

The Representativeness of Global Deliberation: A Critical Assessment of Civil Society Consultations for Sustainable Development

Carole-Anne Sénit

*Institute for Sustainable Development and International Relations (IDDRI), Paris, and
Utrecht University*

Frank Biermann and Agni Kalfagianni

Utrecht University

Abstract

During the negotiations of the Sustainable Development Goals, the United Nations consulted worldwide nearly ten million people for their views. Such proliferating megaconsultations are often uncritically accepted as a remedy for an assumed democratic deficit of intergovernmental institutions. We argue, however, that the potential of civil society consultations to democratize global governance is constrained by the limited legitimacy of these consultations in the first place. Global consultations regularly fail to include civil society actors from developing countries, or show other sociodemographic biases. Also, they often fail to strengthen accountability between citizens, international organizations and governments. In this article, we investigate the causes of this phenomenon by exploring the relationship between the design of consultations and their democratic legitimacy. The basis for our argument is an in-depth empirical study of three consultations carried out during the negotiations of the Sustainable Development Goals. We find that design is an important variable to explain the overall legitimacy of consultations. Yet its exact role is sometimes unexpected. Extensive material resources and open access conditions do not systematically enhance the legitimacy of the studied consultations. Instead, developing clear objectives, allocating sufficient time to participants, and formally binding the consultation to the negotiations hold considerably more promise.

Policy Implications

- Develop a clear set of objectives for consultations and bind it in an accountable way to the negotiations for which public input is sought.
- Involve civil society in the design and dissemination of consultations to increase ownership and improve inclusiveness and accountability.
- Carry out consultations at an early stage of negotiations to allow for greater inclusiveness.
- Secure more resources for consultations with restricted access to improve representativeness in the sample of participants.
- Allocate sufficient time to participants to read and react on the various proposals and take into account time zone differences.
- Encourage the participation of government representatives in consultations to increase accountability.

1. Civil society consultations and democratic policy making at the global level

Today civil society participation is considered key to resolve a perceived democratic legitimacy deficit in global policy making on sustainable development. Theorists of global democracy propose different alternatives to enhance participation. While 'cosmopolitans' argue that civil society participation should be linked to global political representatives (Bohman, 2010; Held, 1995; Held and Koenig-Archibugi, 2005), 'critical approaches' advocate for participation outside formal institutions (Dryzek, 2000, 2006, 2010; Dryzek et al.,

2011). Both perspectives have been criticized for relying on national democratic practice and denying the legitimate desire of civil society to directly engage in intergovernmental institutions, respectively (Cochran, 2002; Smith and Brassett, 2008). A third, 'liberal' approach favours the institutionalization of civil society participation in existing intergovernmental institutions (Bäckstrand, 2006; Cohen and Sabel, 1997, 2005; MacDonald, 2008). Since the 1992 UN Conference on Environment and Development, formal consultations have been increasingly used by governments and international organizations to solicit public input into global policy making on sustainable development. This culminated

in 2015, when nearly ten million people from 194 countries participated in consultations on the 2030 Agenda for Sustainable Development, and the 17 Sustainable Development Goals (SDGs) that stand at its centre.

However, doubts have been raised regarding the legitimacy of such consultations, regardless of their impact on policy making (Adams and Pingeot, 2013; Bäckstrand, 2006; Sénit et al., forthcoming 2016). Studies at the national level suggest that the legitimacy of consultations varies according to their design but remain inconclusive as to the direction of such influence (Abelson et al., 2003; Fiorino, 1990; National Research Council, 2008; Roberts, 2004; Rowe and Frewer, 2000; Webler and Tuler, 2000, 2008).

At the global level, the relationship between participatory design and legitimacy is poorly understood. Two questions are especially important and demand urgent attention if one seeks to address a perceived lack of responsiveness of global policies to widespread public concerns. First, are some global civil society consultations more legitimate than others? And second, what is the role of different types of participation in explaining such variation in legitimacy?

We develop a framework to assess and explain the democratic legitimacy of civil society¹ consultations in intergovernmental institutions. We then apply this framework in an empirical study of three civil society consultations held during the negotiations on SDGs. While acknowledging that consultations are only one input from civil society in global policy making, they are a crucial element of the latter's democratic legitimacy. Specifically, the democratization of any global policy making process will depend on whether civil society consultations within such a process are themselves democratically legitimate.

The following section introduces our assessment framework. Section 3 provides a brief overview of the policy making process that produced the SDGs, and introduces our case-studies and methodology. Sections 4 and 5 present our findings. The concluding section reflects on our results and offers recommendations to improve the democratic legitimacy of civil society consultations in international institutions.

2. Assessment Framework

This section lays out our framework for assessing the democratic legitimacy of global consultations. We discuss our conceptualization of democratic legitimacy, and the overarching independent variable that we seek to study, namely, the participatory design of consultations.

Democratic legitimacy

Democratic legitimacy, the extent to which citizens can discuss and decide for themselves the content of norms and agreements, and hold decision makers accountable (Nanz and Steffek, 2004), has become a central issue in global sustainability governance (Haas, 2004).

Democratic legitimacy is operationalized most prominently as the inclusiveness and accountability of governance

(Scharpf, 1997, 1999; Bäckstrand, 2006; Biermann and Gupta, 2011), along with criteria of throughput and output legitimacy (Bursens, 2009; Höreth, 1999; Scharpf, 1997, 1999; Schmidt, 2006). We focus on inclusiveness and accountability, because effects of the participatory design of global consultations are most prominently observable therein.

A global consultation we see as legitimate, among others, when it includes a range of actors that broadly matches the demographics of the global population, that is, the ratios between women and men, younger and older people, and citizens of richer and poorer countries.² We further examine the level of institutionalization of the participating actors, differentiating between well-structured and highly formalized civil society organizations, and individual citizens, social movements, and organizations operating mainly at the national or local level (grassroots) (see also Tarrow, 1998, p. 3; Kaldor, 2003).

