besoins pratiques des familles paysannes qui travaillent en bio. La recherche aide les agriculteurs à protéger les bases naturelles que sont le sol, l'eau et l'air. Elle cherche aussi des méthodes permettant de diminuer l'utilisation des ressources non renouvelables et d'augmenter la biodiversité.

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disant courir.

V. Agriculture bio : Low Capital - High Skill

On prétend souvent que l'agri-

culture biologique est réservée à

une classe de privilégiés, qu'elle

est un luxe opposé à la nécessité d'assurer la nutrition d'une population mondiale en pleine croissance. De la « révolution verte » aux actuelles semences transgéniques, les représentants des intégrés de l'agribusiness promettent depuis des décennies d'augmenter les récoltes grâce à l'utilisation de technologies nouvelles et gourmandes en capitaux.

En tant que méthode d'agriculture misant au contraire sur le « Low Capital » et le « High Skill », l'agriculture biologique est réellement prédestinée à rendre possible le passage si souvent réclamé de l'assistance à l'autonomie. De par ses principes mêmes, l'agriculture biologique ne peut tout simplement pas fonctionner sans tenir compte des conditions climatiques et écologiques régionales. D'une part en effet elle a besoin des connaissances des producteurs locaux, et d'autre part elle leur offre de nombreuses possibilités de travail qualifié. Seule en effet une activité agricole per-

mettant un revenu suffisant offre la possibilité de changer quelque chose au problème de la faim dans le monde. Pour y arriver il faut des agriculteurs compétents et entrepreneurs ayant accès à des marchés locaux efficaces.

#### **VI. Quelle valeur attribuons-nous à l'agriculture biologique ?**

Tant que l'agriculture intensive est plus rentable et tant qu'elle ne doit pas répondre des dommages qu'elle cause à l'environnement, les contribuables et les consommateurs devront continuer de rendre possibles les alternatives en leur accordant des subventions et en payant des prix plus élevés. Il n'y a en effet aucune demande commerciale directe pour la préservation des ressources, de la biodiversité et du paysage ou pour les élevages respectant les besoins des animaux. L'agriculture biologique profite de la chance que lui offrent les discussions publiques pour demander d'ancrer dans la politique agricole, sociale et environnementale son statut de bien commun reconnu

par une majorité.

#### **VII. La voie de l'agriculture durable**

Tel qu'il est actuellement pratiqué, le commerce mondial apparaît de plus en plus comme une tentative de favoriser des intérêts individuels qui empêchent l'établissement de conditions cadres écologiques et sociales stabilisatrices. L'agriculture biologique pose des critères pratiques pour le concept de la multifonctionnalité de l'agriculture, ce qui comprend la biodiversité, la sécurité alimentaire et le commerce socialement équitable. Elle est donc d'une importance capitale pour un développement rural durable. Vues sous l'angle de la prévoyance, l'agriculture biologique, la coopération au développement ainsi que la protection de la nature et de l'environnement dépendent donc fortement les unes des autres.

*Adopté à Bâle le 31 août 2000  
par  
l'assemblée de clôture de la  
Conférence scientifique IFOAM 2000*

## Global environment facility NGO consultation

In advance of the upcoming Global Environment Facility (GEF) Council Meeting next month, NGOs are meeting in Washington DC (October 31st) to discuss their input to the Council's deliberation. The accreditation of NGO's for consultation with the GEF was established by the Council to provide input to their deliberations at their twice yearly meetings. With NGOs playing a central role in carrying out the work of the GEF as one of the central global mechanisms for implementing the environment conventions, this level of direct consultation is a key

component for the delivery of the Facility.

In addition to contributing to, identifying and discussing the major strategic issues and policy goals facing the GEF, NGOs hope to also address the contribution of the Facility to Rio+10, Earth Summit 2002. With the GEF Council planning the 2nd Global GEF Assembly for some time in 2002, opportunities for the two processes to tie together are clearly apparent. With global leaders meeting in 2002 to discuss the advancement of the international sustainable development agenda, the GEF Assembly is keenly posi-

tioned to offer clear policy and practice instruments to the 2002 Earth Summit.

Delegates of the NGO Consultation will also be discussing the performance of the GEF, examining case studies of projects having been implemented. There will also be presentations from the World Bank, one of the three global agencies who oversee the Facility.

