

**Presentation of Fernando Henrique Cardoso, Keynote Speaker,
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**Keynote Speech by Fernando Henrique Cardoso,
Chair of the Panel on UN – Civil Society Relations,
at the DPI – NGO Annual Conference**

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Mr. President, Mr. Secretary-General, ladies and gentlemen,

I would like my first words to be an expression of solidarity with the United Nations at this critical period.

We deeply share, Mr. Secretary-General, your sense of sorrow for the loss of so many brave men and women fallen in the attack against the UN in Baghdad.

As a Brazilian I want, in particular, to pay homage to Sergio Vieira de Mello.

His was a life dedicated to the ideals of the United Nations, to the belief in dialogue and multilateralism as the way to build an international order based on peace, human rights and development for all.

He was creative and courageous. Uncompromising in his principles but with an extraordinary gift for listening and learning, especially from the powerless and the vulnerable.

Let his sacrifice - and that of his colleagues - be an inspiration and a source of renewed energy for all of us.

I thank the organizers of the DPI – NGO Conference for this opportunity to discuss with you today the work of the High Level Panel on UN - Civil Society Relations.

I was honored by the Secretary-General's invitation to chair this panel. Our mission is to review the guidelines and practices regarding civil society's relations with the United Nations in order to formulate recommendations for enhancing such interaction.

I am delighted to be joined today by three other members of our panel: Aminata Traoré from Mali, Mary Racellis from the Philippines and Prakash Ratilal from Mozambique. They are in the audience and will be meeting with many of you over the coming days.

Today, more than ever, taking a fresh look at how the UN should engage with civil society is a timely and challenging task.

Citizens, we all know, are playing an increasingly strategic role in democratic governance. Civil society and world public opinion have created a global public sphere in which people's concerns are expressed and action is taken on a wide variety issues.

Most of today's critical problems – from environment protection and financial volatility to AIDS and the drug trade - cut across national jurisdictions. They are global problems that call for global responses.

Civil society has also been playing a key role in revealing weaknesses in the existing mechanisms of global regulation.

There is a gap between economics and politics, a discrepancy between the interdependence of markets and the lack of effective mechanisms for supervision and control.

Decisions that affect peoples lives are increasingly being taken in restricted arenas or being enforced in an unilateral way. Issues of security and international trade have gained priority in the global agenda to the detriment of matters related to human development and social justice.

In the nineties, the UN made full use of its convening power and moral leadership to open up spaces for the public debate of social issues.

The global conferences enabled civil society and other actors to come together with governments to shape the global agenda. Now that this cycle of conferences is closing, the UN needs to be creative if it is to avoid losing the initiative.

A narrowing of the spaces for constructive citizen participation in global politics can only bolster alternative conduits. In recent years a strong protest movement has taken to the streets and political debate became polarized.

There are also new and clear threats to multilateralism. The present crisis in the international order is a challenge both for the UN and for civil society.

Most of today's conflicts are no longer between national states but rather within states or between states and uncivil groups or networks. The dynamics of inclusion and exclusion are at work both at the North and at the South. New fault-lines divide and pit social and cultural systems against each other.

There is no possible solution for problems of such complexity without a revitalization of the UN and a strengthening of global governance. As there is no alternative to dialogue and negotiation to produce generally-accepted rules and norms.

The risks of division and deadlock within the international system are real. On the other hand, as most crises do, the current one is also producing new visions and opportunities.

Civil society, in its constituent diversity, is a key promoter of multilateralism. Its power is not the authority to decide or to enforce. It is the capacity to argue, to denounce, to propose, to experiment, to innovate, to be exemplary.

As a result of the growing complexity of the UN-civil society relationship, however, the system that had evolved over several years for facilitating this interaction began to show signs of strain.

There is a perception that some processes have run their course. That citizen contribution for global governance must be better understood and valued. That greater consistency must be introduced in the rules of engagement with civil society.

Many NGOs feel frustrated with the obstacles to substantive participation in policy-making and in the implementation of agreed programs. Some Member States feel that civil society direct participation in decision-making could undermine the intergovernmental process.

These concerns must be given careful attention. It is absolutely essential to reduce distrust, demonstrate the effectiveness of collaboration and build consensus around a positive agenda for the future.

As president of Brazil for eight years I can testify to the immense value of respecting, listening to and linking up with the source of energy brought by civil society. A vibrant and forceful national civil society, working together with government, far from weakening national sovereignty, increases the resources for social development and strengthens the country's voice in global issues.

Brazil has arguably one of the best programs to fight AIDS. I am deeply convinced that the key factor in the Brazilian mobilization against AIDS is the dynamic interplay between citizen initiatives and public policies.

In our country as elsewhere, the initial association of AIDS with so-called risk groups might have led to stigma and discrimination. Silence and denial only breed despair and waste of precious time. These risks were countered by the understanding that solidarity, partnership and responsibility are the values that empower effective strategies to fight AIDS.