Accountability we define here as the capacity of civil society participants to exercise oversight and constraint on the outputs of consultations and their influence in intergovernmental negotiations (Biermann and Gupta, 2011; Keohane, 2003). It has an internal and external dimension. Internal accountability refers to the relationship that institutionally links civil society representatives in a consultation with organizers of the intergovernmental policy making process for which civil society input is sought. External accountability is accountability of the civil society consultation participants to their constituencies and, eventually, the general public. We evaluate internal – as opposed to external – accountability largely because of the difficulties in identifying who the relevant public is in a global context and the mechanisms through which they could hold their representatives accountable.

Internal accountability is met when a global consultation allows for a two-way flow of information between organizers and (civil society) participants: Did the organizers provide feedback reports to the participants on the outputs of the consultation and its impacts on intergovernmental negotiations ('top-down' feedback)? Conversely, were participants able to provide comments on the consultation and its outputs ('bottom-up' feedback)? Both indicators are equally important because this information allows participants to monitor their engagement and advance accountability claims to international organizations and governments with respect to the input they initially provided. Without such feedback mechanisms, accountability lacks foundation, provided that the consultation outputs are to inform global policy making. The precise operationalization of the democratic legitimacy of a global civil society consultation is summarized in Table 1.

Design

In order to explain variation in the inclusiveness and accountability of a global civil society consultation, we hypothesize that the (participatory) design of a consultation has a major influence. We conceptualize design as the

Table 1. Operationalization of democratic legitimacy

Variable	Criteria	Indicator
Inclusiveness	Demographic	<ul style="list-style-type: none"> • equal participation of women and men • equal participation of age categories • equal participation of HDI level groups of countries
	Social	<ul style="list-style-type: none"> • balanced participation of interest groups with different institutional structures
Accountability	Internal	<ul style="list-style-type: none"> • top-down feedback • bottom-up feedback

different ways in which a consultation is organized, which includes a format variable and a resources variable (based on National Research Council, 2008; OECD, 2001). Format relates to the rules that define the consultation; resources refer to the means that the organizers of a global consultation allocate to run the process.

We assess the format of a consultation by three indicators:

1. Access to a consultation: this can be open or restricted. Rules of access are determined by the consultation organizers and by the accreditation policy of the intergovernmental negotiations for which civil society input is sought.
2. Selection of participants: the rules and practices of the selection of participants can differ. While we acknowledge that engagement in a consultation primarily depends on the interest of civil society representatives, we identify two types of selection rules and practices: (1) insider-oriented selection, that is, when participants are selected according to criteria that favour actors that usually engage in global policy making; and (2) outsider-oriented selection, namely, when participants are selected according to criteria that favour actors traditionally excluded from global policy making.
3. Degree of transparency: this can differ inasmuch as information on the consultation topic, process and results can be made more or less available and more or less timely communicated to civil society representatives.

The resources available to a consultation are measured by three indicators:

1. Staff capacity: there might be variation in the available staff capacity, that is: (1) the number of staff allocated to the organization or facilitation of the consultation; (2) the

Table 2. Operationalization of participatory design

Criteria	Indicators	
Format	Access conditions	Open access Restricted access
	Selection of participants	Insider-oriented selection Outsider-oriented selection
Resources	Substantive and procedural transparency	Access to and dissemination of information related to consultation topic Access to and dissemination of information related to consultation procedures
	Human capacity	Number of staff Allocated work time Commitment from organizers
Resources	Financial resources	Provisions for travel expenses Provisions for communication and outreach activities
	Time resources	Allocated time for preparation Allocated time for consultation

working time this staff can spend on such activities; and (3) the overall commitment from organizers and facilitators.

2. Financial resources: the available financial resources might vary, according to whether the budget allocated to the consultation includes: (1) provisions for travel expenses for civil society participants; and (2) provisions for communication and outreach activities.
3. Time allocated: the time allocated for preparation and consultation might differ.

Format and resources are important because they shape the set of participants, and have crucial implications for democratic legitimacy. We expect democratic legitimacy to be higher when the consultation is: (1) more open; (2) more based on a selection oriented towards outsiders; (3) more transparent; and when (4) procedural information is accessible and timely communicated to the participants. Finally, we expect democratic legitimacy to be proportional to the consultation's length, staff capacity, and financial resources. The precise operationalization of these variables is summarized in Table 2.

Case selection and method

To apply the assessment framework we have selected three consultations that were all organized during the process of conceptualizing and negotiating the SDGs in 2012–2015. This process started in the run-up to the 2012 UN Conference on Sustainable Development (the 'Rio+20 conference'), when the governments of Colombia and Guatemala issued

a proposal to develop goals as a tool to secure political commitment to sustainable development. At the outcome of the Rio+20 conference, governments agreed to launch 'an inclusive intergovernmental process open to the involvement of all relevant stakeholders' to elaborate the goals (UN, 2012). To this end, the UN General Assembly established in January 2013 an Open Working Group on SDGs (the 'OWG'), which submitted in 2014 a proposal of 17 goals and 169 targets for consideration by the General Assembly (UN, 2014). Governments adopted the SDGs at a UN high-level summit in September 2015 as part of the 2030 Agenda for Sustainable Development (Kanie and Biermann, forthcoming).

The UN Secretary-General hailed this intergovernmental process as 'the most inclusive and transparent negotiation process in UN history' (UN, 2015a). It provided civil society with many participatory channels, including direct participation in formal sessions of negotiations, hearings with the members and co-chairs of the OWG, global surveys, 11 global thematic consultations, and more than 90 national and regional consultations. We have chosen three pivotal consultations as case studies:

1. The Rio dialogues: although these dialogues took place before the beginning of the OWG negotiations, they are included in this study due to their unique participatory methods, based on the crowdsourcing of and vote upon recommendations. The Rio dialogues were organized by the Government of Brazil with support by the UN Development Programme (UNDP) and the offices of the Executive Coordinators of the Rio+20 conference. They provided an online and onsite space for discussion on ten sustainable development issues, with one dialogue addressing each issue. They evolved in three phases. They were first launched through a digital platform where civil society actors could partake in discussions facilitated by academic experts, and then craft their own recommendations. The Rio dialogues resulted in 100 recommendations (10 for each issue), identified by the facilitators based on their relevance and support. The recommendations were then submitted to the vote of a broader public on an open website.³ This vote resulted in 10 recommendations (the most voted recommendation from each of the 10 dialogues), which the facilitators presented to the participants in the onsite dialogues in Rio de Janeiro. During this final phase – which resembled a traditional conference – high-level panellists from civil society engaged in discussions and agreed on twenty additional recommendations.
2. The OWG hearings with major groups and other stakeholders: following the mandate of the outcome document of the Rio+20 conference, the OWG co-chairs requested to hold 'open and inclusive meetings with major groups⁴ and other stakeholders⁵ within the framework of each OWG session at the UN headquarters in New York (UN, 2012). Beginning with the third session of the OWG in May 2013, civil society representatives could participate in daily one-hour morning hearings, coordinated by the major groups programme of the Division for Sustainable Development of the UN Department of Economic and Social Affairs (UNDESA). The hearings provided a space for civil society representatives to share their views on the theme addressed by the OWG on that day.
3. The MYWorld Survey: this survey was launched in December 2012, developed by UNDP and the UN Millennium Campaign (UNMC).⁶ The survey asked individuals which six issues (out of 16 possible) would make the most difference to their lives and those of their family. In addition to the 16 possible issues, a 17th free-text option allowed participants to suggest a priority of their own choice. Although anonymous, the survey asked participants to report their gender, age and country. It aimed to reach out to 'people all over the world' and inform governments on citizen priorities as the latter were defining the SDGs (UNMC, 2014). For that reason, the survey was available on the Internet, on mobile technologies through text messaging, and through paper ballots distributed by partner organizations around the world.

All three cases share the same policy domain (sustainable development), the same overall negotiation context (the SDGs), and have been conducted in the same period (2012–2015). Yet all three differ in their design characteristics. We expect different rules in terms of access, selection of participants, and transparency of information. Also, because different agencies organized the consultations, we expect variation in their resources.

Data and methodology

We used two types of data to assess the democratic legitimacy of our three cases. To assess inclusiveness, we collected quantitative sociodemographic data on the set of participants in the three consultations. However, the breadth of the samples of participants on which we were able to gather such data varies, depending on whether the organizers kept track of the participants on an attendance sheet, and whether they were willing to give us this information. For the MYWorld Survey, we collected data on the entire sample of participants directly from the MYWorld Analytics website. For the Rio dialogues, we could gather quantitative sociodemographic data on the participants only on the online vote. These data were disaggregated by gender, age and country of origin on the entire sample of voters.⁷ Accessing similar information on the participants in the dialogues' online and onsite discussions was not possible, because UNDP could not share the list of participants in the online discussions and because the organizers did not keep track of the participants in the onsite dialogues in Rio de Janeiro. For the OWG Hearings, the quantitative information was based on a web survey that we designed and emailed to all participants who were included in a list that UNDESA had previously shared with us. We collected data disaggregated by gender, age and country of origin on a partial sample, as only 31 per cent of the participants from the list

answered our survey. Additional research on the websites of professional social networks allowed us to bridge this data gap up to 86 per cent of the participants from the initial list. Despite these limitations, our data provides relevant insights into the inclusiveness of the three consultations; in any case, ours is the most comprehensive dataset available at this stage.

To evaluate internal accountability and further assess inclusiveness, we collected qualitative data from two sources: primary documents and interviews. Primary documents include the consultations' concept notes and output documents, which were available on the websites of the consultations or sent by e-mail to participants. We also carried out 64 interviews between 2013 and 2015 (all conducted by the first author). We identified two key interviewees for each consultation, based on their level of engagement as either participants or organizers. Key interviewees for the Rio dialogues were identified using the database of the Institute for Sustainable Development and International Relations (IDDRI), which had facilitated one of the online dialogues. Key interviewees for the OWG Hearings and the MYWorld Survey were identified through personal observation in the 10th OWG session, and on the websites of the organizers of MYWorld, respectively. We further targeted interviewees based on snowball sampling. Although this method does not offer the representativeness of a random selection approach, it nonetheless allowed us to access a broad enough range of participants. Interviewees included civil society actors, representatives from the UN system (UNDP, UNMC and UNDESA) and from governments. We then transcribed the interviews from which we retrieved the key qualitative data on the basis of our legitimacy indicators. Comparing interviews with the sociodemographic data, primary and secondary documents allowed us to triangulate the data, increasing the credibility and validity of the results.

3. Findings: the democratic legitimacy of civil society consultations

Inclusiveness

The breadth of the sample of participants varies greatly from one consultation to another, with 55,000 participants from 193 countries engaging in the online vote of the Rio dialogues; 216 speakers from civil society, from 56 countries, delivering a statement in the OWG Hearings; and 8.5 million citizens from 194 countries answering the MYWorld Survey (as of September 2015).

In absolute numbers, the MYWorld Survey was thus more inclusive than the Rio dialogues and the OWG hearings. However, the representativeness of such inclusion did not match the demographics of the world population. Regarding country representation, civil society participants from industrialized countries were overrepresented in both the Rio dialogues and the OWG hearings. Participants from industrialized countries – countries with a very high Human Development Index (HDI) – represented 68 per

cent in the dialogues and 64 per cent in the Hearings, even though these countries only accounted for 17 per cent of the world population in 2012 (UNDP HDI database, 2012). Additionally, in the OWG hearings 30 per cent of civil society speakers were citizens of the United States, and 25 per cent lived in New York. Conversely, people living in developing countries – countries with low, medium and high HDI levels – accounted for 83 per cent of the world population but contributed merely 32 per cent of the participants in the Rio dialogues and 36 per cent in the OWG hearings. Interestingly, the results of the MYWorld Survey show a reverse bias towards the participation of people from developing countries: 95 per cent of the respondents came from developing countries, and only 5 per cent from developed countries. Within the group of developing country participants it is striking that 75 per cent of the respondents came from five countries alone – Mexico, Nigeria, India, Pakistan and Sri Lanka – that accounted merely for 25 per cent of the world population in 2012 (UNDP, 2012). So, while the Rio dialogues and the OWG hearings were biased towards people from richer countries, the MYWorld Survey was much more inclusive of people from developing countries, even though with a heavy dominance of just a few countries.

Regarding representativeness of different types of civil society actors, the Rio dialogues and the OWG hearings favoured participation of institutionalized civil society actors, such as internationally operating nongovernmental organizations (NGOs), at the expense of grassroots organizations, social movements and citizens. In the Hearings, 61 per cent of civil society participants spoke on behalf of an internationally operating NGO or a global coalition of NGOs, and only 11 per cent spoke on behalf of a grassroots organization. None of the respondents to our online survey of the OWG hearings' participants claimed to be part of a social movement. Conversely, the MYWorld Survey favoured the participation of less institutionalized civil society actors as it targeted individual citizens.

Participation was fairly balanced across gender in the Rio dialogues and the MYWorld Survey, with respectively 47 per cent and 48 per cent of participants being women. This reflects to a certain extent the gender ratio of the world population in 2012, where 50.4 per cent were men and 49.6 per cent were women (UN Population Division, 2012). In the OWG hearings, however, we identified a gender bias towards the participation of women, who represented 67 per cent of the participants.

Only 31 per cent of the participants were under 35 years-old in the Rio dialogues, whereas this age category accounted for 60 per cent of the world population (UN Population Division, 2012). Such underrepresentation of children and youth was even more severe in the OWG hearings, where speakers under the age of 30 accounted for 18 per cent of the participants while they represented 53 per cent of the world population (UN Population Division, 2012). Conversely, young people participated much more in the MYWorld Survey, where respondents under the age of 30 represented 78 per cent of the participants.

In sum, the MYWorld Survey was on several accounts more inclusive than the Rio dialogues and the OWG hearings, despite a strong bias towards a small group of developing countries that largely belong to the English-language based tradition of the British Commonwealth.

Accountability

Regarding top-down feedback, participants in the Rio dialogues received the report of the online discussion in which they partook, as well as the final report of the dialogues detailing the recommendations presented to governments during the Rio+20 conference. However, the organizers did not provide participants with feedback information on how their inputs affected the outcomes of the conference (BG, interview 13 August 2014).⁸ In the OWG hearings, the co-chairs provided oral feedback to civil society speakers on the quality of their statements (NC, interview 13 April 2015), which they then summarized in a document conveyed to governments in the OWG formal sessions. They also drafted negotiating texts to allow civil society participants to trace their contributions: each target for one SDG from the draft text referenced the actors supporting such target (JR, interview 14 October 2014). Therefore, civil society actors could trace whether their input was conveyed to intergovernmental negotiations and could formulate accountability claims. However, neither the OWG co-chairs nor the major groups programme of UNDESA's Division for Sustainable Development formally reported back to civil society participants on the outputs of the Hearings and their impact on negotiations.

In the MYWorld Survey, data from the online, mobile and paper formats of the Survey was consolidated in real time and available on the MYWorld website. Yet, as the Survey was anonymous, feedback information was available only to the extent that respondents searched for it on this website (RS, interview on 9 February 2015). In addition, the website did not provide any information for civil society participants on whether and how the results were to feed into these negotiations. Accordingly, participants could not formulate accountability claims *vis-à-vis* international organizations and governments.

Concerning bottom-up feedback, civil society participants in the Rio dialogues were not able to comment on draft versions of the facilitators' reports, or to provide their opinion on the consultation. During the OWG negotiating phase, civil society used the Hearings to provide their feedback on the revised draft of the SDGs, which the co-chairs circulated ahead of each monthly session. However, in terms of the evaluation of the consultation itself, the UN did not formally request the feedback of civil society participants in the Hearings (SB, interview 19 November 2014). Because the MYWorld Survey was anonymous, civil society respondents were not formally asked for their feedback on the consultation (BF, interview 16 February 2015). However, they could provide comments to the organizers through a contact form on the MYWorld Survey website.

In sum, the Rio dialogues, the MYWorld Survey and, to a lesser extent, the OWG hearings scored low on our accountability indicators because they did not allow for a two-way flow of feedback information between participants and organizers. Overall, the democratic legitimacy of global civil society consultations varies, with some performing better on inclusiveness (MYWorld Survey), and others on internal accountability (OWG hearings).

4. Explaining Variation in Democratic Legitimacy: the Role of Participatory Design

Format

Access conditions differed from one consultation to another. Access was open in the Rio dialogues and the MYWorld Survey. Any interested civil society actor could participate, because virtual and physical sites used to rollout these consultations were publically accessible. For instance, the physical sites used to disseminate the MYWorld Survey and collect ballot cards included markets, fairs, schools, and universities (SCS, interview 23 January 2015). Open access thus broadened the sample of participants in these two consultations, without ensuring their full representativeness, however, as we have previously shown. Conversely, access to the OWG hearings was restricted and depended on the accreditation policy set by the UN for the OWG negotiations. Participation was limited to NGOs in consultative status with the UN Economic and Social Council. Although there were almost 4,000 NGOs in 2013 with such status (UNDESA NGO Branch, 2014), such restrictions still limit participation to institutionalized civil society actors and hampered that of grassroots organizations, social movements and individual citizens.

The outreach policy and primary target population set by the organizers varied in all three cases. In the Rio dialogues, selection was carried out according to criteria which targeted insiders. UNDP staff acted as gatekeepers by reviewing the registrations on the online platform according to the instructions given by the Brazilian government (LH, interview 23 April 2014). According to the concept note of the Rio dialogues, the Brazilian government wanted to let in actors: accredited to participate in the conference; nominated by the facilitators or a major group; affiliated to the dialogues' partner universities; invited by the Brazilian Government or by the Offices of the Executive Coordinators of the UN for the Rio+20 conference; and finally invited by people already registered to the platform. A selection according to such criteria partly explains why the sample of participants does not include actors beyond those belonging to institutionalized civil society networks.

Similarly, in the OWG hearings selection was oriented towards insiders, though with different criteria from the Rio dialogues. The steering committee selected civil society speakers according to gender, country of origin, and constituency (from the nine major groups or other stakeholders). However, as demonstrated previously, this only partially

ensured representativeness in the hearings. Indeed, outreach to approach speakers was mainly carried out within the constituencies of major groups and other stakeholders and did not go beyond institutionalized civil society networks.

Conversely, in the MYWorld Survey, the selection of participants was oriented towards outsiders. Although the organizers did not establish specific selection criteria, they primarily reached out to actors who traditionally do not participate in global policy making. The UN specifically wanted 'as many people in as many countries as possible to be involved, [...] particularly the world's poor and marginalized communities' (UN, 2015b). The target population and outreach policy of the MYWorld Survey thus explain the high representation of young citizens from developing countries among the total sample of respondents.

The accessibility and timely dissemination of substantive and procedural information also influence the inclusiveness and accountability of consultations. Although participants in the Rio dialogues and the OWG hearings alluded to substantive transparency as a way to improve the quality of the discussions, unlimited access to information on the topics of the consultations hampered inclusiveness. Most of the dialogues resembled a forest of comments, articles and discussions that discouraged citizens, social movements and grassroots organizations in developing countries from participating actively in all the Rio dialogues (LH, interview 23 April 2014). Indeed, processing an important amount of information in order to keep track of the process and participate requires capacities that these actors usually do not have (PV, interview 4 April 2014).

Lack of procedural transparency also negatively affected internal accountability. In the Rio dialogues and the MYWorld Survey, many procedures lacked transparency, including the criteria for selecting civil society contributions to be compiled in the consultation output, and the consultation objective and link to the negotiations. In the Rio dialogues, the academic facilitators selected the recommendations on the online platform according to the support they received and their relevance. Yet, this last criterion being subjective, the selection of recommendations was likely to be biased towards the preferences of facilitators (JB, interview 16 July 2014). Although the organizers provided extensive procedural information on the MYWorld Survey methodology, the criteria for analysing and aggregating the contributions uploaded as the 17th free text option were not communicated on the website (CS, interview 12 January 2015). Besides, without a clear consultation objective and link to the negotiations, organizers were unable to provide feedback to participants, while participants were unable to make accountability claims to the organizers. This further hampered the ability of civil society participants to trace their contributions and hold international organizations and governments accountable with respect to the input they provided.

In the OWG hearings, procedural information was more accessible. However, it was not disseminated beyond institutionalized civil society networks. This again resulted in less access from less institutionalized civil society actors and less

informed about the different requirements for civil society participation in intergovernmental negotiations, namely, logistics and registration deadlines. This explains the overrepresentation of internationally operating NGOs and coalitions of such organizations, as a civil society participant testified:

When I first arrived in New York, it was not transparent at all how the OWG sessions were working. Sometimes we found out about something happening the next day by word of mouth with some people I got acquainted with. Even though I was in touch with UNDESA, I didn't receive any information whatsoever. (AD, interview 30 January 2015)

In sum, procedural transparency and democratic legitimacy are positively correlated: the more opaque the procedures and objectives, the less inclusive the consultation and the less accountable the convening entities. Unexpectedly, our results further show that consultations with open access favour the participation of North-based civil society actors with major capacities, just like in consultations with restricted access. Finally, the selection of participants according to sociodemographic criteria does not systematically enhance inclusiveness (OWG hearings), unless it is coupled with an outreach policy prioritizing the participation of outsiders (MYWorld Survey).

Thus, format indicators cannot fully explain the democratic legitimacy of a consultation. Other variables, particularly the resources allocated to the consultation, need to be examined.

Resources

As a numerical benchmark of the impact of human and financial resources on the democratic legitimacy of a global consultations is lacking, our findings provide a qualitative assessment.

Inclusiveness and internal accountability increase when consultations are appropriately staffed, working time to promote consultations is available, and staff is committed to supporting the process (Adams and Pingeot, 2013; National Research Council, 2008; OECD, 2001). In the Rio dialogues, UNDP assigned nine full-time officers to the coordination team, 10 part-time officers to the facilitation support team, and nine part-time volunteers to a youth mobilization team. Yet, because UNDP senior management did not sufficiently commit to supporting the consultation, they did not assign sufficient staff resources on communications (LH, interview 23 April 2014). Besides, the 30 academic facilitators responsible for stimulating lively and inclusive debates as well as identifying relevant networks, institutions and organizations to be invited to participate in the online dialogues engaged very unevenly in the process as they had to perform these tasks in addition to their usual workload. This consequently affected outreach efforts and limited inclusiveness.

As for the OWG hearings, the understaffing of the major groups programme of UNDESA's Division for Sustainable

Development had a major negative effect on internal accountability. The major groups programme was supported at that time by only two officers, who facilitated participation not only in the OWG negotiations but also in many other UN processes (AR, interview 11 April 2014). Although the OWG co-chairs were firmly committed to supporting civil society participation and provided summaries of the hearings, monthly negotiations made it difficult for UN staff to keep up with the process, compile civil society contributions and report back to participants on whether and how their contribution affected intergovernmental negotiations.

In the MYWorld Survey, however, a limited coordination team did not negatively impact inclusiveness. Indeed, UNMC allocated only 7–10 officers to the outreach and data analysis of the survey, with part-time staff from other UN agencies and offices providing support, for example, the UN Children's Fund and the office of the UN Secretary-General (XL, interview 20 November 2014). Yet, more than 80 per cent of the votes were cast through ballot cards to reach the most marginalized citizens, because more than 1,000 partner organizations voluntarily committed to disseminate the survey nationally and locally. Such a system was designed to foster partners' empowerment and ownership of MYWorld and help the UN extend the survey. However, relying on partners also has limitations. Their uneven commitment and associated human capacity explain why only five countries represent 75 per cent of the total votes. For instance, the municipality of Mexico City recruited more than 3,000 volunteers that eventually collected the votes of 1.25 per cent of the total Mexican population (XL, interview 20 November 2014). In contrast, the 40 volunteers recruited by the UN Volunteers Programme in Bhutan collected a substantially lower number of votes (0.3 per cent) in proportion to the total Bhutanese population (RS, interview 9 February 2015).

An adequately funded consultation does not systematically guarantee inclusiveness. The Brazilian government provided UNDP with a budget of US\$1 million to deliver the Rio dialogues. However, because they were mainly allocated to the customization of the online discussion and voting platforms and to staff expenses to the detriment of far-reaching communication policies, financial resources did not ensure the representativeness of inclusion in that consultation (HC, interview 13 November 2013).

In the OWG hearings, the lack of funding to cover the travel expenses of participants from developing countries undermined inclusiveness. Civil society actors can rarely rely on funding granted through UN mechanisms for their participation. The major groups programme of UNDESA does not have a separate budget, even though its Division for Sustainable Development receives extra-budgetary funds to support participation of civil society from developing countries (Adams and Pingeot, 2013). UNDESA could not provide extra-budgetary funding for the first two hearings (CC, interview 27 September 2013). This substantially undermined the participation of civil society actors from developing countries, which accounted for only 8 per cent of the participants in the Hearing of the third OWG session. In subsequent

Hearings, the Division for Sustainable Development provided extra-budgetary funding mainly through a grant of the European Union to 'bring about 6 to 8 people from developing countries' to participate (AR, interview 11 April 2014). Therefore, funding for participants mainly relied on the capacities of each major group, their organizing partners⁹ and the organizations they worked for. However, these differ substantially from one major group to another. For instance, the Women and NGO major groups have higher financial capacities than others. The organizing partners of these major groups are paid by their organization for facilitating the participation of their constituencies in intergovernmental policy making, because it is in line with the goals their organizations promote (GA, interview 14 April 2014). However, this is not the case for the organizing partners of other major groups, such as children and youth or indigenous peoples, as one interviewee concluded:

We have to fundraise both for this position and to be able to bring people from indigenous communities to New York to speak on behalf of the indigenous peoples major group. [...] The NGO major group has the funding and CIVICUS¹⁰ is working full time on this, the women major group is very strong, they bring 10 to 20 women for each of the OWG session, while we as indigenous peoples can bring one or two people. (GA, interview 14 April 2014)

The amount of financial resources thus explains the gender bias towards the participation of women in the OWG hearings, as well as the important share of civil society speakers based in New York (thus not requiring any travel funding).

An interesting case in point is the MYWorld Survey. With a similar budget, it was more inclusive than the Rio dialogues. The organizers benefited from start-up funding from the UNDP (US\$25,000 USD) and the United Kingdom government (US\$1.5 million) for the design and launch of the survey. Despite limited capacity, UNMC developed communication campaigns including television, radio and newspaper advertisements, and provided outreach tools for partners to translate, adapt and use at national level (XL, interview 20 November 2014). Then, the functioning of the survey relied on the volunteering work from partner organizations. In Haiti, for instance, the survey was rolled out with almost no funding. A small operational budget of the UN Volunteers Programme covered travel expenses of the volunteers, while the UN Stabilization Mission in Haiti printed the ballot cards at no extra cost (BF, interview 16 February 2015).

Finally, the time allocated to the preparation of the consultation and the consultation itself affects democratic legitimacy greatly. In the Rio dialogues and the OWG hearings, lack of time negatively affected inclusiveness. The Brazilian government decided to go forward with the Rio dialogues in January 2012, which left the UNDP's team three months to prepare the online phase. The online discussions and vote lasted 6 weeks and 10 days, respectively. More

preparation and consultation time would have allowed reaching out to a broader set of civil society actors. One UN officer pointed out that 'if the online dialogues had been longer we would have had more people coming in' (LH, interview 23 April 2014). Although the OWG process lasted 18 months, the frequency of the sessions (one per month) left civil society with extremely short deadlines to provide contributions from a diverse and representative set of actors. As a civil society participant in the hearings said:

Inclusive participation is difficult because the deadlines are always too short so [civil society actors] do not have time to organize their visas, they are asked for input today for tomorrow so they do not even have time to read their emails with time difference. It is partly because the process is not really well organized but also because there is not a lot of consideration of time constraints (SG, interview 22 April 2014).

This view was corroborated by one of the consultation organizers (AR, interview 11 April 2014). Besides, the OWG hearings were not simultaneously interpreted, and time constraints did not allow for important documents, such as the draft texts of negotiations, to be available in other UN languages than English. This disadvantaged the participation of those civil society representatives for whom English is not a working language or not used at all, for instance indigenous peoples (see also Adams and Pinget 2013, p. 19).

In contrast, the extensive set of respondents in the MYWorld Survey is partly due to its duration. The UN collected nine million voices between the launch of the survey in December 2012 and its closing in December 2015. Besides, the online survey was available in 17 languages, while the offline form was often translated into local dialects, such as creole in Haiti (BF, interview 16 February 2015).

In sum, the more consultation time, the more inclusive the consultation. The impact of human and financial resources on democratic legitimacy is less clear, however. Lack of human and financial resources for the consultation negatively impacted inclusiveness and accountability in the case of the Rio dialogues and the OWG hearings. Nevertheless, the lack of such resources did not hamper the inclusiveness of the MYWorld Survey because the organizers relied on a widespread network of national and local partners to reach out to the most excluded.

Conclusion

The examples of the Rio dialogues, the OWG hearings and the MYWorld Survey show that design matters, yet it does not affect democratic legitimacy as expected. Neither closed nor open consultations allow 'all concerned citizens' to participate in intergovernmental policy making on sustainable development issues, as enacted in the Principle 10 of the Rio Declaration in 1992. While under-resourced global consultations hinder the capacity of civil society to hold international organizations and governments accountable when

consultations are not tied in any formal way to intergovernmental negotiations, this is less true for inclusiveness. The example of the MYWorld Survey indeed contradicts the norm, as it demonstrates that lack of resources did not negatively affect inclusiveness.

More generally, our case-studies allow us to draw lessons for the design of consultations. First, it is possible to overcome resource constraints and enhance inclusiveness when the organizers of the consultation develop partnerships with grassroots actors from civil society and the public and private sectors, and delegate its rollout from global policy making centres to national and local communities, prioritizing the voices of the most marginalized. Second, enhancing democratic legitimacy requires substantial political commitment from the organizers to supporting the consultation. Such commitment includes developing clear objectives and procedures for the consultation, allocating sufficient time to participants, formally binding it to intergovernmental negotiations, and encouraging the participation of government representatives to foster accountability. It further encompasses engaging civil society early in the design of the consultation: co-defining the consultation agenda and rules is likely to increase ownership and inclusiveness.

Beyond determining the optimal design for consultations, however, lays the issue of their effects on intergovernmental negotiations. In particular, the relationship between inclusiveness and influence is a critical question which invites further research to document the conditions to effectively democratize the global governance of sustainable development. While this issue goes beyond the core question of this article, our findings nonetheless tend to indicate that democratization of global policy making cannot only rely on the insider participatory channels of the 'liberal approach'. Engagement channels based on disorganized protests or formalized citizen deliberation outside authoritative circles are at least equally important to increase the responsiveness of global policies to citizen concerns.

Notes

1. We use the term 'civil society' here in a broad sense that follows usage in the UN system, that is, comprising actors who are both non-governmental and not-for-profit, and who may also include the private sector and parliamentarians, along with citizens, social movements and nongovernmental organizations.
2. We defined age and country categories in accordance with those set up by the organizing entities of the Rio dialogues and the MYWorld Survey on the websites of the results of the consultations. The UN used similar country categories for the Rio dialogues and the MYWorld Survey, based on the level of Human Development Index (HDI), with low HDI countries, medium HDI countries, high HDI countries and very high HDI countries. We then attributed one of these categories to each of the participants in the OWG Hearings. However, the UN used different age categories in the Rio dialogues (≤ 34 ; 35–54; ≥ 55) and the MYWorld Survey (≤ 15 ; 16–30; 31–45; 46–60; ≥ 61). Because they provided a higher degree of precision, we took up those set up in the MYWorld Survey and attributed them to the participants in the OWG Hearings.

3. The results of the final vote, including disaggregated data by continent, HDI, age and gender, are available at <http://vote.riodiadialogues.org>
4. The major groups were created in 1992 following the UN Conference on Environment and Development in Rio de Janeiro to facilitate the participation of nine sectors of civil society in global policymaking. They include business and industry, children and youth, farmers, indigenous peoples, local authorities, non-governmental organizations, scientific and technological community, women, workers and trade unions.
5. The 'other stakeholders' category comprises private philanthropic organizations, educational and academic entities, persons with disabilities, volunteer groups and other stakeholders active in the areas related to sustainable development (High Level Political Forum 2014). Since 2012, these actors have increasingly engaged in UN negotiations on sustainable development in addition to the major groups, who are the traditional civil society interface mechanism with these negotiations since the 1992 UNCED.
6. Ipsos MORI provided advice on survey design and methodology.
7. Seed Media Group kindly gave us access to these data. Seed Media Group participated in the organization of the Rio dialogues on a pro-bono basis: in particular, it designed and provided the voting website, collected and processed the data from the vote, and finally designed and developed a tool to visualize the voting results.
8. We conducted the interview discussions on the condition of confidentiality and anonymity, thus we indicate interviewees only by their initials.
9. Organizing partners act as liaison between their constituencies and the UN system and governments.
10. CIVICUS World Alliance for Citizen Participation is the home organization of one of the organizing partners of the NGO major group.

References

- Abelson, J., Forest, P.-G., Eyles, J., Smith, P., Martin, E. and Gauvin, F.-P. (2003) 'Deliberations about Deliberative Methods: Issues in the Design and Evaluation of Public Participation Processes', *Social Science and Medicine*, 57 (2), pp. 239–251.
- Adams, B. and Pingeot, L. (2013) Strengthening Public Participation at the UN for Sustainable Development. Dialogue, Debate, Dissent, Deliberation. UNDESA Major Groups Report [online]. Available from: https://www.globalpolicy.org/images/pdfs/images/pdfs/UNDESA_MGs_Report.pdf [Last accessed 14 August 2015].
- Bäckstrand, K. (2006) 'Democratizing Global Environmental Governance? Stakeholder Democracy after the World Summit on Sustainable Development', *European Journal of International Relations*, 12 (4), pp. 467–498. DOI: 10.1177/1354066106069321.
- Biermann, F. and Gupta, A. (2011) 'Accountability and Legitimacy in Earth System Governance: A Research Framework', *Ecological Economics*, 70 (11), pp. 1856–1864.
- Bohman, J. (2010) 'Democratizing the Global Order: From Communicative Freedom to Communicative Power', *Review of International Studies*, 36 (2), pp. 431–447.
- Bursens, P. (2009) 'The Legitimacy of EU Decision-Making: Theory and Practice of the Open Method of Co-Ordination and the European Employment Strategy', in I. Blühdorn (ed.), *In Search of Legitimacy: Policy Making in Europe and the Challenge of Complexity*. Opladen, Germany, and Farmington Hills, MI: Barbara Budrich Publishers, pp. 165–182.
- Cochran, M. (2002) 'A Democratic Critique of Cosmopolitan Democracy: Pragmatism from the Bottom-up', *European Journal of International Relations*, 8 (4), pp. 517–548.
- Cohen, J. and Sabel, C. F. (1997) 'Directly-deliberative Polyarchy', *European Law Journal*, 3 (4), pp. 313–342.
- Cohen, J. and Sabel, C. F. (2005) 'Global Democracy?', *NYU Journal of International Law and Politics*, 37 (4), pp. 763–797.
- Dryzek, J. S. (2000) *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford: Oxford University Press.
- Dryzek, J. S. (2006) *Deliberative Global Politics Discourse and Democracy in a Divided World*. Cambridge: Polity Press.
- Dryzek, J. S. (2010) *Foundations and Frontiers of Deliberative Governance*. Oxford: Oxford University Press.
- Dryzek, J. S., Bächtiger, A. and Milewicz, K. (2011) 'Toward a Deliberative Global Citizens' Assembly', *Global Policy*, 2 (1), pp. 33–42.
- Fiorino, D. J. (1990) 'Citizen Participation and Environmental Risk: A Survey of Institutional Mechanisms', *Science, Technology and Human Values*, 15 (2), pp. 226–243.
- Haas, P. M. (2004) 'Addressing the Global Governance Deficit', *Global Environmental Politics*, 4 (4), pp. 1–15.
- Held, D. (1995) *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*. Stanford, CA: Stanford University Press.
- Held, D. and Koenig-Archibugi, M. (2005) *Global Governance and Public Accountability*. Chichester: Wiley-Blackwell.
- Höreth, M. (1999) 'No Way Out for the Beast? The Unsolved Legitimacy Problem of European Governance', *Journal of European Public Policy*, 6 (2), pp. 249–268.
- Kaldor, M. (2003) 'Civil Society and Accountability', *Journal of Human Development*, 4 (1), pp. 5–27.
- Kanie, N. and Biermann, F. (forthcoming) (eds.) *Governance through Goals: New Strategies for Sustainable Development*. Cambridge, MA: MIT Press.
- Keohane, R. (2003) 'Global Governance and Democratic Accountability', in D. Held and M. Koenig-Archibugi (eds.), *Taming Globalization. Frontiers of Governance*. Cambridge: Polity Press, pp. 130–159.
- MacDonald, T. (2008) *Global Stakeholder Democracy: Power and Representation Beyond Liberal States*. Oxford: Oxford University Press.
- Nanz, P. and Steffek, J. (2004) 'Global Governance, Participation and the Public Sphere', *Government & Opposition*, 39 (2), pp. 314–335.
- National Research Council (2008) *Public Participation and Environmental Assessment in Decision Making*. Washington, DC: The National Academies Press.
- Porter, T. and Ronit, K. (2010) *The Challenges of Global Business Authority: Democratic Renewal, Stalemate, or Decay?* New York: SUNY Press.
- Organization for Economic Cooperation and Development (OECD) (2001) *Citizens as Partners. OECD Handbook on Information, Consultation and Public Participation in Policy making*. Paris: OECD Publications.
- Roberts, N. (2004) 'Public Deliberation in an Age of Direct Citizen Participation', *American Review of Public Administration*, 34 (4), pp. 315–353.
- Rowe, G. and Frewer, L. J. (2000) 'Public Participation Methods: A Framework for Evaluation', *Science, Technology, & Human Values*, 25 (1), pp. 3–29.
- Scharpf, F. W. (1997) 'Economic Integration, Democracy and the Welfare State', *Journal of European Public Policy*, 4 (1), pp. 18–36.
- Scharpf, F. W. (1999) *Governing in Europe: Effective and Democratic?* Oxford: Oxford University Press.
- Schmidt, V. A. (2006) *Democracy in Europe: The EU and National Politics*. Oxford: Oxford University Press.
- Scholte, J. A. (2002) 'Civil Society and Democracy in Global Governance', *Global Governance*, 8 (3), pp. 281–304.
- Sénit, C.-A., Kalfagianni, A. and Biermann, F. (forthcoming 2016) 'Cyber-democracy? Information and Communication Technologies in Civil Society Consultations for Sustainable Development', *Global Governance*.
- Smith, W. and Brassett, J. (2008) 'Deliberation and Global Governance: Liberal, Cosmopolitan and Critical Perspectives', *Ethics and International Affairs*, 22 (1), pp. 69–92.
- Tarrow, S. (1998) *Power in Movements: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press.
- UN (2012) The Future We Want. Rio+20 UN Conference on Sustainable Development, Rio de Janeiro, Brazil, 20–22 June [online]. Available

- from: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/476/10/PDF/N1147610.pdf?OpenElement> [Last accessed 23 June 2015].
- UN (2013) MYWorld2015 Methodology [online]. Available from: <http://www.myworld2015.org/?page=methodology> [Last accessed 12 August 2015].
- UN (2014) Report of the Open Working Group of the General Assembly on Sustainable Development Goals [online]. Available from: <https://sustainabledevelopment.un.org/content/documents/1579SDGs%20Proposal.pdf> [Last 13 August 2015].
- UN (2015a) Secretary General's Remarks to Press Conference on the Outcome Document of the Post-2015 Development Agenda, New York, 3 August 2015 [online]. Available from: <http://www.un.org/sg/statements/index.asp?nid=8879> [Last accessed 8 October 2015].
- UN (2015b) MYWorld2015 Analytics [online]. Available from: <http://data.myworld2015.org/> [Last accessed 13 August 2015].
- UN Department of Economic and Social Affairs (UNDESA) NGO Branch (2014) Introduction to ECOSOC Consultative Status [online]. Available from: <http://csonet.org/index.php?menu=30> [Last accessed 29 June 2015].
- UN Development Program (UNDP) (2012) Human Development Index Database [online]. Available from: <http://hdr.undp.org/en/data> [Last accessed 29 June 2015].
- UN Millennium Campaign (UNMC) (2014) We the Peoples: Celebrating 7 Million Voices [online]. Available from: <https://myworld2015.files.wordpress.com/2014/12/wethepeoples-7million.pdf> [Last accessed 23 June 2015].
- UN Population Division (2012) World Population Prospects: The 2012 Revision [online]. Available from: http://esa.un.org/unpd/wpp/unpp/panel_population.htm [Last accessed 23 June 2015].
- Webler, T. and Tuler, S. (2000) 'Fairness and Competence in Citizen Participation', *Administration and Society*, 32 (5), pp. 566–595.

- Webler, T. and Tuler, S. (2008) 'Organizing a Deliberative Participatory Process: What Does the Science Say?', in S. Odugbemi and T. Jacobson (eds.), *Governance Reform Under Real-World Conditions: Citizens, Stakeholders, and Voices*. Washington, DC: World Bank, pp. 125–160.

Author Information

Carole-Anne Sénit is a PhD candidate at the Copernicus Institute of Sustainable Development, Utrecht University, in joint supervision with the Institute for Sustainable Development and International Relations (IDDRI) in Paris. Her research interests lie in global democracy, civil society participation and influence in sustainable development negotiations. She holds a 5-year integrated MSc in Political Science and Sustainable Development from Sciences Po Paris.

Frank Biermann is professor of Global Sustainability Governance at the Copernicus Institute of Sustainable Development, Utrecht University, The Netherlands, and chair of the Earth System Governance Project, a global transdisciplinary research network. He has authored, co-authored or edited 15 books in the area of global sustainability governance, including most recently *Earth System Governance: World Politics in the Anthropocene* (MIT Press, 2014).

Agni Kalfagianni is Assistant Professor of Political Science at the Copernicus Institute of Sustainable Development, Utrecht University, The Netherlands. She is interested in the legitimacy, accountability, and fairness of non-state actors and their institutions in global governance. Her work has appeared in numerous high impact journals and edited volumes with major university presses (e.g. the MIT Press).