*To attend the meeting, or for more information, contact:  
the GEF NGO Network at:  
[drbarker@monitorinternational.org](mailto:drbarker@monitorinternational.org)*

## Milieux économiques et sociaux ACP-UE

Dans le cadre des activités qu'il mène depuis longtemps pour rassembler les représentants des groupes d'intérêts des États ACP et des pays de l'UE, le Comité économique et social (CES) européen a organisé la 22ème réunion des milieux économiques et sociaux ACP-UE du 13 au 15 septembre 2000, au siège du Comité à Bruxelles. Ce fut là, pour les organisations de la société civile, la première occasion de discuter des dispositions du nouvel Accord de Cotonou dans une perspective non gouvernementale. Une large délégation de représentants des organisations socioprofessionnelles et des conseils économiques et sociaux (CES) des États ACP ont participé à la rencontre. Les participants ont adopté une déclaration finale exprimant leur point de vue sur les défis liés à l'application du nouvel Accord de Cotonou. Après un premier mouvement de déception suivant la révision de la Convention de

Lomé en 1995, les participants se félicitent que cet accord reconnaît explicitement le rôle important que doivent jouer les acteurs non étatiques dans le processus de développement.

La déclaration finale note le désir des participants de jouer le rôle de "pilier essentiel" de la démocratie pour assurer au quotidien la participation des citoyens aux affaires publiques. Ils assurent ainsi un rôle de contre-pouvoir, indispensable à toute démocratie, gage de transparence et de bonne gouvernance.

Plus spécifiquement, la déclaration identifie les problèmes relatifs à la dissémination de l'information relative à la mise en œuvre de l'accord, en insistant sur la nécessité d'encourager et de soutenir les efforts des organisations socioéconomiques des pays ACP pour mieux se structurer et s'organiser en réseaux.

De manière plus générale, ces organisations insistent pour être

associées dès le début du processus de mise en œuvre de l'Accord de Cotonou afin de refléter le changement de philosophie et la nécessité d'une approche à partir du terrain. Il conviendrait également de confier au Comité économique et social européen un rôle de suivi de degré d'implémentation de ces organisations au nouvel Accord.

A cours des discussions, les participants ont également fait référence avec instance à l'utilité de conseils économiques et sociaux ou d'organes similaires comme moyen de canaliser les avis de la base vers le sommet du gouvernement. Ces conseils ont déjà été mis en place dans certains pays ACE

(*Communiqué de presse 72/2000,  
18 septembre 2000*)

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## Business, civil society and government perceptions of corporate social responsibility

The relationship between standards of corporate social responsibility and potential legal requirements governing corporate operations lies at the heart of the sometimes adversarial relationship between civil society groups and the business community. For many civil society groups, corporate social responsibility signifies conduct that rises above the minimum required by law but still constitutes a corporate duty to act rather than a more optional norm or charitable "good deed". This view - that cor-

porate social responsibility standards are, in fact, normative obligations - is evident when civil society groups implicitly or explicitly threaten to seek legal mandates should business fail to comply with acceptable voluntary guidelines deriving from the social contract. Private enterprises on the other hand generally prefer the flexibility of self-designed voluntary standards. However, when voluntary guidelines are devised as part of a public process involving governments and/or civil society, corpo-

rate executives tend to worry that the content and precise wording of voluntary guidelines may become a precedent for subsequent legal requirements. One result is a tendency to assign corporate legal departments the task of representing business interests in discussions regarding how social contract concepts might be used to develop voluntary guidelines or codes of conduct, often motivating a drive for minimum norms in case they should become the basis of future legal mandates.

The business community's aversion to binding international legal standards governing corporate operations contrasts with its strong advocacy of international law commitments applied to the obligations of governments towards foreign investors. This view is advocated on issues such as expropriation and compensation standards, and guarantees of non-discriminatory national treatment relative to domestic firms. In these cases, governmental responsibilities are seen as normative duties or obligations, based on fair treatment principles, that should be backed by international legal sanctions.

The legal advocacy of governmental responsibilities can be seen in some early business community documents on codes of conduct, such as the 1949 ICC International Code of Fair Treatment for Foreign Investment, or the 1972 ICC Guidelines for International Investment (both in UNCTAD, 1996), which first addressed corporate as well as governmental responsibilities. Similar positions underlay business support for attempts to negotiate

binding high standards for governments in the OECD's Multilateral Agreement on Investment (MAI) (UNCTAD, forthcoming) exercise, while maintaining an insistence upon the voluntary nature of the OECD's earlier Guidelines for Multinational Enterprises (UNCTAD, 1996).

For governments, the relationship between a social contract and legal regulations governing corporate operations assumes new meaning and complexities when the business concerned is transnational. A mismatch exists between the territorially-bounded authority of national governments and the transnational reach of a TNC's integrated international production system. Although an individual country may seek to extend its law extra-territorially, its reach may infringe on another country's sovereignty, raising the potential for political conflicts and confrontations. The obvious solution is to devise a common foundation of international law whose reach will match the global span of modern corporate activities; but in a world of diverse nation-states with often divergent

goals and priorities, this remedy proves difficult, time-consuming and, in many cases, impossible to achieve as a near-term outcome. Generalizations about national government perspectives on the concept of TNC legal and social contracts can mask important differences both within and between countries. Conflicting domestic pressures exist in many countries that reflect divergent views on whether outward FDI and trade expansion are in the national interest, and how resulting economic and social adjustment costs should be managed, at home and abroad. Perceiving an incipient backlash against globalization in some home countries, developing countries may fear that proposals for new TNC social responsibility standards can represent a disguised form of protectionism. Thus, proposals that seek improvements in TNC global operating standards can generate mixed reactions within and among countries based on differing views of how national interests may be affected.

(From: *The Social Responsibility of Transnational Corporations*,  
UNCTAD, 1999)

## The Barbados declaration on tax treatment of non-governmental and non profit organisations of 22 August 2000

The Europol Trust was established in 1986 as an independent non-governmental and non-profit organisation serving as the European affiliate of the International Standing Conference on Philanthropy (Interphil) in Geneva. Its aim is to promote the law and practice of NGOs through conferences, consultancy

and publications.

It focuses on two major problems: (1) the challenges posed to the civil society after the collapse of communism in Central and Eastern Europe and (2) the fiscal regime of NGOs and their donors. In the first field mentioned above, Europol prepared in 1999 in partnership with the

Interlegal Foundation in Moscow a detailed report and opinion on the reform of the law on foundations of the Russian Federation. This work was supported by consultation meetings in London and Moscow and a major international conference "NGOs for transparency and against corruption" in Amsterdam.

In March 2000, as a follow-up to the Amsterdam conference, a Working Group set up by Europhil met at Casta Papernicka in the Slovak Republic at the invitation of Vice Prime Minister Dr L'ubomir Fogas to examine the moral and legal issues of good governance of NGOs.

The second major issue on which Europhil has carried out substantial work is the tax treatment of NGOs. In 1991 it initiated a study which led as from 1994 to the publication by the International Bureau of Fiscal Documentation (IBFD) in Amsterdam of a loose-leaf handbook *The Tax Treatment of Cross-border Donations* (editor Paul Bater).

Convinced that the tax treatment given to NGOs is a barometer of the high or low esteem in which States hold the voluntary sector and concerned by the lack of sufficient incentives in national laws to trans-border philanthropy, Europhil organised from 1996 to 2000 a series of three round tables with the participation of fiscal experts, lawyers, NGO leaders, national and international civil servants and university teachers, respectively in Bratislava 1996, Amsterdam 1998 and Barbados 2000.

The 1996 Bratislava round table ended with the adoption of a solemn Declaration which was circulated to all governments in the world as well as to several major international and European organisations. The responses given to the Declaration were examined at the 1998 Amsterdam Round Table, which mandated a steering committee to prepare the brief for the final Round Table to be held two years later. It should be emphasised that while it was The

Europhil Trust which organised the Round Tables, the final documents were adopted by the participants.

#### Organisation of the Barbados Round Table

The Committee of Honour, presided by Vice Prime Minister L'ubomir Fogas of the Slovak Republic, was composed of the following eminent personalities: H.E. Ambassador Fotaq Andrea, rapporteur on NGOs to the Council of Europe, Mr Len Davies, Secretary to the Committee of Ministers of the Council of Europe, Professor Hubert Haemakers, Chief Executive of the IBFD, Lord Phillips of Sudbury and H.E. Peter Simmons, High Commissioner for Barbados in the United Kingdom. The Round Table was co-chaired by Trustees Dr Trevor Carmichael QC of Barbados and Dr Frits Hondius of Strasbourg and The Hague. The general rapporteur was Paul Barrer of London, staff member of the IBFD. Ms Celeste Mohammed acted as Secretary to the Round Table.

The event was entirely self-supporting and conducted without outside financial support or sponsorship. While this limited the number of registrations, it enhanced the completely independent character of the meeting and created a favorable climate for frank exchanges of information and ideas between the 20 participants from 11 countries and four continents. They formed a round table in the true sense of the word.

Although The Europhil Trust is a European organisation, the choice of a venue outside Europe was justified by the desire the Trust to ascertain whether the rules and principles for the tax treatment of the voluntary sector

it has identified are valid for and shared by the NGO world outside Europe. Moreover, the Caribbean area of which Barbados forms part represents a mosaic of States and legal systems, including notably the common law and civil law, and thus a veritable laboratory for international NGO cooperation.

#### The programme

*The opening session* on 20th August 2000 began with the inaugural address pronounced by the Chief Justice of Barbados His Lordship Sir Denys Williams. The next speaker was Ambassador Miroslav Jenca of the Slovak Republic who read a message from the Chairman of the Committee of Honour, Vice Prime Minister Dr L'ubomir Fogas. Co-chairmen Carmichael and Hondius thereafter outlined the purpose of the Round Table which should not be merely an occasion for taking stock of the existing situation *lex lata*, but above all for indicating in what direction national and international tax law on NGOs could be improved *de lege ferenda*.

*The first working session* concentrated on the crucial problem of defining *public benefit*, the interpretation of which is very different from one jurisdiction to another, thus hampering the realisation of international philanthropy. The learned speaker on this topic was Mr Arthur Drache Q.C. of Ottawa.

Trustee Cyril Ritchie (Geneva) introduced the *second working session on recognition of foreign and international NGOs*. The Council of Europe's Convention N° 124 is for the moment the only legal instrument in the world which offers a solution to this problem, both at the political and the prac-

tical level. It is open for accession by States not only in Europe but also in other parts of the world. NGOs can legitimately campaign with governments for ratification of this instrument, taking care however not to jeopardize their charitable status.

The third working session on control, accounting and transparency was led by Anne-Marie Boutin of Paris. While during the 1996 and 1998 Round Tables most attention had been focused on the fiscal rights and privileges of NGOs and their benefactors, The Europhil Trust wished to use this occasion for stressing the corresponding duties and obligations of NGOs, so as to continue enjoying the trust of donors, the State and the general public. Mary King of Trinidad, representing Transparency International, highlighted the mutual obligations of government and NGOs with regard to accountability. Crispin Grégoire (USA) elaborated on the principles of good governance on the part of NGO boards. Several other participants contributed further elements to this session.

The first conference day ended with a *Regional panorama: North America and the Caribbean*, moderator Bruce Zagaris of Washington DC, with contributions from Professor Lieber of Pittsburgh and Dr Carmichael.

On 22nd August 2000, a *Regional Panorama Africa and Asia*

was held with Laura Maxwell Stuart of South Africa in the chair. The Japanese delegation - Professor Shigezuki Ito and Mr Masakazu Mori of Kyushu Sangyo University- and Mr Goutam Kumar Sanyal of Dhaka, Bangladesh offered written and oral contributions.

At the fourth and final working session on bilateral and multilateral legal instruments, Paul Bater, general rapporteur, delivered a remarkable exposé on various restrictions hampering 'outbound' and 'inbound' charity and gifts. He deplored the fact that only 46 of the 2000 bilateral tax treaties in the world refer specifically to NGOs. During the discussion, it was pointed out that in terms of a satisfactory overall legal regimes, NGOs are lagging behind government and business.

At the closure of the Round Table, the participants adopted the *Barbados Declaration on tax treatment of non-governmental and non-profit organisations*, setting out the main principles and guidelines and expressing the wish that the combined materials of the three round tables and related meetings would be published and that further meetings will be organised by Europhil, for example at the regional level or on specific problems.

#### Social events

During their stay in Barbados, the participants enjoyed the hospitality,

tality, on 20 August, of Dr Trevor and Mrs Sharon Carmichael for a Caribbean dinner at Staple Grove House. On 21 August, they were guests for dinner at the Barbados Museum and Historical Society, in the presence of the Minister of Industry and International Business, the Hon. Reginald Farley, and many other distinguished personalities. During the evening, the Bikem B. Özsüy Memorial Award for the year 2000 was presented by Mrs Pauline Farley to Clyde Gibson, a young Barbadian graphic artist. On 22 August, participants were offered a guided tour of the Barbados East coast.

#### Miscellaneous

In order to enable a representative of an NGO from a developing country to attend the Round Table and let the voice of the third world be heard, the Chief Trustee launched a 'summer appeal', which succeeded in raising by private donations the required travel grant.

#### Proceedings

In accordance with the wish expressed in the operative paragraphs of the Barbados Declaration, The Europhil Trust will undertake to process the rich materials resulting from the three round tables and related events into a manuscript for publication.

Coordinating editor: Professor Penina Lieber of the University of Pittsburgh.

Dr. Frits Hondius,  
Chief Trustee, Europhil.

#### ERRATA

L'article de Paul Ghisl publiée dans le numéro 4 d'Associations transnationales sous le titre "L'UAI en Toscane" a paru précédemment dans "FAIB News", 40, 2<sup>e</sup> trimestre 2000, p.8:

Mike Waghorne, the author of "Getting a seat in the WTO restaurant" published in issue 4/2000 of

## Transnational Associations, is deputy secretary General of Public Services International, and not Secretary

General as mentioned on page 163 of this issue.

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Addresses: electronic and postal mailing addresses, website addresses, and residential addresses.  
The entries are listed alphabetically by surname. Three indexes provide further access to the entries. One index lists biographees by the international organizations in which they are, or were, active. Another index lists biographees by the country of their citizenship (where known). The last index lists biographees by the fields of endeavour in which they are active, using subjects and combinations of subjects as headings.

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