The leadership role played by civil society was essential for this breakthrough to happen. Associations of people living with AIDS were the first to break the silence and denounce the risks of discrimination. A national network on HIV-AIDS and Human Rights gave social and political visibility to a problem that seemed to concern only a small number of people.

In response, the Federal Government took the initiative to establish a national coordinating structure, with the participation of state and non-state actors, to implement a comprehensive strategy to fight AIDS. The outcome was a public

policy in the truest sense of the word: task and responsibility of all sectors of society and of all levels of government.

With the support of the World Bank, one thousand five hundred operational partnerships were established with non-governmental organizations. Innovative projects tested new approaches to prevention and care.

Pressure from public opinion led to the approval by Congress of a special national legislation ensuring the right of free and universal access to antiviral drugs.

To sustain this policy it was absolutely essential to lower the price of the drugs. This goal was achieved through the government's support to the local production of generic versions of antiviral drugs. This strategy compelled the pharmaceutical companies to sharply reduce its prices. Guaranteed access to treatment and full respect for human rights encouraged people to accept voluntary and confidential testing.

Local authorities were encouraged to create, at the municipal level, coordinating structures to extend the program's outreach in a decentralized way.

Thanks to these broad partnerships, Brazil demonstrated that AIDS is not an intractable problem. The death rate has fallen by 50%. Hospitalizations have plunged by 75%. The expansion of the epidemics was stopped.

There were, of course, moments of tension and sharp disagreements among the actors involved in this process. But we have all learned that it is not necessary to agree on everything to collaborate. Different partners can pool their resources together to deal with the issue at hand while maintaining their respective identities and beliefs.

The success of the program gave Brazil the moral and political strength to respond to the charge made at the WTO that our policy of inducing cost reduction in drug prices violated the TRIPS Agreement.

A spontaneous international alliance was formed to support the Brazilian position that the dissemination of life-saving technologies serves an overriding public interest. Leading NGOs, the scientific community and organizations of people living

with HIV mobilized international solidarity and world public opinion. UN agencies adopted resolutions defining access to anti-AIDS drugs as a fundamental human right and urging the WTO to be flexible in finding the balance between patent rights and public health.

On the very day of the opening in New York, in June 2001, of the Special Session of the UN General Assembly on AIDS, the complaint against Brazil was withdrawn. I have no doubt in my mind that this favorable outcome was decisively influenced by civil society and public opinion.

Civil society, through its networks, has helped to link the global with the local. In Brazil, they mobilized the energies and resources needed to deal with a national health emergency. With their counterparts in other countries they built up the compelling case for global policy changes that mirror the changes we adopted in Brazil.

One of the many lessons to be learned from the Brazilian experience is that it is hardly possible, in today's world, to sustain a policy that is rejected by public opinion. It is clear, for instance, that an informed citizenry no longer accepts civilian victims of armed conflict to be dismissed as 'collateral damage'.

Immense changes are taking place under our very eyes in the patterns of democratic governance. Non-state actors have become of inescapable relevance for governments and the UN system. For the ideas they promote, the concerns they voice, the services they provide, the associational opportunities they offer, their contribution to policy-making and their influence on public opinion.

All this leads me to believe how timely was the Secretary General decision to take a fresh look at how the UN should engage with civil society. The world is changing and the UN has to change – as it has always done – to keep up with the times.

Civil society and public opinion are much more powerful today than in 1945. The roles of all actors – state and non-state - are changing. Hence, the ways in which they interact are also changing. This is an open and dynamic process.

Strengthening civil society's engagement with the UN isn't just about better implementation of UN policies and programs. It is about how to attune the UN to the needs and aspirations of ordinary people, how to perceive more sharply the challenges to be tackled, how to generate the political will and public support for

meeting these challenges.

Mr. Secretary-General, when my Panel met with you in June and we sought guidance on how far we could go with our proposals you encouraged us to be “bold and pragmatic”. I accept this challenge and thank you for it!

Being bold means developing reform proposals that are far-reaching, innovative and perhaps at the margins of possibility. Being pragmatic means that those ideas are sufficiently realistic and compelling to fall inside, not outside, the margins of possibility. These margins, however, are not rigid. It is our common challenge to enlarge them.

There are many positive trends and innovations already being experimented within the UN system. These new forms of interaction are to be valued and extended.

Consultation and partnership need to conform to mutually-agreed rules ensuring high standards on all parts. Civil society itself will respond to these calls for greater transparency and accountability as it develops its own rules of conduct and processes of self-organization.

Our report is to be finalized and presented to you, sir, early April 2004. My presentation today and the discussion that we will have in the following days are part of the broad process of consultation that the Panel is undertaking.

We are using a variety of procedures to hear the voice of civil society: open questionnaires, targeted interviews, dialogue with specific stakeholders, regional consultation meetings.

I appeal to all you, as civil society leaders, to contribute to our work with your proposals and recommendations for action. Our report will be as compelling as the quality of the proposals that we will be able to put forth.

Thank you very much.