

**"Civil Society Partnerships for Democracy"
International Civil Society Forum
Ulaanbaatar, Mongolia, September 8-9, 2003**

Declaration, Recommendations and Plan of Action

I. Introduction

The International Civil Society Forum (ICSF) on "Civil Society Partnerships for Democracy" took place in Ulaanbaatar prior to the International Conference of New or Restored Democracies (ICNRD) on "Democracy, Good Governance and Civil Society." This was the fifth ICNRD event since 1988, but the first to include a major international parallel forum for civil society.

The ICSF brought together over 200 participants from Africa, Asia/Pacific, Europe, Latin America and North America in order to promote partnerships and strengthen commitments to democratic governance locally, nationally and internationally. As we leave Ulaanbaatar, we have unanimously agreed on the need to adhere to and implement the principles, recommendations and plan of action outlined below.

II. Principles

Democracy is a universal good. For citizens the world over it is widely understood as the only legitimate form of governance.

All citizens have the right to participate in political decisions affecting their lives and their communities. In the 21st century, the democratic ideal is a necessary objective at all levels of governance: local, national, regional and international.

Democratic governance requires all of the following elements:

- Conditions of peace and security;
- Guarantees and mechanisms for ensuring rights and freedoms;
- Independent judicial institutions and the rule of law;
- Inclusion and equal opportunities for participation, including the participation of young people;
- Transparency, accountability and access to information;
- Free and fair elections as well as a functioning multi-party system;
- Gender equality;
- Free functioning of the press and other media; and
- Protection of minorities and vulnerable groups.

The struggle for democratic governance is ongoing in all communities. Democracy is an ever-evolving process that requires the commitment, engagement and empowerment of citizens, as well as of government officials and other stakeholders.

Civil society participation is essential to ensuring the greater realization of all of these fundamental prerequisites for successful democratic governance.

III. Recommendations

Our deliberations in Ulaanbaatar have yielded the following recommendations for action by governments, civil society and international organizations/donor community.

A. Recommendations for Governments

- 1) Civil Society is autonomous and separate from government and needs to be respected in its various functions. While civil society organizations take many forms, governments need to let those forms emerge democratically.

- 2) Governments should create, in consultation with civil society, an enabling legal framework for both civil society organizations and political parties, while removing restricting legislation. They should also establish legislative frameworks and supporting mechanisms for participation of civil society in oversight mechanisms of security sector governance.
- 3) Governments should provide mechanisms to engage citizens, whether through formal or informal methods, for example through parliamentary hearings or e-government initiatives
- 4) It is essential to raise awareness regarding the importance of corporate social responsibility and to improve the regulatory framework for the private sector in order to reconcile ethics with private initiative.
- 5) Real democratic development must be complemented by development of a viable economic foundation.
- 6) Decentralization of government decision-making processes, local self-governance and respect for the rule of law are essential to improved governance.
- 7) Youth should be more involved in decision-making.
- 8) Improve the education system and curriculum to promote human rights education and active, participatory citizenship.
- 9) Implement the Millennium Development Goals with the participation of civil society.
- 10) Reconcile the imbalance between the mandate of the World Trade Organization and the requirements of social and economic rights treaties in order to promote a more just social and economic order.
- 11) G7 and Russia (G8) should recommit themselves to the Kananaskis aid plan and come up with the U.S. \$64 billion needed annually to assist African development.
- 12) Provide unhindered access to means of communication, especially information communications technologies.
- 13) Enact effective laws maximizing freedom of information.
- 14) Enact effective measures to combat corruption.
- 15) Ensure meaningful engagement - not tokenism -- by women's organizations. National gender policies and affirmative action are required and must be effectively implemented and monitored (including monitoring by women's groups).
- 16) Implement gender-just policies based on principles of equality and non-discrimination as defined in the Convention on Elimination of Discrimination against Women.
- 17) Human rights must be seen as universal, indivisible and inter-related. Governments must ratify international human rights treaties as well as fulfill their obligations under these treaties following the evolving jurisprudence emanating from treaty bodies. Governments should ratify and implement the Rome Statute for the International Criminal Court.
- 18) Governments need to strengthen national and regional human rights instruments and mechanisms. (e.g. more effective human rights commissions).
- 19) Governments should not use the terrorist threat to justify repressive practices.
- 20) Governments should strengthen mechanisms (e.g. "democracy clauses" of intergovernmental organizations) affecting how the international community responds to threats to democracy.
- 21) Respect cultural knowledge, diversity and language in all inter-relationships with groups, civil society and peoples.
- 22) Government policies and development should take on a rights-based approach. Governments should utilize a rights-based approach to policy assessments, implementation and evaluations. Justifiability of rights needs to be strengthened.

- 23) Governments should promote multilateral cooperation to promote and foster democracy as well as democratic governance monitoring mechanisms.
- 24) Governments should adopt "human security" as a framework for policy development.
- 25) Governments should undertake measures to strengthen legislatures in their countries.
- 26) Existing state-owned broadcasting should be converted into public service broadcasting, in order to promote citizens' right to know.

B. Recommendations for Civil Society

- 1) As civil wars have disrupted social organizations and civic leadership, civil society has a crucial role in avoiding armed conflict, developing peace accords and post-conflict peace-building.
- 2) In highly polarized and politicized societies the role of civil society is that of building bridges to promote dialogue. Government and civil society need to continue dialogue even when at loggerheads.
- 3) Institutional capacity building is a priority for civil society.
- 4) Civil society organizations need to continue to develop horizontal linkages among themselves and to preserve their autonomy from government and private enterprise.
- 5) Civil society should make itself accountable to the public and grassroots constituencies.
- 6) Civil society organizations need to be responsive to women's perspectives and utilize gendered analyses of social and political problems. Civil society should transform communities to create supportive environments for women in decision-making.
- 7) Civil society should create spaces within their own structures to enable participation of women in decision-making.
- 8) Civil society should ensure the participation of young people and other disadvantaged groups in the development and implementation of policies and programs.
- 9) Civil society organizations should monitor the effectiveness of existing youth policies and institutions (e.g. youth ministries) and lobby for reforms.
- 10) Civil society support of the UN treaty system is essential. Ensuring implementation of international agreements is an important strategy for the realization of civil society goals. Civil society can also advocate mechanisms to make present international obligations more binding.
- 11) Civil society should support parliamentary participation at all levels and their role within international institutions.
- 12) Civil society activities should not duplicate or replace the legitimate function of democratic representative institutions (e.g. legislatures).
- 13) Civil society should generate policy options for government.
- 14) Increase opportunities and political space by linking up regionally and internationally, and lobbying intergovernmental organizations.
- 15) Civil society should participate in election monitoring as well as public policy and legislative strengthening.
- 16) Civil society organizations should mobilize broad-based support (including media) on the need to implement the Millennium Development Goals.
- 17) Civil society has an important role to play in monitoring and re-assessing multilateral aid programs.
- 18) NGO and government "needs assessments" should genuinely reflect the local context and culture.
- 19) Government and civil society groups should recognize that language and terminology can confuse; they should take measures that better reflect the realities of those they seek to assist.

20) Civil society and governments should engage further in inter-cultural dialogue.

C. Recommendations for Intergovernmental Organizations and the Donor Community (i.e. aid organizations, state, foundations, corporations)

- 1) Governments, business communities and civil society should work more closely together in the development and implementation of improved democratization aid policies and programs.
- 2) Donors should grant civil society actors more access to information in order to enable them to perform a real monitoring function concerning the implementation of aid programs.
- 3) Donor programs on democratization, rule of law and human rights should be based on a more strategic approach, be of a longer duration, be designed and implemented in a more transparent way.
- 4) Intergovernmental organizations should be sensitive to local practices and incorporate local perspectives in their decision-making.
- 5) Donors should provide opportunities for transparent and productive exchange between civil society and public authorities, including political parties.
- 6) Parliamentary participation at the United Nations and other intergovernmental organizations should be strengthened.
- 7) Ensure that NGOs are afforded their participatory rights in intergovernmental processes, for example as codified in ECOSOC Resolution 1996/31. NGOs should have the right to fair hearings when participation rights are challenged.
- 8) Civil society has been both challenged and re-energized by events surrounding the war in Iraq. We agree with the Secretary-General's statement of March 10, 2003 that this war, if waged without Security Council authorization, "would not be in conformity with the Charter." Pre-emptive war is immoral and illegal under international law and should be widely condemned. Following the illegal intervention in Iraq, the UN General Assembly should adopt a "Uniting for Peace" resolution calling for an end to the U.S. -- U.K. occupation. The UN General Assembly should also ask the International Court of Justice for an advisory opinion on the legality of "pre-emptive war."
- 9) Global financial market conditions often hinder democratic development. These problems should be addressed, for example by the following financial market reforms: implementation of a democratic debt arbitration mechanism, Currency Transaction Tax.
- 10) Project development assessments should incorporate a human rights impact assessment as well as peace and conflict impact assessment.
- 11) WTO, IMF and World Bank should be brought under more effective coordination within the United Nations system.
- 12) There should be greater transparency and consultation with civil society and parliaments in international financial decision-making.
- 13) The United Nations should develop and bring into force a human rights based Code of Conduct for transnational corporations.

As delegates to the ICSF, we recognize that implementing these principles and recommendations will require the commitment and action of civil society partners around the world. We are each committed to disseminating the results of this meeting and taking action in our respective communities, organizations and networks, as well as with our respective governments.

IV. Plan of Action

At this International Civil Society Forum we have agreed on the need for a dedicated process and mechanism to follow up the outcomes from this Forum. We have therefore endorsed the creation of an **"ICSF Follow-up Mechanism"** that will take action in accordance with the following guidelines:

- 1) Governance. The decision-making structures that were responsible for organizing this forum shall be re-constituted to serve until the 6th ICNRD. These include the ICSF National Core Group (NCG) and International Core Group (ICG).
- 2) Coordination. The secretariat in Ulaanbaatar will continue as the interim secretariat for the ICSF Follow-up Mechanism, pending decisions on subsequent secretariat/coordination center(s) in the period prior to the next ICNRD.
- 3) Mechanisms. The ICSF Follow-up Mechanism will include as part of its program:
 - Encouraging and facilitating national and regional "Democracy Watch" networks;
 - Links with international organizations and stakeholders, in particular strengthening trilateral partnerships (governments, civil society, UN agencies) for advancing the ICSF-ICNRD process;
 - Information sharing, communications, joint analysis; the ICSF web site will be maintained and updated as necessary.
- 4) Program. National and transnational civil society networks will monitor follow-up to ICSF recommendations and promote progress on:
 - Access to justice and the rule of law;
 - Conflict prevention, peace-building and transitions from conflict;
 - Mechanisms for monitoring compliance with human rights norms and democratic practices;
 - Promoting inclusiveness and greater participation in democracy.
- 5) Reporting and Accountability. The ICG/NCG and the Secretariat will elaborate the institutional memory of the ICSF and share it with future NCG/ICGs. The ICG/NCG and the Secretariat will report annually to delegates to this ICSF.

Civil Society delegates will review progress on these goals at the next ICSF, to be held in 2006 at the time of the 6th ICNRD.

September 9, 2003.
Ulaanbaatar, Mongolia

**ICSF Statement on Mongolia's international
security and nuclear-weapon-free status**

The Forum believes that ensuring greater security for States creates favorable conditions for their governments to focus more on promoting human rights and human security. Bearing in mind the numerous United Nations General Assembly resolutions on Mongolia's international security and nuclear-weapon-free status, as well as the political assurances provided by the five nuclear-weapon States to Mongolia in 2000, the Forum believes that these should be followed-up by the logical step in institutionalizing the status at the international level.

Participants of the International Civil Society Forum-2003

Ulaanbaatar, 9 September, 2003

**Statement
to the Fifth International Conference on New or Restored Democracies**

by the civil society participants

**Ulaanbaatar
Mongolia
9 September 2003**

We are pleased that the Civil Society Forum of the New or Restored Democracies process has since the Bucharest conference (1997) developed into an important and acknowledged part of this process. At the International Civil Society Forum we have put in place a follow up mechanism to monitor the implementation of these recommendations.

However, we are very concerned that the democratic process in Mongolia has been undermined by the failure of the conference to welcome full participation in the conference by the wide range of Mongolian civil society. We regret that the openness reflected in the Benin conference (2000) where some 100 local civil society activists were invited to participate has not been expanded but rather constricted.

Signed by: