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## EDITOR'S NOTE

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Although NGOs have a long history in the peace and disarmament movements—international ‘peace societies’ have been active since the nineteenth century—in the past few years NGOs and the wider civil society movement have ‘stepped into the spotlight’ in international fora. The fact that three disarmament-related NGOs have received Nobel Peace Prizes in recent years testifies to their influence and relevance today.

Many people equate NGOs with lobbying, applying pressure to reluctant governments, and trying to mobilize public opinion. Yet numerous NGOs have moved far beyond simple advocacy to being experts on specific aspects of disarmament and security issues. NGOs produce and disseminate original research, are active in policy design, and carry out difficult work ‘on the ground’.

As NGOs make essential contributions to disarmament and security debates, negotiations, policy development and implementation, why do we hear grumbling? Governments complaining that NGOs have no accountability and foul up delicate negotiations with their unreasonable demands and proposals; international organizations scrambling to balance the requirements of their state-centred nature with the recognition that governments are not necessarily the best representatives for some groups or issues; NGOs battling not just to be taken seriously as partners, but even to have a place at the table. Even NGOs squabbling among themselves.

A combination of recent developments—from the civil society fuelled push for a global mine ban convention, to the growing, diverse community concerned about small arms, to the words of the UN Secretary-General welcoming the participation of civil society as partners rather than spectators—all beg closer examination. What are the special assets that NGOs can contribute? How open is the field of disarmament and arms control to NGOs? Is NGO participation valued? Are there areas where increased cooperation would be useful? What lessons can be learned from recent NGO/civil society partnerships? Are NGOs being under-utilized?

With this issue of *Disarmament Forum*, we have only scratched the surface of this topic. We had hoped to include other voices in this issue—the voice of NGO funders, NGOs from developing countries, governments supportive of NGO work, etc. UNIDIR has a long tradition of working in partnership with NGOs and we look forward to publishing future articles on NGO contributions to disarmament and arms control.

The next issue of *Disarmament Forum* will focus on human security in Latin America. We will be examining several aspects of and contributing factors to human security, including small arms, civil–military relations and a case study on Colombia.

The New Year brings new faces to the Institute. First, we are pleased to welcome Nicolas Gerard as UNIDIR’s Programme Manager and Conference Organizer. Mr Gerard has a background in

international relations and a strong interest in peace and security issues. Secondly, UNIDIR's Visiting Fellows for 2002 have arrived. They will be focusing their work on the Israeli-Palestinian conflict. The Fellows are Adel Atieh (Palestine), Gasser El Shahed (Egypt), Gilad Ben Nun (Israel) and Rana Hassan Taha (Jordan). Undoubtedly, these five new colleagues will enrich the work of the Institute and that of the wider community concerned with arms control and disarmament.

We regret to inform our readers that Julie Dahlitz, expert in arms control and disarmament law and a former UNIDIR colleague, passed away in December 2001. Dr Dahlitz recently edited a three-volume series published by the United Nations: *The International Law of Arms Control and Disarmament, Avoidance and Settlement of Arms Control Disputes*, and *Peaceful Resolution of Major International Disputes*.

We enter a new year with continuing violence in the Middle East, the war in Afghanistan, ongoing conflicts in Africa, economic and social structures crumbling across Latin and Central America, escalating tensions between two nuclear states in Asia, an investigation of biological weapons use in the United States—and the list continues. At the same time we are seeing a withdrawal from cooperative engagement on arms control, disarmament and security issues. UNIDIR firmly believes in multilateral endeavours and joint action to address the complex and knotted conflicts facing us today. We invite you to work in partnership with us to make this year more peaceful than the last.

*Kerstin Vignard*

## SPECIAL COMMENT

NGOs are, and should be, partners with governments and international organizations on numerous issues. In many instances NGOs have an essential impact and carry out work that other actors are unable or unwilling to do. Yet their role and work may sometimes be disputed, problematic and not always understood. For example, some actors do not want ‘watchdogs’ following their actions and associate all NGOs with this function. In the disarmament and humanitarian fields, I have experienced NGOs being supportive and constructive advocates and implementers. Regrettably, their potential is not always fully recognized or utilized.

Non-governmental organizations (NGOs) fulfil a variety of roles. They can be advocates for good causes, facilitators or implementers. Often a combination of these roles can be very effective. Although not all NGOs are equally constructive and competent, many NGOs have specialist expertise and serve as resources for governments, international organizations and the media.

One of the great assets of NGOs is that, if they are sufficiently resourced, they can move quickly and thus can effect change in urgent situations—especially in the field of humanitarian assistance and conflict resolution. This is something that large bureaucracies such as governments and international organizations can find very difficult. It is therefore worthwhile to see how we can fund effective NGOs so that they have the necessary resources to act rapidly in order to prevent a grave situation from becoming worse.

NGOs have the additional benefit of sometimes being seen as more politically neutral than international organizations or individual governments. They can often take account of and work with actors in ways that a government might be unable to. Because they are usually issue-based and are frequently seen as experts, NGOs are harder to ‘position’ on the political spectrum. In many cases, their motivations are viewed as being above the narrow self-interests often ascribed to states. Thus NGOs can play a useful facilitating role, bringing together parties that otherwise would find it politically impossible to meet. Meetings and projects administered by NGOs may be perceived as being inclusive, whereas similar projects carried out by governments might be seen as excluding or biased. In this respect governments and NGOs can form important partnerships—the government providing resources and advice and the NGOs providing the expertise, contacts and impartiality.

Another strength of NGO participation in policy formulation and policy implementation is the ability of NGOs to act both as independent organizations and as part of an ‘umbrella group’. For example, during the Ottawa Process it was important that the International Campaign to Ban Landmines (ICBL) was able to unite so many NGOs—large and small, from diverse regions and backgrounds—behind one simple, effective message. However, some issues lend themselves more readily than others to a ‘more the merrier’ approach. This is particularly true in the early days of policy formulation on an issue, when broadly embracing as many views as possible provides a greater range of ideas from which to choose.

NGOs with on-the-ground, practical experience are especially useful partners. This was one of the most important contributions of the NGOs campaigning against anti-personnel landmines. Their authority came from their direct, personal experiences. Their voices were heard because they had first-hand knowledge. Although NGOs working on small arms have yet to fully appreciate this lesson, it is beginning to happen and it was gratifying to observe how many NGOs from conflict-afflicted regions came to tell their stories at the July 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. We need to hear more of these voices. Governments and their bureaucrats need to be told time and time again just what is the *real impact* of their policies on *real people*.

One dilemma in dealing with NGOs is the issue of accountability. Unlike democratically elected governments, NGOs are generally not accountable to the wider public—only to their like-minded supporters. Their constituency is often only a portion of a greater public. Of course, many NGOs are accountable to their funders—but to whom are the funders accountable? Government policies can be susceptible to undue influence from unrepresentative but well-financed or vocal NGOs that punch well above their true weight. These NGOs might pressure governments into supporting or adopting undesirable policies.

For the most part, however, the NGO-government partnership works well. It might work even better if NGOs were better financed, more accountable and transparent, and had better access to governmental and international processes and information. Several of the contributors to this issue of *Disarmament Forum* reflect on how these changes could be identified and implemented.

It is essential, however, that NGOs retain their independence from governments. Too close an association would lead to a loss of NGO credibility and effectiveness. This is a fine distinction—NGOs should work with governments and international organizations but must be able to clearly voice their concerns without losing their independence, access or respectability. They are not there to ‘rubber stamp’ the views of international organizations or governments or simply to lend credibility to top-down processes.

UNIDIR acts as an important bridge between NGOs and government representatives to the United Nations. I am grateful to UNIDIR for providing this timely and much needed discussion of NGO participation in the field of disarmament and security. If ever there was a topic that was in dire need of energetic input from NGOs, it surely is disarmament in the early twenty-first century.

***Steffen Kongstad***

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## NGOs and disarmament: views from the coal face

David C. Atwood

On 25 July 2001, I sat in the public gallery in the Palais des Nations in Geneva as the delegation from the United States announced the American decision to support neither the 'composite' text nor the 'rolling text' of the draft Protocol to the Biological and Toxin Weapons Convention (BWC), in effect killing the Protocol after more than six and a half years of negotiations. In the gallery with me were a number of non-governmental organization (NGO) representatives, perhaps more than had been present at any other time in the years of the negotiations. Their involvement on that day, as had been the case in large part throughout the negotiations, was as spectators to this sad spectacle.

This day contrasted emotionally for me with the excitement I felt in December 1997 in Ottawa as more than 100 countries gathered to put their signatures to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction (the Mine Ban Convention). Present on that occasion were hundreds of well-wishing and supportive NGO representatives, many of whom had been actively involved in the achievement of the convention through the 'Ottawa Process', celebrating this historic decision by governments to ban a whole weapons system and dedicating themselves to working alongside governments for the successful implementation of the convention.

These two examples demonstrate for me not so much the declining state of multilateral disarmament affairs over the last several years, although I think that something is seriously broken in that domain—with important implications for governments and NGOs alike in the coming period. Rather, I begin with these contrasting pictures to show in caricatured form two of the many realities of NGO engagement in disarmament affairs.

Because of these many realities, there are dangers in presuming to tackle a subject as broadly defined as 'NGOs and disarmament'. The generalizations and simplifications required risk calling the whole enterprise into question from the start. Also, as an NGO representative at one of the 'coal faces' of disarmament work—Geneva—my own picture of NGO involvement is limited and no doubt skewed by what I see and experience in this setting. Further, as someone toiling every day in the sparse vineyard of disarmament action, there is little time available to do the broader analysis within the field of disarmament, let alone the cross-field perspective, which would be useful—a dilemma shared by most NGO activists and a factor which itself limits the potential of our work.

These caveats notwithstanding, I offer in this piece a few observations which I hope might provide something of a framework for thinking about the involvement of NGOs in disarmament

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David C. Atwood is Associate Representative for Disarmament and Peace at the Quaker United Nations Office, Geneva. The views expressed in this article are those of the author and do not necessarily represent those of the Quaker United Nations Office.

affairs and some stimulus for further research. First, while NGO involvement in disarmament affairs is long-standing, its current manifestations are part of a broader reality of transnational civil society engagement on issues of global concern. Second, disarmament has many dimensions and NGO engagement with these dimensions is not uniform and is sometimes contradictory. Third, NGOs play many important roles in advancing disarmament affairs, which go well beyond their very limited direct access to disarmament negotiations. Fourth, the experience of NGO engagement in the Ottawa Process is unique, but with important lessons for other disarmament issue areas and beyond. Finally, the present state of multilateral disarmament diplomacy is in a mess, and requires new kinds of thinking by NGOs and governments alike.

### *Non-governmental disarmament actors and international relations*

Since twenty years or so ago, when NGOs were barely recognized as significant international actors by international relations scholars, there has been a growing understanding that non-governmental forces are increasingly important features of our global system, for better or for worse. The events of 11 September 2001 have put to rest any lingering doubts about the negative price that so-called 'non-state actors' are capable of exacting. Our concern here is not with these actors, however, although their importance is considerable in relation to the realities of weapons proliferation and weapons use in our world. Instead, the focus is on individuals, groups, bodies and organizations that seek to play a role in shaping arms control and disarmament processes nationally, regionally and internationally.

In an important study in the developing literature on the general subject area of transnational civil society, Florini and Simmons noted that 'Nongovernmental organizations (NGOs), informal associations and loose coalitions are forming a vast number of connections across national borders and inserting themselves into a wide range of decision-making processes on issues from international security to human rights to the environment. ... Transnational civil society is a piece—an increasingly important piece—of the larger problem of global governance.'<sup>1</sup>

NGOs concerned with disarmament and security-related issues make up an important part of this reality of transnational civil society, taking advantage of the possibilities for communication and organization which are now possible, combining forces in a variety of ways to transform global political agendas, becoming increasingly important actors alongside governments and international institutions in tackling transnational problems, and, along with their activity and influence, raising important issues of democratic accountability.

There is a certain irony in the history of the engagement of NGOs in disarmament affairs. Peace societies were among the earliest of what we now call international NGOs, dating back to the early part of the nineteenth century. Among the concerns of peace organizations have always been issues

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of the relation of armaments and militarism to the prospects for international peace.<sup>2</sup> Despite this long history of engagement, it is perhaps not too much of a generalization to argue that disarmament and security policy systems remain among the least penetrated by NGOs. However 'globalized' the world has become, governments continue to jealously guard their prerogatives when it comes to decision-making about weapons and weapons reduction. As Cathleen Fisher has noted in her important study

on NGOs in the nuclear disarmament debate, 'When core national security interests are involved, policymakers generally expect to retain tight control over decisions and ... publics have been largely content to let them do so.'<sup>3</sup>



Nevertheless, while there are factors that constrain the engagement of NGOs in disarmament affairs and shape their impact—perhaps more than is the case in other global issue areas such as the environment or human rights—this reality should not blind us to the variety of NGOs involved and the range of styles of activity in which they engage. As the global security debate moves from being simply defined in traditional national security/arms control terms to concerns about ‘human security’, the types of NGOs and the nature of their involvement also broadens and deepens.

### *Disarmament NGOs: a distinctive community?*

There is a tendency by governments, international organizations and, at times, by NGOs themselves to speak of NGOs in a collective sense in relation to one global issue area or another, as in ‘environmental NGOs’, ‘human rights NGOs’ or ‘development NGOs’. While understandable in terms of trying to picture distinctive work and organize official relationships, this tendency disguises more than it reveals in terms of the enormous variety of types and purposes of NGOs engaged in an issue and tends to perpetuate the view of civil society as an adversary rather than a partner in tackling issues of global concern.

In the field of disarmament affairs, there are a number of perspectives from which speaking of ‘disarmament NGOs’ in this collective sense seems particularly inaccurate and unhelpful. The first reflects the variety of concerns that are included under the ‘disarmament’ umbrella. The international arms control and disarmament ‘agenda’ tends to be broken down into clumps of weapons systems or issue concerns: nuclear weapons proliferation, the militarization of outer space, ‘inhumane’ weapons, the arms trade, biological and chemical weapons, and so on. NGOs have tended to follow suit. While there are NGOs which work across a number of global issue areas or across a range of arms control and disarmament issues, there tends to be a high degree of specialization among NGOs around one weapon system or cluster of issues related to a weapons system like nuclear weapons. What this means is that NGOs have developed strategies and approaches to those particular areas, but there is little cross-fertilization with NGOs working on other areas. To illustrate, while there may be some NGOs that do some work both on nuclear weapons and on small arms (for example, International Physicians for the Prevention of Nuclear War), for the most part there is little overlap between these different ‘communities’. While this specialization has probably meant growing effectiveness by NGOs within a specific weapons area, there are costs to this in terms of the evolution of a more holistic and broadly based ‘security’ agenda and the development of a mutually supportive NGO constituency.

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Second, another dimension to this ‘clumping’ of NGOs around particular weapon or security issue areas is that NGOs are spread unevenly across these areas in terms of numbers, types and north-south distribution. For example, NGOs have been engaged on nuclear weapons concerns in great numbers and variety, from broad popular movements to specialist research communities to lobbying groups, for a large part of the last fifty years or so. A Review Conference of the Nuclear Non-Proliferation Treaty (NPT) will draw literally hundreds of NGOs of these varieties. For easily explainable reasons, this broad nuclear disarmament ‘community’, however, has been largely, although certainly not exclusively, northern in character. On the other hand, chemical and biological weapons, also classified as weapons of mass destruction, have not attracted broad popular constituencies. Thus, it has been ‘expert’ groups and those promoting inter-governmental dialogue which have been most engaged in these weapons areas. The absence of a broad, popular constituency on biological weapons meant that six and a half years of negotiations by States Parties to the BWC took place

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largely unknown to the general public, resulting in limited pressure at the national level to shape government positions. Despite the huge percentage of government budgets which they consume and despite their growing destructive capacity, so-called conventional weapons receive extremely little multilateral governmental attention and there is also only a small NGO transnational conventional weapons constituency, centred mainly in arms exporting countries around national arms sales policies. On the other hand, anti-personnel landmines (APMs) and small arms, subsets of conventional

weapons, have drawn the concerted attention of NGOs in many parts of the world and from across a range of constituencies beyond traditional arms control and disarmament groups. There are many causal factors behind these illustrations that deserve to be 'unpacked' or analysed. The point here, however, is to demonstrate the uneven nature of NGO engagement in disarmament affairs.

Another obvious factor in this world of disarmament NGOs is that they, like NGOs involved in the whole range of global issue concerns, will often differ among themselves not only on strategy in relation to a particular weapons policy direction but also even on the desirability of a particular direction. Rebecca Johnson has recently catalogued, for example, what she describes as the 'bitter chasm' that opened between nuclear weapons 'arms controllers' and 'abolitionists' in the 1990s in terms of nuclear disarmament strategy.<sup>4</sup> Cathleen Fisher describes the influential role of 'counter-reformers' among NGOs in the nuclear debate in the United States in the 1990s.<sup>5</sup> Recently, at the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, NGOs presented two diametrically opposed faces to government delegates. The first was made up of NGOs from development, human rights, humanitarian and disarmament NGOs from many parts of the world, who wished to see the conference not only legitimize the fundamental importance of concerted international action on small arms but also commit states to specific courses of action. A second, the so-called 'firearms community', saw the conference as a major threat to the perceived 'rights' of gun owners and shooting sportsmen and worked equally vigorously to minimize the outcomes of the conference. Rarely are NGOs so united that they are willing or able to speak with one voice, although coalitions and joint campaigns do get close to this. The International Campaign to Ban Landmines stands out among NGO initiatives in recent years in presenting to the international diplomatic community a near solid front.

While the above descriptions could have been written by anyone remotely involved with NGOs concerned with disarmament issues, I am struck by the relative absence of literature which attempts to go beyond case studies of NGO engagement in particular disarmament areas, most of which seem to concentrate on the nuclear disarmament field. There is, therefore, a job to be done to describe more fully this reality, to investigate factors behind it, and to analyse how these factors influence the nature of the involvement of NGOs in shaping disarmament outcomes.

### *'Access' isn't everything*

As noted earlier, there are few other global issue areas where NGOs have a smaller official role than they do in disarmament affairs. To give an example, despite their major engagement with nuclear weapons concerns, NGOs have virtually no official role in the work of the Conference on Disarmament (CD) in Geneva, the sole global multilateral disarmament negotiating forum. They have struggled hard for some kind of officially recognized role in other disarmament fora, such as the Review Conferences of the NPT and the BWC, where what they have achieved remains severely

circumscribed. The kind of limited role there should be for NGOs proved to be a major debate among governments in the preparatory process for the recent UN Conference on the Illicit Trade in Small Arms. The only real breach in the general practice of exclusion has been in the APMs process, where, as will be noted later, a genuine partnership of governments, international organizations and NGOs has operated to produce not only the Mine Ban Convention but also determined steps to implement it.

The official relationship between multilateral disarmament institutions and NGOs is badly out of tune with current realities in international relations and with current needs. New approaches are necessary. However, an exclusive focus on the question of the relative lack of formal NGO 'access' to multilateral disarmament badly distorts the reality of the many important roles that NGOs can and do play in disarmament affairs. Nor does the fact that nation-states still jealously guard the security agenda mean that disarmament NGOs have no impact. It is impossible in this space to go into detail about the types of NGO engagement in different disarmament spheres of action or to assess their relative importance. Other articles published in this *Disarmament Forum* illustrate various dimensions of this engagement. But a brief overview can give an indication of the many ways in which NGOs are engaged at the national, regional and international levels, despite formal disarmament mechanisms being largely closed to them.<sup>6</sup> Among the critical roles that NGOs can play are the following:

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- generating public awareness;
- constituency building and campaigning at the national and transnational levels;
- 'reframing' issues;
- policy agenda-building and policy development;
- developing and changing norms;
- lobbying/advocacy;
- exchanging and targeting of information;
- researching and expert policy advising;
- monitoring and evaluating actor behaviour;
- developing 'Track II' initiatives; and
- implementing policy.

Fisher's study on NGOs and the nuclear weapons debate in the 1990s illustrates a number of these roles. She notes that, although the general goals of nuclear disarmament remain a long way off, NGO action was essential to what movement there was in the 1990s.

'First, NGOs succeeded in making Cold War nuclear policies, postures, and doctrines a topic of sustained, serious debate for several years within the US strategic community and in important international fora. The depth and eventual scope of this debate among experts would have been inconceivable absent NGO activism. ... NGOs made significant progress toward reframing the debate about nuclear risks—an essential step toward achieving more ambitious objectives. ... NGO analysis helped to focus attention on new nuclear

dangers ... [M]any proposals explicitly recognized that progress toward nuclear abolition could only be achieved if certain conditions were met. ... Second, NGOs helped to secure important changes in state policy and behaviour. ... Persistent public pressure from the nongovernmental community as well as quieter track-two diplomatic efforts probably helped facilitate these desired outcomes. ... Third, the nongovernmental community helped to strengthen the international norm against proliferation ... . Finally, the nuclear debates of the 1990s further weakened the claim of governmental experts and officials to a monopoly of expertise and wisdom on the nuclear issue.<sup>7</sup>

In her comparative case study of the roles played by Pugwash Conferences and the Parliamentarians for Global Action in the nuclear debate in the 1990s, Jackie Smith further illustrates factors that can be seen to be important to the impact of particular NGOs on policy change. Smith notes that:

‘Although they appear to lack internal democracy and fail to truly represent the views of a broad cross-section of society, both Pugwash and Parliamentarians for Global Action perform tasks that are essential to the operation of more democratic global institutions. They do so by: (1) providing information to a broader public than might otherwise have access to information related to nuclear security policies; (2) cultivating transnational identities which help individuals perceive common stakes in political decisions occurring beyond the national level; (3) monitoring government behavior in order to hold them accountable to their formal and informal agreements; and (4) developing tactics that enable influence attempts by groups and individuals who are otherwise disenfranchised from bilateral and multilateral decision processes.’<sup>8</sup>

These illustrations demonstrate that despite the perceived ‘straightjacket’ within which NGOs concerned about disarmament issues work, they can be seen to be important players in the game of policy influence and change. One recognition of this importance is the fact that in the last two decades, disarmament-focused NGOs have been awarded the Nobel Prize for Peace three times—International Physicians for the Prevention of Nuclear War in 1985, the Pugwash Conferences on Science and World Affairs in 1995, and the International Campaign to Ban Landmines in 1997.

There is a need for greater understanding not only of the history of NGO involvement in particular disarmament issue areas but also of the factors, both in the environment in which NGOs are working and internal to NGOs themselves, which have affected the nature and effectiveness of their engagement. Case studies and comparative analyses are beginning to address this need, as the above examples show. For policy officials and NGOs alike, there is a concomitant need to examine this record and learn from it.

### *What can we learn from the Ottawa Process?*

*The Ottawa Process is remarkable as an example of the essential role that civil society organizations can play in global policy transformation, even in defence and security issue areas, as both forceful advocates and constructive partners.*

It is perhaps a sign of the relative paucity of progress in arms control and disarmament in recent years, despite the end of the Cold War, that the achievement in 1997 of the Mine Ban Convention stands out so forcefully. But quite apart from the obvious importance of what has been achieved in banning a whole weapons system in an agreement which now has more

than 120 States Parties, the Ottawa Process also is remarkable as an example of the essential role that civil society organizations can play in global policy transformation, even in defence and security issue areas, as both forceful advocates and constructive partners.

There are several factors which made this easier in the case of APMs than it would be in nearly any other weapons area. However, these factors, while suggesting the uniqueness of this experience, do not detract from the lessons that can be learned from it.

First, essential to the creation of the political will necessary for what has been achieved on the APM issue has been the broad popular support for action to be taken, made possible in part because the issue itself is clear: the impact of the use of APMs is visible and shocking and what needs to be done is easily grasped. The simplicity of the issue and message was effectively used by the International Campaign to Ban Landmines to capture public opinion, necessary to move governments to take action on the APM problem.

Second, APMs, even from the perspective of those who most ardently defend their continued possession, are weapons of relatively minor importance from a military security perspective. This made it easier for the primacy of the humanitarian costs over military importance to be accepted by many governments. Also, the lesser importance of this weapons system from a military point of view probably facilitated independent action by a number of middle power states because such action did not threaten key relationships in the way that other, more centrally important weapons systems might.

Third, APMs are a relatively discrete weapons system, having a mainly defensive function, lending itself to a 'ban' solution. Although other weapons systems, such as the range of other small arms and light weapons, can be perceived to have important humanitarian and development consequences, control rather than ban solutions are more appropriate because of the range of types of weapons involved and their perceived continued utility.

Because of these factors, 'doing an Ottawa' would be less likely in other weapons systems areas. However, this landmines experience contains important characteristics which are not without relevance to other areas. For example, in the APM ban process we can see the important role that NGOs can play in reframing an issue, in this case from one largely defined as a traditional military security issue to one principally defined by its humanitarian dimensions. This reframing, in part through the ICBL's strategy of the 'shaming' of actors who continued to produce, transfer and use this indiscriminate weapon, was essential in eventually drawing a sufficient number of states in the direction of a ban. While this may be more difficult in other areas, there are important lessons here for future work on small arms and on weapons of mass destruction.<sup>9</sup>

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In the work on APMs, it was largely humanitarian actors who drove the process inside the heart of a traditional defence issue and it was these humanitarian actors that made all the difference. It can probably quite safely be argued that if work on landmines had been left to traditional peace and disarmament NGOs, even the Revised Protocol II on landmines of the Convention on Certain Conventional Weapons, rather than being the catalyst for what became the Ottawa Process because of its perceived weakness, would have been unlikely to have been achieved in 1996. The further involvement of other types of NGOs—human rights, development, humanitarian—in arms control and disarmament processes will without a doubt shift the ways in which issues are defined, however much more difficult this may be than in the area of APMs. In the small arms area, this transformation is beginning to take place, although it is my own view that the broad range of NGOs now concerning themselves with small arms have to date insufficiently culled the landmines experience for what it can teach them.

A further characteristic of the process leading up to the Mine Ban Convention and into the implementation period has been the remarkable partnership achieved between NGOs, committed governments and international organizations. While there are real reasons why this partnership

*While nothing can replace the advocacy and even confrontation roles that NGOs must play in policy change, much can be accomplished by developing strategic partnerships with key government players.*

process would be more difficult in other areas, what the landmine experience should be teaching disarmament NGOs is that, while nothing can replace the advocacy and even confrontation roles that NGOs must play in policy change, much can be accomplished by developing strategic partnerships with key government players. What governments should be learning is that NGOs are not always the threat that they perceive them to be and, in addition to NGOs calling for public pressure on issues they care about, engaging NGOs in creative ways can actually assist the achievement of desired outcomes. A critical laboratory worthy of further possible insights for other areas is the tripartite nature of the Mine Ban Convention's inter-sessional work programme and the considerable informal role which NGOs play in monitoring compliance with the norm that the convention has now established. What States Parties have discovered is that they have not lost control of what essentially remains their process by making NGOs active partners.<sup>10</sup>

Two other features of the Ottawa Process are worthy of note here. These are less related to NGOs but are nevertheless factors which, however much more limited they might be in more complex, more critical weapons areas, are features with actual or potential application in other disarmament areas. The first, of equal importance to the various roles played by NGOs in achieving the convention, was the part played by the small core group of middle power states, which drove the political process between the first international meeting in Ottawa in 1996, when Canada challenged the international governments to complete a ban treaty in one year, and the second meeting in 1997 when more than 100 countries put their signatures to the new Convention. As one observer has noted, 'Without the ICBL, the core states would not have been able to mobilize the skills and resources of foreign social actors; without the core group, the ICBL would never have been able to engage in the diplomatic lobbying necessary to negotiate a convention.'<sup>11</sup> The other key feature critical to the achievement of the convention was, of course, the Ottawa Process itself, a deliberate decision to take the diplomatic initiative outside traditional disarmament fora and practices, including the 'consensus' rule. There are severe limitations to the application of this elsewhere, but the fact that it has happened and the fact that innovative processes have been established in the implementation of the convention provide a permanent, sharp contrast and useful irritant to the continuation of multilateral disarmament diplomacy settings and methodologies which are proving to be increasingly incapable of significant achievement.

As with the rest of this article, much has been too cursorily argued here. Of course 'Ottawa' is not replicable—for all sorts of irrefutable reasons. But my point is that if we fail to analyse this landmine ban experience—in all its richness—for what it can teach us, we will miss opportunities for seriously shaking up our thinking and practice as NGOs and governments as we enter a perilous period requiring new approaches, new practices and new attitudes.<sup>12</sup>

### *Listening to the future*

I began this piece with two 'realities'. The first is a stark reminder of how broken our mechanisms for multilateral disarmament diplomacy have become. The story of the breakdown of the BWC Protocol negotiations is not unique and it would be incorrect to lay the blame for the present bankruptcy in the system totally at the doorstep of one actor, however powerful that actor is. The

second is a reminder of what can be done when sufficient common vision and purpose can be mobilized, based on global interests rather than narrow national power perspectives.

If traditional forms of multilateral disarmament diplomacy are becoming unworkable, how do we ensure that the alternatives are not simply a pure return to unilateral national solutions or bilateral arrangements which fail to take into account larger needs and interests? It is time for a greater examination of what is needed and possible in order to ensure that responses to the real issues of human security are advanced. Such an examination will reveal that, in some spheres, we have already figured out some ways forward and are doing it. Such an examination will also reveal the requirement for states to broaden their definitions of the questions involved and recognize that, in relation to many of the real security issues this planet is facing, it simply is no longer possible to cram these issues back into the traditional arms control/disarmament bottle. This was the real message of the July 2001 UN small arms conference, whether some governments chose to recognize it or not. Further, such an examination needs to include a serious consideration of the 'partnership' role of civil society organizations, so that growing numbers of states can cease to see such organizations merely as threats and come to understand that their real participation is a requirement if durable solutions are to be found.

But NGOs themselves need to begin think together more constructively and purposefully as well. I have spoken earlier of the diversity and clumped nature of disarmament NGOs. I have also spoken of the growing relevance of NGOs from outside the traditional arms control and disarmament 'box' to traditional security definitions and, equally, the importance of security-related issues to the spheres of development, human rights and humanitarian affairs. A common concern to all ought to be the current general state of disarmament diplomacy in relation to the threatening weapons realities which we all face. NGOs need to be learning more effectively from each other, from the strengths and weaknesses of each other's approaches, strategies and methodologies. This dialogue is long overdue and has barely begun.<sup>13</sup>

## Notes

1. Ann M. Florini and P.J. Simmons, 'What the World Needs Now?', in Ann M. Florini (ed.), *The Third Force: The Rise of Transnational Civil Society*, Japan Center for International Exchange, Tokyo, and Carnegie Endowment for International Peace, Washington, DC, 2000, p. 3. In addition to the very useful case studies of the strength of and limits to transnational civil society, it also contains a helpful annotated bibliography of current literature.
2. See, for example, Charles Chatfield, 'Intergovernmental and Nongovernmental Associations to 1945', in Jackie Smith, Charles Chatfield and Ron Pagnucco (eds.), *Transnational Social Movements and Global Politics: Solidarity beyond the State*, Syracuse University Press, Syracuse, NY, 1997, pp. 19–41.
3. Cathleen S. Fisher, *Reformation and Resistance: Nongovernmental Organizations and the Future of Nuclear Weapons*, Henry L. Stimson Center, Washington, DC, 1999, p. 67.
4. Rebecca Johnson, 'Advocates and Activists: Conflicting Approaches on Nonproliferation and the Test Ban Treaty,' in Florini, op. cit., pp. 49–81.
5. 'Although the Cold War had ended, the counter-reformers reasoned, the past was prologue when it came to the threats facing the United States and the role of nuclear weapons in countering those threats.' Fisher, op. cit., p. 27.
6. As noted earlier, a growing number of scholars are developing analytical tools for assessing issue action by non-governmental actors, including disarmament actors. Among the most useful recent publications are: Margaret E. Keck and Kathryn Kikkink, *Advocacy Networks in International Politics*, Cornell University Press, Ithaca, NY, 1998; Smith, Chatfield and Pagnucco (eds.), op. cit.; Florini, op. cit.; Fisher, op. cit.; Martin Shaw, 'Civil Society and Global Politics: Beyond a Social Movements Approach', *Millennium: Journal of International Studies*, vol. 23, no. 3 (Winter 1994), pp. 647–67; Thomas Risse-Kappen (ed.), *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Relations*, Cambridge University Press, Cambridge, 1995; Richard Price, 'Reversing the Gun Sights: Transnational Civil Society Targets Land Mines', *International Organization*, vol. 52 (Summer 1998).
7. Fisher, op. cit., pp. 58–61.

8. Jackie Smith, 'Global Civil Society, Social Movement Organizations, and the Global Politics of Nuclear Security', revised version of a paper prepared for the United Nations University Symposium, 'The United Nations in the 21<sup>st</sup> Century: International Peace and Security,' 6–7 November 1996, Tokyo, Japan, p. 34.
9. See, for example, Richard Price's important work on norm-building in the area of chemical weapons, *The Chemical Weapons Taboo*, Cornell University Press, Ithaca, NY, 1997. Price, in his 1998 examination of the role of transnational civil society in the landmines process, discusses the part played by the ICBL and the International Committee of the Red Cross in what he terms 'reversing the burden of proof': 'Questioning the military utility of mines has helped to instigate a comparable shift [to that which has taken place in the environmental movement of successfully putting the burden on the polluter to demonstrate that no harm is being done to the environment] by making mine proponents publicly defend, to domestic and international audiences, what previously required no justification: the assumption that mines have military utility and thus pass the test of military necessity.' Price, 'Reversing the Gun Sights', op. cit., p. 632.
10. For further elaboration of these points, see David C. Atwood, 'Implementing Ottawa: Continuity and Change in the Roles of NGOs', *Disarmament Forum*, no. 4, 1999, pp. 19–31, and Atwood, *Promoting Compliance: Observations on the Anti-Personnel Mine Ban Convention*, Occasional Paper No. 17, Geneva Centre for Security Policy, Geneva, 2000.
11. Maxwell A. Cameron, 'Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-personnel Mines', paper presented at the conference 'The New Diplomacy: The United Nations, Like-Minded Countries and Non-Governmental Organizations,' 28–30 September 1999, Ontario, Canada.
12. One of the few attempts (of which I am aware) to look at factors which influenced the success of the landmines campaign in comparison with other campaigns is that provided by Don Hubert. In this brief study, Hubert examines the landmines campaign alongside the campaign for an International Criminal Court, the campaign to ban the use of child soldiers, and the small arms campaign. See *The Landmine Ban: A Case Study in Humanitarian Advocacy*, Occasional Paper #42, Thomas J. Watson Jr. Institute for International Studies, Providence, RI, 2000.
13. What preparing this piece has revealed for me is that there is real need for research on the comparative experience of NGOs across a range of disarmament spheres as well as between disarmament and other areas of transnational civil society endeavour. If the inter-NGO dialogue and learning is to happen, this research needs to be prepared with NGO use in mind. NGOs in turn need to make use of the findings of this research for what it can teach them for their own work as well as for the enhancement of the inter-NGO dialogue which I have argued is necessary.



## NGO access to multilateral fora: does disarmament lag behind?

Simon CARROLL

International fora allow varying possibilities for the participation of non-state actors in their work. Typically, governments restrict the direct access of non-state actors to international fora by allowing only a limited group of officially accredited non-governmental organizations (NGOs) to attend meetings and then by variously enabling and constraining their participation. The limits on NGO access are exercised through application of established rules of procedure and through the practices agreed for the conduct of meetings and negotiations, even where these are 'informal'.

In many respects, non-state actors are confronted with similar challenges concerning their access to and influence of international bodies regardless of the issue—labour law, trade, environment, human rights or arms control. Although there are many similarities, there are also numerous differences in the extent to which non-state actors have direct access to fora. It is often suggested that the degree of NGO access to other multilateral fora, such as those dealing with environmental issues or human rights, is significantly greater than for disarmament fora. It is also argued that there is a corresponding impact on NGO ability to influence the content and implementation of these multilateral agreements.

Direct access to intergovernmental fora is only one aspect of non-state actor engagement in international processes. Non-state actors perform numerous functions in the creation, development and implementation of international agreements and conduct many of these activities independently of any specific international forum. Their diverse activities include research, highlighting of issues, 'setting' political agendas, assessing public opinion, influencing governments, proposing legal text, monitoring application of and even—on occasion—enforcing agreements. The effective performance of these individual functions does not necessarily require the direct access of non-state actors to specific multilateral fora, but the NGO influence can be marginalized by limiting it or by excluding NGOs altogether from formal processes perceived to be the exclusive domain of governments.

This article briefly describes some aspects of the historical development of NGO access to intergovernmental fora. It examines in more detail certain common features of NGO access to and engagement in multilateral fora, using environmental fora as an illustration alongside disarmament fora. It suggests that there are more similarities than differences between multilateral fora when it comes to non-state actor access. However, numerous fora provide a much greater degree of access and possibilities for NGO influence than is usual in the field of disarmament. The conclusion questions whether there is a logical reason for this 'divide', or has it to do more with traditional assumptions that continue to be applied by a conservative establishment reluctant to change?

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### *Development of NGO roles in international fora*

NGO participation in international affairs is *not* a new phenomenon. As early as the eighteenth century, numerous NGOs contributed significantly to the development of international law dealing with economic, political and social issues.<sup>1</sup> NGOs were instrumental in influencing states as to the need for international regulation concerning, for example, the abolition of slavery, recognition of labour rights, reduction of tariff and non-tariff trade barriers, and the promotion of the rights of women. Many of the organizations promoting these campaigns had an international dimension and operated in ways that are not dissimilar from the activities of NGOs today. In this era one can find numerous examples of NGOs organizing parallel workshops, producing briefing documents, pamphlets and 'newspapers', directly lobbying government officials and delegates, providing technical expertise and even participating as members of official government delegations.

In the early part of the twentieth century, activities under the auspices of the League of Nations provided for a relatively extensive degree of NGO participation in a range of tasks. This access even included participation in those bodies dealing with economic and trade issues where direct access of NGOs today is seriously curtailed, for example in the World Trade Organization (WTO). NGO activities helped in the establishment of intergovernmental organizations (IGOs) such as the International Committee of the Red Cross and the International Labour Organization.

The formal processes for non-state actor involvement in the development of international law were notably ad hoc—at least until the establishment of the United Nations in 1945. Nonetheless, in this pre-UN period '... many initiatives grew from private activities by private citizens, an early harbinger of the more intensive activism of non-governmental organizations which marks international negotiations today.'<sup>2</sup>

While the formation of the United Nations provided new opportunities for intergovernmental dialogue, it also appeared to result in a generally reduced role for NGOs in the inter-governmental decision-making processes for a couple of decades. On the one hand, the UN Charter formalized the NGO arrangements used by the League of Nations, but on the other hand the contribution of NGOs was seen to decline or stagnate until the mid-1970s.<sup>3</sup> Factors said to have influenced this include that the new mandates of governments and IGOs, including the UN and its specialized agencies, increased the need for 'in-house' expertise that hitherto had been provided by NGOs.<sup>4</sup>

In some respects the environmental field fell outside this pattern. As no dedicated United Nations body was immediately established for protection of the environment, the agreement to create the International Union for the Protection of Nature (IUCN) in 1948, with membership from both governments and NGOs, provided a focal point for environmental NGOs active at the intergovernmental level. This may have helped to set a general pattern of recognition of NGOs in the intergovernmental environmental area in the decades that followed. In 1992, the comprehensive plan of action for the environment known as Agenda 21 spelled out the potential contribution that NGOs could make towards realizing sustainable development. It noted that NGOs '... possess well-established and diverse experience, expertise, and capacity in fields ... of particular importance to the implementation and review of environmentally sound and socially responsible sustainable development ... [and that the resources of NGOs] should be tapped, enabled and strengthened ...'.<sup>5</sup>

The same could be said of NGOs active in almost every field, not just those concerned with the environment or sustainable development. In numerous ways and in many areas of policy development, NGO involvement has increased dramatically since 1992 although the trend was initiated at differing times in earlier decades depending on the fora. This appears to be a function of a number of factors. These include: a proliferation in the number of NGOs; enhanced and more diverse support and

membership of a number of these NGOs (and thus more secure financing of their activities); new skills and improved technologies enabling enhanced communication of ideas and programmes between NGOs and also with their diverse constituencies; and developments in the attitude of a number of IGOs concerning their formal relationships with NGOs. This last aspect has been advanced not least of all by a number of IGOs developing and implementing measures intended to facilitate NGO contributions to policy design, decision-making, implementation and evaluation of IGO activities.<sup>6</sup> At best, disarmament fora have lagged behind in recognizing these dynamics, let alone in implementing changes in long-held practices.

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The last few years have witnessed the emergence of what have been called extensive, essentially global, networks of networks. They have elements both of a broad NGO coalition and also a new political movement. In disarmament, we saw the emergence of the International Campaign to Ban Landmines, which united a diverse group of individual NGOs, active in fields such as development, refugees, humanitarian action and victim assistance, to fight for a common goal. In the environmental field, we see environmental groups, corporate groupings, anti-corporate organizations, anarchists, labour, community, developmental groupings, local 'organizers' and large numbers of otherwise non-affiliated but engaged citizens. This 'grouping' constructs complex, often shifting alliances and frequently challenges what are by now seen as traditional and overly state-dominated processes for non-state actor involvement in international fora.<sup>7</sup> There is consequently not only a tension between these 'activists' and states but sometimes also a tension between those non-state actors seeking to maintain and enhance NGO access to a forum and those non-state actors who are questioning the forum's legitimacy, roles, functions and what—if any—role non-state actors should play within them.

### *NGO diversity*

Who precisely do we mean when we refer to NGOs? The classical definition of the term NGO can be interpreted so broadly as to capture the activities of intergovernmental organizations (IGOs) as well as the entire spectrum of civil society. Essentially, the traditional definition potentially encompasses all entities that go beyond the individual but which do not have the direct authority of the state.<sup>8</sup> Nowadays most commentators define NGOs along the lines of 'private organizations that are neither established by government nor by international agreement, and which are capable of playing a role in international affairs by virtue of their activities' or as 'private international organizations that serve as a mechanism for cooperation among private national groups in international affairs'.<sup>9</sup>

In practice there is a tendency to lump all NGOs together as a grouping of 'pressure' or 'special interest' entities, whereas often the only common feature they share is the notion of 'organization'. In reality, numerous different types of NGOs have emerged as actors in the development of international law, including the scientific/expert community, non-profit organizations and associations, trades unions, private companies or business associations, legal practitioners, academics and individuals. And if NGOs are diverse, the totality of non-state actors is even more so!

One finds an enormous range of NGOs accredited to multilateral bodies and institutions—some with global reach, some with only local concerns and interests. Their objectives are sometimes divergent and even conflicting. For example, in recent years there has been a growing number of 'environmental NGOs' established primarily for the defence of collective or individual corporate interests. These NGOs may gain accreditation to environmental fora, even if there are numerous reasons to believe that their core focus is on preventing measures that would actually enhance environmental protection. There is a similar trend in disarmament fora. For example in the context

of international negotiations concerning the illicit traffic of small arms, representation was accredited similarly to lobbies wanting no new regulations in the small arms trade that might affect their 'business' and NGOs in favour of increased gun control efforts.

Unsurprisingly, therefore, it has been noted that '... the multitude of groups is so disparate and varies along so many dimensions—size, organization, objectives, location, staffing, funding sources, membership, strategy, life cycle—that it is hard to generalize about their activities or impact.'<sup>10</sup>

Given the diversity of potential inputs, an essential challenge facing governments is to find ways to utilize the expertise available from non-state actors in order to ensure that international fora can take and implement the best possible decisions and also ensure this happens without them becoming

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overly burdened by special interest groups with perhaps narrow and sometimes conflicting agendas.<sup>11</sup> Equally, there needs to be a recognition by governments that a decision to deny or overly limit the extent of non-state actor access to intergovernmental fora implies a world view where states are perceived to be the primary agent for analysis and action—a position which at best would no longer appear to be universally applicable and is potentially counter-productive.

### *Roles of NGOs in influencing international fora*

NGOs intervene at different points in the 'life cycle' of international law development and implementation. Individual NGOs may seek to use various kinds of influence at the different stages of the process. Additionally an NGO might concentrate its activities, choosing not to address all or even most of the stages of the process.

For descriptive purposes, the life cycle of international agreements can be divided into four phases. 'Agenda-setting' is that stage of the policy process when the nature and scope of a problem are being identified and the need for international regulation is being determined. The 'negotiation-bargaining' stage is when the actual process of negotiating and bargaining occurs, traditionally regarded as an activity in which only sovereign states participate. Once the deals are done and new policies or rules are agreed, there ensues a two-phase process: an 'implementation' phase, which typically consists of mainly national process to execute the agreements reached at international level; and a 'compliance-enforcement' phase, which concerns processes to ensure that states comply with the newly created international obligations.<sup>12</sup>

#### AGENDA SETTING

Typically, international institutions and Conferences of Parties leave the responsibility for setting the agenda and deciding formally on its adoption exclusively to the States Parties to the treaty. However, in some fora an issue may be placed on the agenda for formal consideration at the request of an NGO—however it still usually requires the support of at least one Member State. Here disarmament fora tend to follow the most restrictive path, with no formal NGO input on agenda setting being allowed or encouraged.

Perhaps in recognition of the reality that NGOs generally have few if any rights to place an issue formally on the agenda of an intergovernmental meeting, NGOs do exercise informal power in several ways. Through their activities and information they can shape the way in which various matters are addressed, the priority given to them and the way in which governments interact in seeking to resolve issues. Typically 'NGO agenda setting' occurs outside of the formal intergovernmental process—through direct dialogue with politicians and officials, through scientific bodies, via the media or by public-focused activities, or often a combination of these. Thus, it is possible for NGOs to ensure that an issue is placed on the 'official' agenda and strongly influence how the subsequent debate is framed.<sup>13</sup> In this regard, there is no difference between the area of disarmament and any other field of NGO activity.

Yamin notes, citing Wapner, that:

'The power that NGOs have to define a problem, outline the scope of its solution and to mobilise public pressure in support of their definition is difficult to measure in an objective fashion, precisely because it operates outside the formal sphere. It is more difficult to grasp because it cannot be equated with, or reduced to, the kind of power exercised by States. The latter has a coercive (law-enforcement) element and is exercised through formal channels, whereas the former operates informally and is voluntaristic [sic] in nature. The problematic nature of operationalising different notions of power and then analysing who exerts how much and in which context, should not, however, detract from the very real significant role NGOs play in agenda-setting procedures at the national and international level.'<sup>14</sup>

Moreover, difficulties can arise when NGO involvement in the early definition of a problem, and its solution, is weak or non-existent. Analysis of the decade-long effort of mainly northern governments to press for a global forest convention illustrates this well. In the run-up to the 1992 Rio Earth Summit, G-7 governments backed international negotiations for a global forest convention.<sup>15</sup> It soon became apparent that these governments lacked sufficient support from NGOs to achieve their goal. Few of the leading northern and southern NGO actors in the field had worked out clearly what the 'global forest problem' was and whether it, in fact, required a coordinated international response in the form of a legally binding convention.<sup>16</sup> This experience demonstrates how even powerful governmental interest in a particular product may be insufficient to generate adequate support for its objective and that efficient and effective outcomes may require involvement of non-state actors from the outset, not only when the process becomes deadlocked.

## NEGOTIATION AND BARGAINING

Much of the 'wheeling and dealing' with respect to negotiating and implementing international issues is done between sovereign states; NGOs have a limited role. Often NGOs have limited access and influence at this stage. The ability of NGOs to influence policy-makers at this point in the process depends on what 'goods' NGOs have to offer (in particular, expert advice and public opinion).

### *NGOs as experts*

As noted earlier, Charnovitz suggests that while governments relied heavily on NGOs for expert advice prior to the establishment of the UN, this practice subsequently declined for some decades. During recent years, the increase in density of regional and global interconnected networks and the

growing recognition that the biophysical, institutional and economic realities have to be treated simultaneously have made devising solutions to perceived problems more complex. NGOs can and do build connections across boundaries, both political and hierarchical. This puts them in a position where they can represent constituencies not currently well represented or address issues not prioritized (or well understood) by states, e.g. ecosystem integrity, intergenerational equity, etc. Governments have looked anew to NGOs to provide expert scientific, technical and policy advice. From a narrow 'arms control' or 'disarmament' perspective, many of these interconnected issues may appear of little relevance. Yet from a broader perspective of 'security' (especially human security), these issues are vital and inseparable. The security community should be informed by this debate at least as much as it is by the issues of particular weapons systems and stockpiles.

NGOs have built up considerable expertise in many of the scientific, economic, social and technical disciplines and are key members of the 'epistemic communities' underpinning the development and ongoing work of many international and regional regimes.<sup>17</sup> By publishing reports and providing up-to-date information to states through briefing papers and, in many cases, behind-the-scenes discussions with policy-makers about the implications of research sometimes even before it has been published in peer-reviewed journals, NGOs add considerably to government capacity to undertake international negotiations on an informed basis. NGO provision of information, analysis and policy recommendations is by no means new, but the degree it appears to be currently relied upon by many governments may be more widespread than previously—equally in the disarmament field as it is in others.

### *NGOs as lobbyists*

Even with well-recognized expertise and effective public pressure, the influence of NGOs in international negotiations also is affected by the degree of access NGOs have to policy-makers and relevant documentation on the status of negotiations. Particularly where access is limited at international fora, much of this lobbying work takes place at the national level and expert symposia with the formal international conferences constituting just one venue for lobbying activity.<sup>18</sup> Nevertheless, international fora are often where the final trade-offs are made and new rules agreed. Thus, the possibility of lobbying at the international level is an important strategic component of NGO work and one that is increasing—owing to the ever-growing range of issues being addressed at the regional and international levels, and the multiplication of the number of fora where such issues are discussed.

Formal access to policy-makers and documents at the international level is determined by treaty provisions and detailed rules of procedure determined by the States Parties and tempered by evolving state practices. An examination of these formal rules in international treaties reveals that there is some variety but also many common features.<sup>19</sup> Typically, NGOs may attend public meetings of the conferences of the parties as observers 'if the parties so agree'. NGOs who wish to attend typically have to demonstrate that they 'are qualified in matters covered by the Convention', have to have informed the Secretariat of their desire to take part, and meet the formal accreditation procedures set in place. These last requirements vary considerably, and range from very basic checks on the bona fide character and non-profit-making nature of the NGO to detailed formal requirements relating to the governance rules of the NGO, its structure and constitution, and having an official seat of business. Sometimes the criteria require an NGO to make a declaration of support for a convention or an international institution's core objectives.<sup>20</sup>

As far as formal access to documentation is concerned, practice varies widely from one forum to another. Some international organizations make most if not all documentation available in

advance and on request, others limit advance access to accredited NGOs. Some provide all documents including working papers to accredited NGOs, others provide only some documentation and exclude, for example, working drafts. The development of the Internet has made formal distribution of documentation easier in general, and has also facilitated the direct transfer of materials between governments and NGOs. In addition to the formal transfer of material, informal links between governments and NGOs, and between NGOs themselves, have been facilitated by the Internet, especially in cases when NGOs are unable to attend meetings—be it for lack of access due to closed meetings or refusal of accreditation, or simply due to cost or scheduling difficulties.

Most secretariats have NGO liaison officers who facilitate information flows to/from NGOs and provide administrative support for NGO side-events or displays, an increasing feature of international meetings. Some regimes have, in addition, established 'clearing house mechanisms' for NGO material and/or provide Internet links to relevant NGO web sites on their own web pages. However, the distribution of materials and proposals from NGOs shows a marked variation between fora. At one end of the spectrum, NGOs are expected to produce and circulate their materials to decision-makers themselves. Some NGOs do this by advance mailings where possible, not only as this may be more effective in informing or influencing a state's position, but also because frequently the only provision for distribution of NGO material at international meetings consists of a table or two provided outside the meeting room for displaying documents. Sometimes NGO materials may be displayed only after having been 'vetted' by the Secretariat or Chair of the meeting. Disarmament fora tend towards this end of the spectrum. At the other end of the range, one finds fora that have formal procedures to facilitate the submission of documents from NGOs (the rules being equally applicable to governments), which are then formally distributed by the Secretariat as official documents.

In most circumstances, accreditation is the first step towards NGO participation. The nature and scope of the participation that is thus provided varies widely. Some fora limit access to NGOs to merely monitoring plenary discussions, and perhaps allowing one or more NGO interventions at an opening or closing plenary session or at a special NGO session. This is typical for disarmament fora. Even then, the possibility of making oral interventions is at the discretion of the Chair and may be subject to a veto by any contracting party. Subsidiary bodies or working groups may be and often are closed. In the more restrictive fora, parties often claim that the last-minute deals or delicate horse-trading needed to gain consensus would be made more difficult, if not impossible, if each discussion were to happen under the watchful eye of numerous observers.

At the other end of the spectrum, some fora provide NGO access to plenary meetings, subsidiary bodies, informal working groups and allow NGOs to intervene in all of these. In the case of the International Maritime Organization (IMO), the principal UN body dealing with the safety of shipping and the protection of the marine environment, for example, the rules explicitly provide for NGOs with Consultative Status to take the floor in order to introduce their own documents, make formal proposals on topics on the agenda, respond to papers or statements by governments and allow them to take part in intersessional work or correspondence groups. In these more open fora, parties appreciate the expert input from NGOs at the various stages of negotiation and the NGOs, for their part, typically are aware of the informal 'limits' on their participation and tailor interventions accordingly (although even the best efforts of NGO diplomacy may at times give rise to objections from states).

What is notable about international disarmament fora is that the formal access of NGOs is almost invariably at the lower end of the spectrum. In addition, when compared for example to environmental fora, the range of variability in access between fora is relatively narrow. However, there is a second group of features of NGO participation that are common to many international fora, including both environmental and disarmament institutions.

*What is notable about international disarmament fora is that the formal access of NGOs is almost invariably at the lower end of the spectrum.*

One form of NGO participation consists of NGO representatives being included on national delegations. Some countries now regularly include representatives of NGO constituencies both as a means of increasing input from these groups as well as a way to enhance legitimacy. The use of non-national technical, scientific or legal experts to assist national delegations in complex negotiations is also becoming more widely accepted.<sup>21</sup>

Advances in modern communications, including the Internet as mentioned earlier but also mobile phones and other telecommunications technologies, have enhanced the access of NGOs even where the formal rules limiting access still are applied. In the last few hours of the climate negotiations in the Hague in 2000, for example, some NGOs were able to 'number crunch' the figures for various competing proposals in more or less 'real time' and get these to delegates. What counted was not that NGOs had no physical access to the individual meeting rooms, so much as whose access to information and delegates made them effectively 'insiders'.<sup>22</sup> While this shows that limited direct access can be 'managed' by those with the requisite resources and contacts (and ingenuity!), it still begs the question of whether the diversity of expertise and opinion in the NGO community is put to the best use by placing barriers in their way to direct and recognized access.

The distinction between 'insider/outsider' NGOs is a loose and shifting one that varies from one forum to another. Well-established, recognized NGOs or particular individuals with good contacts with key national and international decision-makers are typically 'insiders' that are regularly consulted. So too are the NGOs representing prominent corporate interests. As far as direct lobbying is concerned, the industry lobbies tend to operate in ways rather similar to the environmental NGOs, albeit that the industry representatives have far more funding. However, in other respects, the ability to influence governments is very different, as 'big industry' enjoys privileged access to governments on a scale not enjoyed by others.

A further consequence of this 'insider/outsider' distinction, is that whilst the 'insiders' and 'process-minded' NGOs continue their partnership and peaceful lobbying work within international institutions, increasing numbers of newer types of NGOs are working largely outside of these formal processes. Perhaps the best known example of this non-process based *modus operandi* at present is the so-called 'anti-globalization movement' whose members often pursue their goals outside of the formal processes but who also challenge the formal processes through characteristically disruptive (but, for the most part, peaceful) actions. The fact that the WTO and other major intergovernmental 'players' in the market globalization process remain effectively closed to NGOs and what little access that currently exists for a select few NGOs has yet to show that it has made a meaningful difference in the ways these bodies work and the decisions taken by them, has certainly spurred the evolution of this movement.

#### ENSURING COMPLIANCE—NGOS AS 'ENFORCERS'

As noted earlier, compliance has two aspects—the actual implementation at the national level of international agreements, and the mechanisms to ensure compliance once this is done. While NGOs play a role in both stages, the former typically is a process of national legal measures and will not be addressed here.

The perceived failure of democratic processes to hold governments and international organizations to account for obligations arising from international agreements has resulted in growing interest in using court proceedings at both the national and international levels.

In the field of the environment, the intellectual foundations for NGOs to see themselves as 'legal guardians' of environmental interest was laid down in a seminal article written in the early



1970s, 'Should Trees Have Standing?'<sup>23</sup> As a direct result of this suggestion, NGOs have since routinely brought cases involving environmental interests to court in the United States. Elsewhere, in particular since the 1992 Rio Conference, national courts in many countries have been far more open to NGO interventions and cases brought range from disputes about administrative breaches of agreed rules to protecting asserted fundamental rights.<sup>24</sup> Many legal and procedural hurdles to bringing such cases still exist. For example, restrictive interpretations of rules concerning *locus standi* remain and stand in the way of legal enforcement attempts by NGOs or where international agreements provide no legal basis for enforcement except between directly concerned states. Where this happens (all too often), NGO efforts at enforcement have to be indirect—for example by highlighting non-compliance through protests, or 'whistle blowing' to authorities and/or through the media. Where these indirect attempts at enforcement succeed (all too seldom), it is a further example of NGO ingenuity rather than an example of robust systems having been put in place previously.

Although similar obstacles exist for disarmament NGOs seeking to ensure compliance through legal means, the initiative to seek advisory opinions from the International Court of Justice (ICJ) on the legality of nuclear weapons originated with NGOs and showed that some, albeit limited, opportunities exist.

### *Concluding comments*

Limiting the access of non-state actors—including NGOs—to intergovernmental bodies implies a world view where states are perceived to be the primary agent for analysis and action. Such a view suggests that the only weight to be given to information provided or to ideas promoted by non-state actors is an assessment of to what extent such propositions might support or disrupt a government's policy. If this is the case, denying access to non-state actors is as much an instrument of states' manipulation of a multilateral forum as it is a matter of making the business of international bodies 'manageable' for the purposes of decision-making. By not accrediting NGOs to their respective forums, or selectively allowing limited access, inter-governmental bodies effectively exclude numerous non-state actors from their business and thus reinforce a traditional, simplistic state-centric view of international law, policy development and implementation.<sup>25</sup>

Giving non-state actors a more effective role means more than simply changing the rules of accreditation and procedure—it means a fundamental reorientation. Wuori, for example, suggests that NGOs are often considered as the 'clearest expression' of the emerging transnational civil society.<sup>26</sup> In this view, NGOs are regarded as the 'keepers of the conscience' of the emerging international moral community, whilst governments are seen to be (at best) one step behind and struggling to see clearly the correct path forward in part because of conflicting vested interests. Present governmental and intergovernmental structures and processes that exclude or minimize the influence of NGOs may be seen, in this context, as lacking in (moral) legitimacy despite the formal, legal authority of governments.<sup>27</sup>

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Recent decades have seen decision-making in numerous areas move away from central governments to be transferred both upwards towards international and supranational levels, and downwards to local and regional concerns.<sup>28</sup> This trend is certainly far from uniform and it does not apply to all policy areas (and whether the nation-state is in decline or not—and if it is what will replace it—are issues far beyond the scope of this paper). Nonetheless, it is often noted that the state is not 'big

enough' (in light of the scale and nature of the challenges facing the planet and society), and 'too big' (in continuing to insist on exclusive formal control of policy formation and implementation in too many areas).

The increasing popularity and numbers of NGOs, the social research findings demonstrating that in many cases the public trusts NGOs more than governments, and low voter turnout in most democracies do indeed call into question the political authority of the state and with it the consensual-based system of international law making. Opponents of enhancing the role of NGOs in international fora often point to the non-elected nature of NGOs and ask rhetorically whose interests they represent. However, one could also question that if a majority of voters did not give positive consent to their elected representatives through voting, and where there is popular support within a country for a particular policy orientation that is flatly rejected by its government, then whose interests are these governments actually representing at the international level and on what basis?<sup>29</sup> That some international organizations, like the WTO, can take actions that effectively override domestic laws also exposes the frailty of the legitimacy of international organizations. This is compounded in the case of the WTO as it is seen to operate behind closed doors and largely beyond parliamentary or NGO scrutiny.<sup>30</sup>

It is against this background that Wuori suggests that NGOs be seen from the perspective of the legitimization void that has appeared in the eroding political system.<sup>31</sup> Their independence, and critically, their capacity to transcend the customary ethnic, family, tribal or national barriers is a credible basis for them to act at an international level as the 'designated conscience of the world'.<sup>32</sup> Indeed, numerous international institutions, particularly those searching for new mandates or struggling for effectiveness, have begun to grasp the fact that NGOs provide a source of legitimacy and political support in these times. This is reflected by the 1994 statement on NGOs by then UN Secretary-General Boutros Boutros-Ghali. He stated that '... non-governmental organizations are a basic form of popular representation in the present world. Their participation in international organizations is, in a way, a guarantee of the political legitimacy of those international organizations.'<sup>33</sup>

There can be no doubt that international institutions are here to stay for the foreseeable future, but it is also obvious they will need to evolve and develop considerably if they are to be effective in meeting both current and future challenges. They will continue to encounter ever-increasing pressure

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from non-state actors for increased transparency, access and accountability. NGOs also will need to evolve as they reject being mute observers of international processes or mere vehicles for providing information to decision-makers. They are political players in their own right, focused on the delivery of end results. The combination of their activities within and outside of conference rooms clearly reveals that formal legal rules attempting to maintain

a peripheral role for NGOs in international affairs represent an inaccurate, short-sighted and obsolete view of the international policy-making process and legal order. And in all these respects, international disarmament fora are no different from their counterparts in other fields—except in that they are amongst the least progressive in recognizing this fundamental weakness.

## Notes

1. S. Charnovitz, 1997, 'Two Centuries of Participation: NGOs and International Governance', *Michigan Journal of International Law*, vol. 18, no. 2, pp. 183–286.
2. P. Sands (ed.), 1994, *Greening International Law*, New York, The New Press, p. xxiv.

3. Article 71 of the UN Charter provides that 'the Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations that are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations, after consultations with the Members of the United Nations concerned.' See also S. Charnowitz, *op. cit.*
4. See, for example, P.W. Birnie and A.E. Boyle, 1992, *International Law and the Environment*, Oxford, Clarendon Press; P. Sands, 1995, *Principles of International Environmental Law*, Manchester, Manchester University Press.
5. See Agenda 21, Chapter 27, available at [www.un.org/esa/sustdev/agenda21chapter27.htm](http://www.un.org/esa/sustdev/agenda21chapter27.htm)
6. *Ibid.*, para. 3.
7. See, generally, N. Klein, 2000, *No Logo*, New York, Harper Collins.
8. P. Wapner, 1996, *Environmental Activism and World Civic Politics*, Albany, SUNY, p. 158.
9. See Charnowitz, *op. cit.*, p. 186.
10. A. Chayes and A. Chayes, 1995, *The New Sovereignty*, Cambridge, Harvard University Press, p. 252.
11. It has been suggested that there is a need to find a 'common language' to evaluate the contribution NGOs make to international life. In the absence of a real understanding of the underlying patterns, it is 'impossible to assess the contribution NGOs claim for themselves, or others contribute to them, in any meaningful way.' See F. Yamin, 2001, 'NGOs and International Environmental Law: A Critical Evaluation of their Roles and Responsibilities', *Review of European Community and International Environmental Law (RECIEL)*, vol. 10, no. 2, p. 149.
12. See, for example, P. Newell, 2000, *Climate for Change: Non-State Actors and the Global Politics of the Greenhouse*, Cambridge, Cambridge University Press; P. Wapner, *op. cit.*, p. 158. It is important to note that, in practice, these various stages are rarely sequential and—more often than not—the development of new norms is contemporaneous with enforcement of existing rules as well as an ongoing process of implementation (including revision of existing instruments in light of experience).
13. Wapner, for example, gives as an example the way Greenpeace develops sophisticated campaigns, political and media strategies centred on communicating the need for governments to 'act' on a particular issue in a certain way. These are based on Greenpeace's assessment of where its agenda-setting efforts may be most effective and which may not necessarily involve direct engagement in any particular intergovernmental forum. Wapner, *op. cit.*, p. 157. Additional examples of the design and conduct of Greenpeace campaigns can be found in: J. Maté, 2001, 'Making a Difference: A Case Study of the Greenpeace Ozone Campaign', *Review of European Community and International Environmental Law (RECIEL)*, vol. 10, no. 2, p. 190; C. Rose, 1998, *The Turning of the 'Spar'*, London, Greenpeace UK.
14. F. Yamin, 2001, *op. cit.*, p. 154.
15. F. Yamin and J. Cameron, 1991, "'Forests" Reports', *Yearbook of International Environmental Law*, Oxford, Oxford University Press, p. 213.
16. The discussions of the need, scope and (dis)advantages of a binding forest convention have continued under various multi-stakeholder processes established by the Commission on Sustainable Development (CSD), including the Intergovernmental Panel on Forests and the International Forum on Forests. See subsequent editions of the *Yearbook of International Environmental Law*, *op. cit.*, for details of how this process has evolved.
17. See, for example, P. Haas, 1989, 'Do Regimes Matter? Epistemic Communities and Mediterranean Pollution Control', *International Organization*, vol. 43 (Summer) and research cited by C. Gough and S. Shackley, 2001, 'The Respectable Politics of Climate Change: The Epistemic Communities and NGOs', *International Affairs*, vol. 77, no. 2, pp. 329–45.
18. P. Mucke, 1997, 'Non-Governmental Organisations', in F. Dodds (ed.), *The Way Forward: Beyond Agenda 21*, London, Earthscan, p. 100.
19. F. Yamin and T. Wassertein, 1999, *NGO Participation in the FCCC*, the Foundation for International Environmental Law and Development (FIELD) Working Paper (March), which examined participation of NGOs in a number of international environmental regimes.
20. The International Maritime Organization (IMO), for example, has a detailed set of rules governing the relationships with NGOs, setting out the purposes for which consultative status is to be granted, the basic criteria to be applied in determining to grant such status, and grounds for removing consultative. See *Basic Documents, Volume 1*, International Maritime Organization (London, 1986) as amended. For additional examples, see also Yamin and Wassertein, *ibid.*
21. In this latter respect, the role of lawyers from the Foundation for International Environmental Law and Development (FIELD) in advising countries in the Alliance of Small Island States (AOSIS) in the climate negotiations is an early and impressive example.
22. See for example, M. Grubb and F. Yamin, 2001, 'Climate Collapse at the Hague: What Happened, Why and Where Do We Go From Here?', *International Affairs*, vol. 77, no. 2.
23. C. Stone, 1972, 'Should Trees Have Standing?', *Southern California Law Review*, vol. 45, p. 450.
24. For an example of the latter, see A.G.M. La Viña, 1994, 'The Right to a Sound Environment in the Philippines: The Significance of the Minors Opasa Case', *Review of European Community and International Environmental Law (RECIEL)*, vol. 3, no. 4. This case allowed an NGO to bring claims on behalf of future generations.

25. See Yamin, op. cit., p. 149.
26. M. Wuori, 1997, 'On the Formative Side of History: The Role of Non-Governmental Organisations', in M. Rolon, H. Sjöberg and U. Svedin, *International Governance on Environmental Issues*, Dordrecht, Kluwer.
27. For a detailed account of the need to consider the legitimacy of international institutions, see D. Bodansky, 1999, 'The Legitimacy of International Governance: A Coming Challenge for International Environmental Law', *American Journal of International Law*, vol. 93, p. 596.
28. See, for example, Wuori, op. cit.
29. On the problem of democracy in a globalized context, see generally D. Held, 1995, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, Oxford, Polity Press.
30. The same can be said for many disarmament fora, particularly those dealing with nuclear weapons and other weapons of mass destruction. For the details of WTO access and functioning see Bodansky, op. cit.; also J. Cameron and R. Ramsey, 1995, *Participation by Non-Governmental Institutions in the World Trade Organization*, Study No. 1, Global Environmental and Trade Study (GETS), Minneapolis, MN, GETS.
31. Wuori, op. cit., p. 166.
32. Ibid.
33. Cited by Mucke, op. cit., ch. 8.

## NGO perspectives: NGOs and the Security Council

Felicity Hill

While the Security Council is the most powerful body of the United Nations, for decades it has been strongly criticized for working behind closed doors. During the exhaustive debate about Security Council reform, NGOs have raised parallel questions regarding the transparency of the Council's work, asserting their interest and expertise as relevant to the Council and its efforts. Since the end of the Cold War, Security Council members have increasingly turned to NGOs as partners and service contractors, in emergency and post-emergency situations under the Council's authority.

The President of the Security Council, Ambassador Richard Ryan of Ireland, presented the annual report of the Security Council to the General Assembly on 15 October 2001, stating that the Council, 'had conducted business as transparently as possible, holding many public meetings and broadening the participation of a wider United Nations membership.' Responses to the Council report echo many of the issues that have been raised since the establishment (in January 1994) of the governmental Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. Many delegations welcomed the increase in open debates, involving all Member States of the United Nations, as a positive step forward, but none have acknowledged in formal statements the role of NGOs in bringing information, visibility and assistance to the United Nations.

While many NGOs have developed an individual relationship with the fifteen Security Council members, routinely providing relevant analysis and information from their field operations, it was the establishment of the NGO Working Group on the Security Council in 1995, spearheaded by the Global Policy Forum,<sup>1</sup> that caused a shift in NGO-Council relations.

Although it faced difficulties in the beginning, the NGO Working Group on the Security Council instituted a mechanism for off-the-record dialogue between around thirty organizations and Council members. These exchanges are not official Council briefings, but rather a dialogue between NGOs and the Council member or President speaking in his or her national capacity. NGOs have found these exchanges to be particularly useful in decoding the resolutions and statements of the Council for their members around the world. The meetings also give NGOs an opportunity to ask questions and provide relevant information and feedback to the Security Council.

Key individual ambassadors, while serving on the Council as elected members, encouraged this development. In early 1996, Ambassador Juan Somavía of Chile gave strong encouragement to the idea of ongoing dialogue with NGOs by speaking to a public meeting on the subject. Ambassador Fulci of Italy was also enthusiastic about the work of the group and presented the notion of regular NGO briefings to the Council. The exchanges organized by the NGO Working Group have now

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become routine, with most Security Council delegations participating enthusiastically in the nuanced and focused dialogue.

Ambassador Arria of Venezuela, through inviting members to gather over coffee in the Delegates Lounge to hear the views of a Bosnian priest in 1993, created what has become known as the 'Arria Formula', an informal exchange between Council members and NGOs. The Arria Formula has been used more regularly since 1999 to provide expertise and testimony on thematic issues taken up by the Council, in particular on humanitarian issues, the Protection of Civilians in Armed Conflict, Children and Armed Conflict and more recently on Women, Peace and Security. The President of the Council does not chair Arria Formula meetings, which must take place outside the Council chamber and are strictly off-the-record and unofficial. Usually a UN agency or department works with the delegation chairing the meeting to approve the list of NGO speakers, and particularly to get clearance from Security Council members on the country situations they will speak about. In 2000 the Arria Formula evolved to allow other Member States to attend on the condition that they wrote to the President of the Council asking for permission to attend.

### *Role of Arria Formula meetings leading to resolution 1325 on Women, Peace and Security*

On International Women's Day in 2000 Ambassador Chowdhury of Bangladesh issued a Security Council Presidential Statement, which acknowledged for the first time the role of women in peace processes. Soon afterwards, and encouraged by Ambassador Chowdhury, the NGO Working Group on Women and International Peace and Security<sup>2</sup> came together to push the Security Council to hold a thematic debate on the role of women in international peace and security. After holding an Arria Formula meeting with NGOs and an open debate, the Council under the Namibian Presidency passed resolution 1325<sup>3</sup> on Women, Peace and Security on 31 October 2000. This groundbreaking resolution linked gender equality to global security and committed governments to include women's voices in peace negotiations while protecting them from the abuses of war.

The Arria Formula meeting on 23 October 2000 prior to the open session of the Security Council on Women, Peace and Security gave representatives of women's NGOs from Sierra Leone, Guatemala, Somalia and Tanzania a chance to explain their work, demonstrate their competence and submit their recommendations on a large number of issues.<sup>4</sup> The women from Sierra Leone emphasized the tens of thousands of babies left by the ECOMOG troops and the need for programmes and services for women ex-combatants. The women from Somalia spoke of the costs to the UN and local community when human rights violations are committed by peacekeepers, emphasizing the need for disciplinary measures and gender training. The women from Guatemala had an opportunity to share the positive results achieved from being part of peace negotiations from the beginning but stressed the need for ongoing support in the implementation phase.

Among other issues, the NGO Working Group highlighted the role of the Security Council as outlined in the UN Charter, 'Article 26 of the UN Charter calls for "the establishment of a system for the regulation of armaments" to ensure that the world's human and economic resources are not diverted towards armaments. We feel that the Council needs to fulfil this role, now more than ever, in order to address one of the primary root causes of war, which is militarism—the actual preparation for war.' The NGO Working Group presented thirty-two recommendations to the Arria Formula meeting on the need for increased women personnel at senior levels in all UN departments and missions, indicating that information on women should appear in reports prepared by the Secretariat and submitted by the Secretary-General.

At the Arria Formula meeting of 30 October 2001, held to commemorate the one-year anniversary of the adoption of resolution 1325, the NGO Working Group and a representative from the Afghan Women's Network, an umbrella group of 300 organizations, praised and thanked the Council for resolution 1325 and then presented a challenge: Afghanistan offers an opportunity for the UN system to demonstrate its commitment to resolution 1325, both in terms of women's protection and their participation in prevention, conflict resolution and peace-building. Jamila, a representative of the Afghan Women's Network, said, 'Do not think that because women wear a veil we do not have a voice. When the UN is looking for leaders, look to us. We want an Afghanistan free of extremism, in all its forms. We remember a time when women were doctors, lawyers and judges. Tap our networks that reach and assist women and their families. Women must be included in any peace-building efforts to ensure peace and lasting security.' The Secretary-General's Special Representative on Afghanistan, Mr. Lakhdar Brahimi, was personally invited to engage, consult and ensure that women were part of the solution in Afghanistan, which he has endeavoured to do in his first weeks on the job.

*Afghanistan offers an opportunity for the UN system to demonstrate its commitment to resolution 1325, both in terms of women's protection and their participation in prevention, conflict resolution and peace-building.*

Resolution 1325 has a broad global constituency, supported by a vibrant women's movement that has welcomed the political legitimacy given by the Council to their long struggle for a seat at the negotiating table. The opportunities presented by Arria Formula meetings to give testimony, recommendations and to respond to questions have been important rallying and organizing opportunities for NGOs who have widely advertised and reported on their input to these meetings to the press and through their networks. As a result, women's NGOs have felt more interested and invested in monitoring the Security Council and have been encouraged to insist that the actions of its peacekeeping missions in the field are consistent with decisions taken in the blue room in New York.

The Council has also been making greater use of field visits, with groups of ambassadors visiting the Democratic Republic of the Congo, East Timor, Kosovo and Sierra Leone in the past year. Resolution 1325 expressed the Council's willingness to ensure that missions to the field take into account gender considerations, 'including through consultation with local and international women's groups'. Working with relevant UN departments, the NGO Working Group has helped to ensure that meetings take place between women's NGOs in the field and Council members. During the mission to Kosovo (June 2001), a group of women had an opportunity to speak to Council members—at 22h30 in an ambassador's hotel room. Despite the unfortunate time and venue, the meeting was a success, and resulted in a Security Council expression of support for the efforts of Kosovan women in a Presidential Statement to the Press (SC/7077). At this meeting Tom Koenigs, the Deputy Special Representative for Civil Administration, outlined steps which the United Nations Interim Administration Mission In Kosovo (UNMIK) would take to promote better cooperation with women's groups.

### *Keeping a foot in the door*

Each time the Security Council opens the door to NGOs, the opportunity is welcomed. While the substance of comments and questions posed by Council members at Arria Formula meetings are off-the-record, it should be noted that comments are genuinely thoughtful and the questions tough, inviting follow-up communication between NGOs and Council members on a bilateral basis. On the negative side, these meetings are tightly structured, with some delegations sending junior staff who are not inclined to engage. For the first Arria meeting on women, some difficulties were experienced

in negotiating the country situations that would be given exposure, with some NGO representatives from countries on the Council agenda being rejected outright. Importantly, when the opportunity has been won and well prepared for, there is usually very little time to respond fully to questions posed by the Council members. In addition, some of the women feel disappointed by the UN interpretation of dialogue—the reading of prepared texts—when anticipating actual discussion. Women from the field and women working at the international level experience a tension between making their voices and truth heard and an agenda and style quite foreign to their culture as activists and women.

Security Council members have also conducted consultations outside of the Arria format. For example, Ambassador Jeremy Greenstock of the United Kingdom simply invited key individuals, experts from UN agencies and NGOs around a table at the Mission of the United Kingdom to flag

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issues prior to a Security Council mission to Sierra Leone he was heading. After the lengthy negotiations for an Arria Formula, the efficiency and productivity of this exercise was breathtaking! Meeting a range of interested and qualified experts outside formal structures is a very good way to access practical, timely and focused information, although the danger of relying on the same old experts and organizations is very real. My own organization along with many others has found it essential to conduct one-on-one meetings that

provide a range of experts and information from the field, and while these are time consuming for both NGOs and Security Council delegations, the potential flow of assistance and information for both parties is worth the effort.

## Conclusion

The fact that NGOs push the boundaries, provide information and make demands is what makes them simultaneously useful and dangerous. For women so newly discovered by the Security Council, using this tension creatively and strategically is not easily done and sometimes results in a choice between debilitating self-editing or causing offence. Going into detail about the rape, sexual violence and the torture of Somalis by UN peacekeepers, for example, was essential, yet risked confirming myths about sensationalist, emotive, vulgar NGOs. Indicating our dissatisfaction with the Secretary-General's reports received by the Security Council that do not contain adequate information on the situation of women in the field or gender disaggregated data as called for by resolution 1325, is necessary—yet potentially alienates NGOs from allies within the Secretariat. Criticizing the Brahimi Report on Peace Operations for being gender blind caused offence, but NGO activities that highlighted these deficiencies while constructively engaging on this issue of peacekeeping have helped to build bridges between Mr. Brahimi himself and women's NGOs.

As the Council changes its working methods, formal channels should be developed for it to receive information from a variety of sources, including NGOs.

## Notes

1. [www.globalpolicy.org](http://www.globalpolicy.org)
2. The NGO Working Group is made up of Amnesty International, Hague Appeal for Peace, International Alert, International Women's Tribune Center, Women's Commission for Refugee Women and Children, Women's Caucus for Gender Justice and the Women's International League for Peace and Freedom.
3. [www.un.org/events/res\\_1325e.pdf](http://www.un.org/events/res_1325e.pdf)
4. All statements made by women's NGOs to Arria Formula meetings are online at [www.peacewomen.org](http://www.peacewomen.org)



## NGO perspectives: NGOs at Geneva negotiations

Jenni RISSANEN

Geneva is home to the United Nations Office and many other international and intergovernmental organizations working on a multiplicity of issues such as human rights, migration, trade, intellectual property and telecommunications, and therefore plays hosts to a large number of non-governmental organizations (NGO) dedicated to these issues. For those working in international security, Geneva is also known as the hub of the world's disarmament activities. Many important international disarmament treaties, including the Chemical Weapons Convention (CWC) and the Comprehensive Nuclear Test-Ban Treaty (CTBT), were negotiated at the Conference on Disarmament (CD), the world's sole multilateral negotiating forum for disarmament.

Although some NGOs have continued to follow the CD faithfully, both in times of productivity and of stalemate, the six-year deadlock has taken a toll on NGO interest in the body's work, reflecting the overall decline of the institution's role. However, in recent years, the majority of Geneva's disarmament activities has taken place outside the CD, including the negotiations for the verification protocol to the Biological Weapons Convention (BWC). The Ad Hoc Group (AHG) in charge of negotiating the Protocol has been meeting in Geneva since 1995. These negotiations have drawn the attention of a small but dedicated group of NGOs. This article discusses the work of NGOs at the CD and the BWC Protocol negotiations, elaborating on the different kind of activities that they have engaged in as well as addressing issues of NGO access and impact.

### *Pushing the CD to 'unlock' and get back to work*

The Conference on Disarmament experienced one of its 'prime-time' periods in the first half of the 1990s, concluding negotiations on two major arms control and disarmament treaties, the CWC in 1993 and the CTBT in 1996. Those were busy times not only for the diplomats but also for the NGOs. However, since the conclusion of the CTBT the CD has languished in virtual stalemate, not being able to agree on what to negotiate next. Since those productive years, the CD's credibility and prestige have been crumbling at an increasing pace because of the sixty-six members' continued inability to agree and adopt a programme of work at the beginning of each year. As each year passes, the sense of hopelessness deepens. Both delegates and NGOs are depressed over the state of affairs, and public interest in the CD is in a downward spiral. With no sign of the long-awaited negotiations on the ban on fissile materials production for nuclear weapons, or any other negotiations for that matter, NGO interest in the body's work has declined. Allocating scarce resources to following the

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seemingly endless debate over the programme of work has been an investment that very few NGOs can afford, particularly those based outside of Geneva.

In practice, this has meant that the CD's weekly plenaries are attended by only a few Geneva-based NGO members. However, the London-based Acronym Institute for Disarmament Diplomacy<sup>1</sup> has monitored the CD closely in recent years, providing regular analysis of the Conference's difficulties and debates in its publication *Disarmament Diplomacy*. Acronym's work has been complimented by The Women's International League for Peace and Freedom (WILPF),<sup>2</sup> which posts CD documents and statements on its web site. As witnesses to the multiple knots in the Conference and worried about the future of multilateral arms control and disarmament, NGOs have tried to help delegates untie them. They have engaged in discussions in various workshops and seminars, such as those organized by the Geneva NGO Committee for Disarmament,<sup>3</sup> in an attempt to tackle both procedural and substantive issues facing the CD. Although it is clear that the lack of political will has been the main obstacle in getting the CD back to work, the way in which the CD operates—particularly its strict consensus requirement and dated group system—has also played a role in hampering progress.

Feeling the growing pressure on the CD to get back into active shape and wanting to facilitate this, delegations agreed in June 2001 to appoint three special coordinators to examine how to improve the CD's agenda, functioning and membership. Ambassador Prasad Kariyawasam of Sri Lanka was appointed Special Coordinator on the CD's Improved and Effective Functioning. One of the issues discussed in this context was NGO participation. The CD is often described as an 'elitist' institution where NGOs access is very limited. NGO presence is restricted to formal plenaries and NGO representatives are only allowed to sit in the gallery, like any other member of the public, physically separated from the diplomats. These opportunities provide little insight about the body's real proceedings. CD plenaries comprise mainly of formal statements and, as in many other institutions, real negotiations happen behind the scenes, so NGOs rely on their contacts with delegations to find out what is really happening in the CD.

NGOs' limited access to the CD has not only hampered the efforts to get information about and understand the CD, but also their ability to make a contribution to the body's effective functioning. NGOs have no formal status in the CD, so it is difficult to make heard the voice of civil society. Only one such opportunity is allowed each year, when participants of the annual Geneva International Women's Day Disarmament Seminar have their joint statement read by a UN official in the CD.

As a result, NGOs have advocated better access to the CD through formal status as observers. This idea has been supported by some delegations. For example, Algeria argued this year that the Conference would gain from structured NGO input. It stated that the CD should be open to NGOs at a time when civil society was becoming increasingly involved in world affairs. The CD should not 'run against the tide' and give the impression it was hostile to transparency.<sup>4</sup> However, these views are not widely shared in the CD, where many would still prefer to conduct the Conference's affairs

*As long as NGO access to the CD is limited, so will be their contribution.*

behind closed doors. Upon conclusion of his consultations on the CD's functioning, Kariyawasam reported that there were 'many different views and perceptions as to how non-governmental participation could be operationalized'. Kariyawasam cautioned that although there was apparently no objection to NGO involvement, this could not 'be construed as a ready acceptance of the unqualified participation of such organizations in the Conference on Disarmament'.<sup>5</sup> With no progress towards agreement on new and improved working methods, expanding NGOs' role in the CD continues to be a distant possibility as well. As long as NGO access to the CD is limited, so will be their contribution.

### *Negotiating a protocol to the BWC*

The BWC AHG convened for the first time in January 1995 with the aim of negotiating a legally binding multilateral instrument—a verification protocol—to strengthen the effectiveness and to improve the implementation of the ban on biological weapons. This was at the time when the CTBT was being negotiated at the other end of the Palais des Nations at the CD. In August 2001, six and a half years and sixty-six weeks of negotiations later, the AHG hit a brick wall and failed to conclude the Protocol as planned before the Fifth Review Conference of BWC, scheduled for 19 November–7 December 2001. NGOs and many delegations shared a deep sense of disappointment, having worked towards the adoption of a Protocol for years in many various ways.

Over the six and a half years, the number of NGOs paying close attention and playing an active role in the BWC Protocol negotiations stayed relatively small, with only a handful of European and American NGOs following the process closely. However, their dedication and hard work compensated for their numbers. This was predominantly academic, research and policy analysis based non-governmental participation; there was little of the traditional, grass roots NGO advocacy. Few of the NGOs were able to be present at the AHG sessions in Geneva, mostly due to the distance and the significant financial costs associated with long stays in Geneva. Despite the obstacles, the involved NGOs contributed to the Protocol process in various and complementary ways: advocacy, research, proposals and public awareness. Since the early stages, Bradford University and the Federation of American Scientists (FAS)<sup>6</sup> took active part in the elaboration of the Protocol, producing papers that analysed various aspects of the emerging Protocol as well as proposing solutions and recommendations. For instance, the 'Project on Preventing Biological Warfare: Strengthening the Biological and Toxins Weapons Convention'<sup>7</sup> run by the Department of Peace Studies at Bradford University has provided the AHG with some thirty briefing papers and twenty evaluation papers, providing deep analysis of the Protocol's proposed provisions, drawing delegations' attention to various issues, and suggesting text for the Protocol, even a complete 219-page proposal for a Chairman's text. FAS has been an important partner in the United States, offering valuable insight about policy-making in Washington as well as advocating in favour of the Protocol. In another example, the London-based Verification Research, Training and Information Centre (VERTIC) cooperated with the Centre for European Security and Disarmament (CESD) in Brussels, successfully lobbying the European Parliament to adopt a resolution on the Protocol. Others have contributed by providing regular reports on the negotiations, advising delegations, organizing seminars and briefings, etc. Much of the NGOs work happened 'behind the scenes', especially in the areas of advocacy and public and media outreach, both at the negotiations and in different capitals.

The role of NGOs became especially important during 2001 when the Protocol process encountered its biggest challenges and the negotiations came to a halt in the final scheduled session. When the Protocol faced harsh criticism and was rejected by one key player, the United States, and delegations remained deeply divided and paralysed, it was largely up to the NGOs to defend the Protocol as an essential part of the international arms control and disarmament fabric. The NGOs came together and launched a 'counter-offensive', trying to rally public and governmental support for the Protocol. They contacted members of their respective parliaments and wrote op-eds and letters to the editor in newspapers and magazines, trying to enhance greater domestic interest in and support for the Protocol. The role of NGOs was important also in providing the 'information hungry' media with political analysis of the events, something delegations were unable to do for diplomatic reasons. In one example, during the final round of talks, they escorted journalists coming out of a press conference by the American negotiating team to a second press conference that provided counter-arguments to the American decision to reject the Protocol. While a small gesture, it had

significant impact, resulting in more balanced media coverage. Some months later, in the build-up to the Fifth Review Conference of the BWC, NGOs came together in a Geneva Forum seminar in an effort to generate useful and practical suggestions on how to strengthen the regime in view of the earlier setbacks.

Access to the Protocol negotiations was limited so NGOs relied heavily on their discussions with delegations. The plenary meetings were held in public unless otherwise decided. In practice this meant that NGOs could sit in the so-called 'AHG sessions' at the opening and closure of each negotiating session, listen to general statements and follow the adoption of the procedural reports. However, the actual textual negotiations where countries put forth their national positions on the Protocol provisions took place in the 'Friend of the Chair' sessions, behind closed doors. To find out what was really happening in the negotiations, NGOs relied on corridor discussions with diplomats, who most of the time were happy to discuss the proceedings, albeit with some caution and provided that the information was not attributed to them. Personal relations played an important role in this work. The various seminars arranged by NGOs and institutes such as UNIDIR also provided a good opportunity for NGOs and delegates to interact with each other and exchange information and thoughts. Much of this happened directly due to the supportive and accepting attitude of some delegations. For example, a valuable practice was initiated during the French presidency of the European Union (EU) in the second half of 2000. The EU and NGOs held a joint meeting to discuss general developments and EU positions in the negotiations. This practice was carried forward by the subsequent presidencies of Sweden and Belgium. The meetings often led to very frank and open discussions with the EU delegates, which both sides regarded as highly useful and valuable.

Although NGO impact is difficult to measure in concrete terms, the work of the NGOs at the Protocol negotiations has been vital, particularly in view of the wavering political commitment by some governments and lack of adequate public attention. Throughout the years, NGOs have

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unceasingly argued the importance and relevance of multilateral arms control and disarmament and pushed for a strong Protocol. But at no point was their work more important than in the year 2001, when the Protocol faced its most severe challenges. That same year also sadly proved the importance of achieving an international tool to combat biological weapons. The year 2001 will be remembered as the year when the norm against the use of biological weapons was violated like no time before. These developments taken together pose a big challenge to the BWC regime. The debate on the right response(s) to these events has only begun. It is essential that civil society takes an active part in this dialogue since the issue here is about using deliberate disease as a weapon, not against the military, but the greater civilian population. NGOs in the arms control and disarmament community have an important task of stressing that international arms control and disarmament efforts are a part of that response.

## Conclusion

NGOs have played an essential role in different disarmament negotiations in Geneva, serving as watchdogs, bringing disarmament negotiations into the public eye and helping the media to make sense of it, providing analysis of the negotiations, supporting delegations with information, research and proposals, and pressing for progress when deadlocks have seemed insurmountable. They have done their work with small budgets and large amounts of dedication and hard work. The importance

of these efforts has been underscored by the recent developments that undermine multilateral arms control and disarmament. It is therefore very worrisome that funding for the work of NGOs focused on arms control and disarmament is declining rapidly. NGOs have been at the forefront of defending the need for continued elaboration of jointly and multilaterally agreed arms control and disarmament measures, the backbone of international peace and security. They will be important partners in continuing to do so in the future.

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#### Notes

1. <http://www.acronym.org.uk/>
2. <http://www.reachingcriticalwill.org/cd/cdindex.html>
3. <http://www.ipb.org/disarm/NGOcom.htm>
4. Nassima Bahgli, Counsellor at the Algerian mission, 28 June 2001.
5. Prasad Kariyawasam, Ambassador of Sri Lanka and Special Coordinator on the CD's Effective and Improved Functioning, 28 August 2001.
6. <http://www.fas.org>
7. <http://www.brad.ac.uk/acad/sbtwc/other/bw-bradproj.htm>



## NGO perspectives: NGOs and the small arms issue

Peter BATCHELOR

This article examines the role of non-governmental organizations (NGOs) in relation to the small arms issue. It describes how NGOs have engaged with the issue in recent years, and focuses specifically on the role that NGOs played during the July 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (hereafter, the Conference).

### *NGOs and the small arms issue*

The small arms NGO community (hereafter, the NGO community) emerged as a distinct 'community' in the late 1990s, although individual NGOs had been working on the issue of small arms since the mid-1990s.<sup>1</sup> With respect to the small arms issue NGOs have tended to focus on one or more of the following activities:

- research;
- policy development;
- advocacy;
- public awareness and education; and
- implementation (practical measures).

In some cases the lines between these different activities have become blurred (e.g. policy development and advocacy), and some NGOs engage in most or all of these activities.

The small arms issue has been on the agenda of the international community and the United Nations since the late 1980s, but only became more prominent in the mid-1990s when the then United Nations Secretary-General, Boutros Boutros-Ghali, in his 1995 *Supplement to An Agenda for Peace*, challenged the international community to 'find effective solutions' to the problem of small arms proliferation and misuse, particularly in the context of UN peacekeeping operations. Also in 1995, General Assembly resolution 50/70B requested the Secretary-General to prepare a report, with the assistance of a group of governmental experts, on small arms and light weapons. At the same time as the UN began to focus on the small arms issue, the NGO community, particularly humanitarian and human rights NGOs, began to produce empirical

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evidence of a link between increased small arms proliferation and such negative effects as increased violence and loss of life—especially amongst civilians.

NGOs emerging at this time included the International Action Network on Small Arms (IANSA), which was founded in May 1999 but had its origins in a virtual, Internet-based organization, Prepcom, established in January 1998. Many organizations that joined IANSA had previous experience in the International Campaign to Ban Landmines (ICBL). The World Forum on the Future of Sport Shooting Activities (WFSA), which is the international arm of the United States-based, pro-gun ownership National Rifle Association (NRA), was also formed in the late 1990s, with the aim of mobilizing firearms groups in preparation for the UN Conference.

Although the NGO community is ideologically and organizationally heterogeneous, most individuals and/or groups are aligned to one of two, largely antagonistic, broad umbrella organizations:

- the 'arms control community' is grouped under IANSA, which represents more than 320 organizations in 71 countries, mainly with an interest in disarmament, arms control and human rights issues; and
- the 'firearms community' is grouped under WFSA, which represents nearly 30 organizations, including hunting, sport shooting, firearms and ammunition manufacturers associations in 13 countries.

### *NGOs and the 2001 UN Conference on Small Arms*

General Assembly resolution 54/54V in late 1999 confirmed that the Conference would take place in June/July 2001. From that time onward the NGO community, particularly the arms control community, began to play a critical role in documenting and identifying the various dimensions of the small arms issue. Many NGOs also helped to 'shape' the development of the issue through lobbying activities, producing policy proposals, and by making inputs into various negotiations and policy processes at the national, sub-regional and regional levels.

Both IANSA and WFSA, and their respective member groups, engaged in a wide range of activities in preparation for the Conference, including hosting meetings in various parts of the world.

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However, in their activities, the two communities adopted quite different approaches. The arms control community focused on generating concrete proposals for controlling the legal and illicit trade in small arms (e.g. an international convention on brokering), as well as highlighting the humanitarian impacts of the proliferation, availability and misuse of small arms. In general, these activities aimed to encourage governments and inter-governmental organizations to do more to address the small arms issue. The firearms community focused on limiting any global gun control efforts that might restrict the legitimate trade in small arms or infringe on the rights of private individuals in various countries (particularly in the United States) to keep and bear arms. In general, these activities aimed to encourage governments and inter-governmental organizations to 'leave alone', or do very little to address the small arms issue.

Many NGOs attended the Preparatory Committee (PrepCom) meetings of the Conference. The modalities of NGO access for the forthcoming Conference were a source of extensive debate during the PrepCom meetings. While some delegations (e.g. the European Union, Norway, Canada) supported a prominent official role for NGOs, similar to the Ottawa Process to ban landmines, other delegations



(e.g. Algeria and China) were concerned that certain NGOs (such as those concerned with human rights) would have undue 'influence' over the Conference, and therefore wanted to limit the access of NGOs. During the third PrepCom, agreement was reached on the modalities of NGO access. While significantly less than the NGO community had hoped, ECOSOC-accredited<sup>2</sup> NGOs that expressed interest in attending, and 'relevant' NGOs (relevant was never defined) were allowed to be accredited to the Conference. NGOs were allowed to attend all meetings of the Conference, other than those designated as closed, and a special session was set aside for NGOs to address the Conference. The one issue on which both IANSA and WFSA could agree, and on which they worked together during the PrepCom process, was to maximize the official role of NGOs in the Conference itself.

Both IANSA and WFSA (and many of their members) addressed the second and third meetings of the PrepCom at special sessions. During the PrepCom meetings, NGOs engaged in intensive lobbying of delegations, particularly with respect to the two drafts of the Programme of Action that were produced by the PrepCom Chairman, Ambassador Carlos dos Santos of Mozambique. IANSA, for example, produced a detailed critique of the second draft Programme of Action (L4. Rev.1) just prior to the third PrepCom. Despite being excluded from many of the PrepCom negotiating sessions, IANSA produced daily reports during both the second and third PrepCom meetings. These reports proved to be very useful, and in fact were often employed by delegations in preference to their own internal reports.

The NGO community had a high-profile presence at the Conference, which was held at UN Headquarters in New York from 9–20 July 2001. According to the Department for Disarmament Affairs, 177 NGOs applied for accreditation to the Conference. More than forty NGOs, including members of IANSA and WFSA, addressed the Conference at a special session on the morning of 13 July. This session was important in acknowledging the role of NGOs with respect to the small arms issue, and the Conference President, Ambassador Camilo Reyes of Colombia, and a large number of delegates were present during the session.

Despite being excluded from the formal negotiating sessions, NGOs played a variety of roles during the Conference such as:

- advisors to government delegations;
- critical observers (in open sessions);
- commentators (side briefings and daily Conference reports); and
- lobbyists.

Although they had been able to exert some influence over other negotiation processes at the sub-regional and regional levels, and at the PrepCom meetings, the NGO Community had a fairly limited impact on the Conference negotiations, as delegations focused on following instructions from their capitals. The exception to this was the NRA, who through its influence on the United States delegation (which included two current members of the NRA Board of Directors) was able to exert a fairly significant impact on the negotiations and the outcome of the Conference. The American delegation insisted that they could not support any measures related to civilian possession and transfers to non-state actors—the only points on which the Conference could not agree. In the end these two issues, which were key issues for the firearms community, were excluded from the final Programme of Action in order to achieve consensus.

In his statement at the conclusion of the Conference, Secretary-General Kofi Annan addressed the role of the NGO community directly by welcoming 'the constructive participation at this Conference

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by individuals and groups from civil society across the globe'. This statement, while noting the participation of NGOs during the Conference, does not indicate the widely divergent views expressed by NGOs. Ironically, the American delegation's opposition to advocacy activity by NGOs, although not mentioned in the PrepCom meetings but which was explicitly stated in the address of the American Under-Secretary of State for Arms Control, John Bolton, to the Conference on 9 July, seemed to exclude that practised by the NRA.

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The role of NGOs was also explicitly acknowledged in the final Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/L.5/Rev.1). For example, in para. 2 (c) of Section IV, states participating in the Conference should 'further encourage

non-governmental organizations and civil society to be engaged, as appropriate, in all aspects of ... efforts to implement this Programme of Action'. However, the language in L5.Rev.1 is weaker than in previous drafts, and no mention is made of the role of NGOs as 'partners', which was included in an earlier draft (A/CONF.192/L.4/Rev.1).

## Conclusion

The Conference marked a high point of both governmental and NGO activity on small arms, and had a significant impact on the NGO community. It mobilized new organizations to join the NGO community and helped build relationships between NGOs from different parts of the world, and from different sectors (e.g. human rights, development, arms control). As a result of all this activity, the NGO community has become more competitive as NGOs seek their respective niches and influence given the reality of limited resources for small arms work. This is a positive development. It should encourage NGOs to become more focused and achieve a better division of labour, thereby allowing them to make a constructive contribution to practical efforts to deal with the many dimensions of the small arms issue. The Conference was also useful for building better relations between the NGO community and governments. These relationships are not only crucial for the successful implementation of the Programme of Action but for dealing with all other aspects of the small arms issue.

## Notes

1. The British American Security Information Council (BASIC) initiated one of the first NGO-based international research projects on small arms in 1994.
2. See following article by M. Datan for an explanation of ECOSOC accreditation.

## The United Nations and civil society

Merav DATAN

This moment, with global attention focused on the limitless violence that international terrorism can unleash, is critical one for the UN. Either it will finally fulfil its role of maintaining international peace and security, or it will become obsolete. To be successful in this endeavour, we need to see better use of UN conflict prevention and conflict resolution mechanisms, good faith application of UN principles regarding sustainable development, and respect for the concepts of accountability, transparency and accessibility. Whether the UN can respond to this challenge depends on the trust UN Member States bestow the organization and on the support the UN receives generally from the world at large and specifically from active members of civil society who seek to promote peace and security through their own work.

Among the most crucial supporters of better use of the UN are the civil society representatives specifically chosen by UN-recognized non-governmental organizations (NGOs). Their voices are crucial not only for bringing to the attention of the UN information and analysis it might not otherwise receive through its regular channels, but also for publicizing and interpreting the work of the UN to other sectors of global civil society. Even among advocates of alternatives to war, the role and potential of the UN are often overlooked, beyond an occasional token reference to 'strengthening the UN' that lacks any substantive explanation. The governmental and non-governmental members of the UN community have the task of completing this concept and conveying it to the rest of the world.

Unfortunately, the reaction at UN headquarters in New York on the local level to the events of 11 September suggest that there is still a long way to go before the importance of NGO work is understood and appreciated. At a time when the UN especially needed to demonstrate cooperation and confidence-building on the basis of shared values and vision, it reflexively and categorically excluded a dedicated volunteer corps of goodwill ambassadors. Along with the 'general public', NGO representatives were barred from the UN for nearly a month following the events of 11 September 2001. Despite this, NGOs continued to argue the relevance and accessibility of the UN even when they could not actually access crucial information or interact with government delegates, some of whom depend heavily on non-governmental sources for information and analysis.

No single department or agent can be faulted for this exclusion or, generally, for the complexity of the processes that often result in NGOs falling between the cracks of the UN system. Almost four weeks passed before NGO access was returned to 'almost normal'. The delicate negotiations that restored NGO access involved the United Nations Security and Safety Service, the UN Secretariat and NGOs, all of whom actually wanted to restore access. During this time, once again NGOs tried

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to emphasize and demonstrate their role as partners and as 'part of the solution', not part of the problem. We had to underscore that we fully support local security measures for the UN—would we want access to a building that is a potential and visible terrorist target without wanting it to be secure?—and remind the authorities that our work makes the UN function better. Our access was restored the same time general public access resumed.

This experience as a whole is both symbolic and symptomatic. It raises questions and doubts whether the talk about civil society participation in the work of the UN is more than just diplomatic lip service. It also suggests that despite the complex and often excruciating process NGOs endure to become fully accredited by the UN, they are still seen as part of the outside world in a moment of crisis.

### *The nature of civil society*

The civil society that has emerged and evolved around the UN spans a wide range of interests, expertise, experience, professions and competencies. In fact, the term 'NGO' is offensive to some, and there is no question that it limits the idea and nature of popular transnational interaction, but it is our designation under UN Charter Article 71. The Charter, incidentally, defers in the extreme to states, specifically the government of any national organization, on the question of recognizing non-state bodies, particularly NGOs operating within the state. In other words, a state can block the recognition by the United Nations of an NGO because it does not like what that NGO does at home, such as promoting democratic practice or human rights.

Non-governmental actors are not a homogenous group. They often disagree among themselves on priorities, substance and tactics but have to cooperate if any are to be heard. For example, in some circles the term 'civil society' has come to include the business sector—a group of interests often at odds with human rights, sustainable development and environmental NGOs. These days non-governmental participants in a UN forum might have diametrically opposing interests or values. On matters of energy, for example, environmentalists and industry sit side-by-side as observers, though sometimes the latter have better access to diplomats, both formally and informally. On the issue of children and health, environmental health interests had to be addressed separately in order to circumvent the deadlock created by some NGOs insisting that overall health recommendations for children incorporate their position opposing abortion.

*The superhuman skills of negotiation, compromise and cooperation that NGOs have developed can only benefit—and perhaps even serve as an example to—the greater UN community, including Member State governments, agencies and staff.*

Despite these differences, the superhuman skills of negotiation, compromise and cooperation that NGOs have developed can only benefit—and perhaps even serve as an example to—the greater UN community, including Member State governments, agencies and staff. For example, at the July 2001 conference on illicit trade in small arms, hundreds of NGO representatives had about one week to negotiate division of time and topics for a three-hour timeslot to address the conference. The forty chosen speakers embodied the most fundamental disagreements about life, death and use of force, and even among groups with common values, the range of priorities was vast and complex. But the community organized itself to divide the time, coordinate the topics, and even produce an edited compendium in time for the presentations.

Another example is a three-day meeting to facilitate entry into force of the Comprehensive Nuclear Test-Ban Treaty (CTBT), the outcome of a four-decade pursuit whose future now hangs in

the balance. The civil society that made this vision a concrete possibility was given five minutes to make a presentation to the conference. Although this effort is now at a stage where progress depends more on governments, NGO voices—because of their experience and expertise—can and should contribute. Unfortunately, NGO interest on this issue is a small fraction of what it was in past decades, in part because of the perceived inaccessibility of the process and ineffectiveness of the NGO role at this stage.

### *Modalities of NGO access*

All NGOs working with the United Nations are vetted through a long, laborious, highly political and bureaucratic process. To be recognized by the UN, an NGO must apply for accreditation with the Economic and Social Council (ECOSOC) or the Department of Public Information (DPI). NGOs are required to meet rigid criteria, dealing with their internal decision-making structures, funding sources, and how long the NGO has existed. An application for accreditation includes a questionnaire, a summary and supporting documents. Completed ECOSOC applications, for example, are first screened and then submitted to the biannual Committee on Non-Governmental Organizations. The Committee considers each application and makes a recommendation. The Committee's recommendation is then submitted to the next ECOSOC meeting for final approval. The process can take years. Once recognized and accredited, NGOs must regularly renew their status or, in the case of ECOSOC consultative status—the most sought after level of accreditation because of the greater access granted—submit a quadrennial report detailing the NGO's activities in support of the UN.

Without such accreditation, NGOs do not have access to the UN grounds on a daily basis and cannot attend even open meetings. A separate mechanism—which varies by issue and agency involved—allows specialized NGOs to apply for accreditation to a specific UN conference or meeting, and only for that occasion. These NGOs tend to be focused on a particular topic and are not generally interested in the work of the UN as such. It is only through ECOSOC or DPI accreditation that NGOs can follow and participate in the ongoing work of the UN, and even then the access is circumscribed. Despite the fact that the accreditation process is long and tedious, NGOs accept it to be able to work in cooperation and support of the UN.

### *NGO = Not Governments Only*

So why do NGOs continue to support the work of the UN, while at the same time battling for an accepted voice and role within it? Many believe that the UN has not yet had a fair chance to fulfil its vision, but that it was honestly designed to provide a system capable of maintaining international peace and security. The UN Charter offers a solid but somewhat flexible statutory foundation. The vision of a regime for international peace and security implicit in the UN Charter rests on formal structures and mechanisms and explicit rules and principles, as well as intangible elements such as cooperation and good faith. Other factors, such as accountability and transparency of state action, and the extent to which states enable non-governmental participation, though hard to quantify, are essential for implementation of the UN security vision. This holds for work directly related to security—such as disarmament—and for work that addresses the root causes of suffering and conflict—such as development.

NGO support for the UN is really support for the vision of a world where conflict is addressed through debate and dialogue rather than force and threat. Non-governmental representatives may

often disagree with Member States. In fact, some government representatives see that as our proper role. But the more open and honest this disagreement, the better the chances of resolution or at least of finding shared objectives and alternative approaches. In this effort, governments can be allies or obstacles. Admittedly, the same is true for NGOs. We are not of one voice, and we do not always practice peace among ourselves. Still, our participation is crucial if the Charter vision is to be translated into reality and implemented on the ground.

Whether the UN is flexible enough to respond to the changes and crises it is confronted with today will determine its survivability and relevance. Non-governmental participation ensures flexibility and adaptability in the pursuit of UN objectives or the application of recommendations. The specialized expertise of some NGOs, the field experience of others, the cultural and communal context of many local groups who have never even heard of ECOSOC or DPI accreditation—all these are critical to accomplishing the tasks identified by the UN as necessary for the pursuit of peace and security.

Implementation of the UN vision is shaped by power politics and as such is also a measure of the global capacity to identify and pursue common long-term interests. The experience, knowledge, skills and commitment of non-governmental supporters of the UN system are wide-ranging and instructive. The international community and the UN itself deserve to benefit from these assets.

*If this experiment in coordinated global security and survival is to succeed, it must be in tune with the pulse of the international community in as many ways as possible. To be innovative and responsive, to stay in harmony with popular aspirations, the UN needs ongoing renewal through new voices and constant contact with civil society, including non-governmental representatives.*

The Nobel Peace Prize that Kofi Annan and the UN just received is a tremendous show of faith and hope on the part of the international community. In its fifty-six years the UN has accumulated a vast knowledge, as well as the skills to learn the hard lessons of its failures and receive constructive criticism from outside—not only from within—with humility and a willingness to adopt and adapt to change. If this experiment in coordinated global security and survival is to succeed, it must be in tune with the pulse of the international community in as many ways as possible. To be innovative and responsive, to stay in harmony with popular aspirations, the UN needs ongoing renewal through new voices and constant contact with civil society, including non-governmental representatives.

## Conclusions

Members of the UN non-governmental community know better than anyone the deep, dark, undiplomatic secrets of the UN, the embarrassingly redundant procedures and protocols, and the trials and tribulations that well-meaning and good-faith government delegates endure to promote human well-being. NGOs are the lowest of the entities the UN recognizes, and we know the gap between process and substance in implementation of UN values even better than governments and UN staff do. But we have learned the tools of diplomacy as well, and we do not openly discuss this gap. In fact we defend the UN to cynics and challenge the image conveyed by a cop in a recently televised NY-based crime drama: 'The UN? I thought all those guys know how to do is double park!' We could tell that cop some stories, but instead we would defend the dignity and importance of the UN, as long as we still believe the UN is working to address the world's needs, and as long as it is allowing us to do our work.

### A Braver New World?

In the wake of the appalling tragedies of 11 September and the global community's response, the United States is experiencing a profoundly difficult period of re-evaluation and adjustment. To prosecute a successful war against terrorism, America and its allies will need to transform their diplomatic, military and intelligence postures to a degree not seen since before the Cold War. Shock turned first to anger in the United States and elsewhere after the attacks on New York and Washington. It subsequently transformed into a steely resolve to find and punish those responsible. But military action, better intelligence, and freezing the bank accounts of suspects will not be enough. America was an idealistic proponent of the creation of the United Nations and Bretton Woods multilateral systems half a century ago. It needs to exercise equivalent vision and leadership now in the multilateral arena to re-energize the arms control and disarmament agenda, and address the root causes of proliferation and terrorism. Current events require American diplomatic leadership and a global collective security vision much broader than the illusionary security offered by missile defence and the 'war against terrorism'.

The international community's performance in this regard after the end of the Cold War was largely one of missed or only half-grasped opportunities. Existing multilateral disarmament machinery has become increasingly creaky. The Conference on Disarmament, which has failed to agree on undertaking substantive work since the conclusion of the Comprehensive Test-Ban Treaty (CTBT) negotiations in the mid-1990s, has seized up entirely. Some of the responsibility lies squarely at America's door. Until the Chinese and Americans can resolve differences over missile defence—which neither appears anxious to do—resumption of meaningful work in that forum is unlikely. America has not ratified the CTBT, nor does it intend to do so, thereby effectively preventing that international norm from entering into full force, and making an existing informal international moratorium on nuclear testing vulnerable.

As if this were not enough, in July 2001, after over six years of negotiations, the United States announced its rejection of a protocol to strengthen the Biological Weapons Convention. Moreover, it rejected the protocol negotiation process itself. In the absence of American participation, the protocol is dead. Without reinforcement of the norm prohibiting biological weapons embodied by the BWC, especially through measures to enhance compliance, America and the world will be more—not less—vulnerable to attack by germ weapons. The recent spate of anonymous anthrax attacks in the United States has, so far, failed to soften Washington's attitude towards accepting industry inspections. This is an attitude driven at least in part by American industry on the basis of a negative, although isolated, experience of Russian scientists sent to tour American facilities as part of

a bilateral exchange almost ten years ago. But on-site industry checks are a vital part of any effective regime to ensure that states, and those within their borders, are complying with the Treaty's prohibitions. They are already an accepted part of the Chemical Weapons Convention's inspection regime.

The United States claims that it is the dubious quality of mutually agreed, collective solutions to problems of international security, rather than a rejection of multilateralism *per se*, that motivates its retreat from recent negotiations. This is a rather precious distinction, although it would be a useful justification if it happened to be true. In fact, America's rejection of the biological weapons protocol and putting ratification of the CTBT on ice are because it has set verification hurdles far higher than these instruments were designed to achieve when they were negotiated. Additionally, the United States has taken a minimalist line on a number of issues on which it could be easily more constructive with a minimum amount of effort. Unlike most of its European NATO allies, for example, the United States has not joined the Ottawa Convention banning anti-personnel mines. It was also a force for ill at the UN Conference to tackle illicit trade in small arms and light weapons in July 2001. For example, it blocked language calling for international resolve against supplying military arms to non-state actors (i.e. terrorists) and language to help prevent the financing of such transactions.

Perhaps the most worrisome evidence of America's unilateral, 'full-steam ahead' attitude is its plans to continue to test, construct and deploy a missile defence system designed to protect the continental United States. Critics of these plans, including China, were quick to point out that a missile defence system would not have stopped the attacks of 11 September, where the weapons were not military arms such as bombs or bullets, but nothing more than box cutters and civil aeroplanes.

It is perhaps understandable, although regrettable, that rather than weaken American resolve to construct a missile defence, the terrorist attacks are likely to strengthen it. Paramount here is the psychological shock for Americans: the realization that their homeland is now a target. An easy extrapolation to make is that next time terrorists might attack with missiles—whether or not such a scenario is borne out by existing evidence. Although prior to 11 September Congress was reluctant to authorize the many billions of dollars necessary to continue missile defence deployment plans, in the wake of the attacks it has abruptly reversed tack. The Bush Administration now has a blank cheque for military expenditure to do what is 'necessary' to protect the United States and carry out the war on terrorism.

Shortly before the terrorist attacks, the United States told the Conference on Disarmament that it would be prepared to abrogate the 1972 Anti-Ballistic Missile (ABM) Treaty in order to proceed with its missile defence plans. The ABM Treaty was no good, it said, because it enshrines the doctrine of Mutually Assured Destruction (MAD). And anyhow, nobody likes MAD because it is a prescription for mass suicide. America's back-up argument is that, in any case, abrogation of the ABM Treaty is nobody's business but that of its members: the United States, the Russian Federation and a few of the successor states of the Soviet Union.

Do these pro-missile defence arguments stack up? No. First, the United States is not actually offering to abolish the deterrent underpinning MAD. In fact, every indication is that America intends to reduce its nuclear force to a level commensurate with operational efficiency (that is, to maintain MAD) while building another layer of defence—missile defence—tailored to different, but overlapping, threats such as 'rogue states' or accidental missile launches. This is the rationale underpinning the Bush-Putin accord reached just prior to the Crawford Summit in November 2001.

No amount of spin can alter the fact that missile defence cannot substitute for nuclear deterrence, or for negotiated nuclear disarmament to zero levels. If missile defences were a precondition for the eventual total elimination of nuclear weapons (the intent of Article 6 of the Nuclear Non-Proliferation Treaty, a treaty to which America does belong) this final step would be impossible for the United



States until it could be completely confident that it could repel a large-scale nuclear attack without mishap. The appalling human cost of a single nuclear warhead falling on an American city, even if hundreds of others are successfully intercepted, is too awful to contemplate. Technological solutions are not—and will never be—the answer to reducing America's dependence on nuclear deterrence. It boils down to a simple matter of reliability. What percentage of successful interceptions will the United States feel is high enough to be completely confident in its abilities to respond when attacked? 95%? 97%? 99.9%? No technology will ever be 100% reliable—especially a system as complex as the one the Bush Administration envisages. Therefore, following its own so-called logic, the United States will be 'forced' to keep its nuclear weapons as a deterrent.

Additionally, the technical challenges involved in kinetic 'hit-to-kill' interceptors are great and are far from being resolved. In light of September's terrorist attacks, and under pressure to get the system deployed, American policy-makers might decide to equip their immature missile defence interceptors with nuclear warheads, thereby reducing the need for pinpoint accuracy. Such a system would need to be tested. That would be end of the present testing moratorium, and probably of the CTBT itself.

Second, it is true that the ABM Treaty is a plurilateral treaty, and one no one likes. However, the implications of missile defence are such that China is afraid its small nuclear deterrent would prove ineffectual against America in a few years time, and it may decide to further significantly expand its nuclear forces, already in the process of modernization, so as to be certain they could overwhelm American missile defences. Expansion could trigger a nuclear 'domino effect' with India and Pakistan both joining the arms race. And it could still spell the end of the bilateral nuclear disarmament process between America and a disgruntled Russian Federation, which has a massive but decaying and loosely guarded arsenal, itself a possible terrorist target. These are truly global concerns.

The United States is the hyper-power of the post-Cold War world. America's power and influence are felt almost everywhere, which is one reason why it is a terrorist target in the first place. Nevertheless, it remains a player in the 'great game' of international relations rather than the referee. For the moment and the most part, obvious differences within the international community have been subsumed within the rubric of the new 'war against terrorism', at least in public. But claims that a 'what's good for the United States must be good for the world' attitude has desensitized it to the concerns of others on the multilateral stage will inevitably resurface.

The best way to counter this resentment, and keep the international community on board with it, is for America to re-engage in good faith in the multilateral system and begin tackling in that setting some of the root causes underlying terrorism and proliferation. It is states, after all, that often train and sustain violent movements when they cannot achieve their goals legitimately. While it cannot impose a *Pax Americana* in the Middle East, the United States could continue to use its unique position to put pressure on Israel and Palestine to go back to the negotiating table, for instance. Plus, the United Nations system, despite its many imperfections, still provides a good structure for alleviating poverty and under-development. Therefore, being more forthcoming in paying its UN dues on time and in full would also be a welcome gesture from America.

Security is ultimately a two-way street. Missile defence may yet be both necessary and feasible. However, Washington could do better in having regard for the global consequences of its actions where abrogation of the ABM Treaty is concerned, and consult with others on its plans rather than merely informing them as it has done to date. Given its vulnerabilities, it is clearly in America's own interests to come up with ideas to replace the draft biological weapons compliance protocol it rejected. America should join the Ottawa Convention, and be a bit less touchy about tackling small arms proliferation.

The jury is still out on the 'war against terrorism' launched in the wake of the attacks of 11 September, and probably will be for some years to come. Much of this campaign's success will ultimately depend on whether leverage exerted by the United States in pursuit of its goals to suppress terrorism is translated into farsighted leadership in multilateral disarmament and arms control—or whether it is squandered in unilateral options that alienate significant elements of the international community.

*A.H. Rees*

## South Asian Cooperation in Antarctica

The Antarctic Treaty has been proposed by Kent L. Biringer as a model for India and Pakistan to emulate in a bilateral context for certain contested regions in the Himalayas.<sup>1</sup> A dispute over the Line of Control in the Siachen Glacier region of Kashmir has led to fighting between India and Pakistan at altitudes of 6,000–8,500 meters (20–25,000 feet) in an environment almost as severe as that of Antarctica. Biringer's proposal suggests that the two countries cease military actions in Siachen without losing any political advantage by putting their territorial claims on the Siachen Glacier in abeyance, in a manner similar to what was done in the Antarctic Treaty for Antarctica. The Siachen Glacier could then be declared a zone of peace and a cooperative Siachen Science Center created, which could be used for the types of studies being conducted in Antarctica.<sup>2</sup> Such a step could go a long way towards creating an atmosphere conducive to a peaceful resolution of the far more contentious dispute over the entire region of Kashmir.

Relations between India and Pakistan are quite hostile and the Siachen Glacier is a zone of active warfare. Therefore, collaboration in the Siachen region is quite unlikely at the present time. Talks between the two countries have restarted, and although they are presently stalled, the talks have not been called off completely. There is every expectation that talks will continue now that a process of dialogue has started. Therefore, there is reason to investigate opportunities for Indian and Pakistani collaboration that are reasonably likely to be implemented, and that could form the first steps in a process leading towards peace and stability.

As a step towards collaboration in Siachen, India and Pakistan could collaborate in Antarctica using the framework provided by the Antarctic Treaty System. Both India and Pakistan have led expeditions to Antarctica and are interested in Antarctic research. India maintains a permanent base, called Maitri, in Antarctica. In the current scenario of Indian and Pakistani relations, even incremental progress towards the improvement of relations could be deemed an extremely optimistic prognosis. Collaboration in Antarctica would be much less sensitive than collaborative projects within areas of territorial dispute between the two countries. Collaboration in Antarctica could form the basis of a project to be implemented in the near term and could be proposed through existing regional networks of scientists collaborating, for instance, on climate change research. The prospect of using the Antarctic Treaty for initiating a process of gradual improvement in Indian and Pakistani relations drives the discussion presented here.

### *Background*

The Antarctic Treaty set an important precedent for demilitarization and international cooperation. During the Cold War, scientists from twelve countries spanning the great ideological divide of the

times collaborated on research activities in Antarctica during the International Geophysical Year (designated from 1 July 1957 to 31 December 1958). A year later the success of this collaboration resulted in the signing of the Antarctic Treaty. The treaty covers the area south of the 60 degrees south latitude, known as the Antarctic Treaty Area, and restricts the use of this area to peaceful purposes and research. The Treaty put territorial claims on hold, and fostered international scientific cooperation. The Treaty and Antarctica offer unique opportunities for promoting Indian and Pakistani cooperation.

There are currently forty-four signatories to the Antarctic Treaty, with twenty-seven having consultative and voting rights and another seventeen non-voting associate members.<sup>3</sup>

There are thirty-seven permanent stations occupied year-round. Countries with permanent stations are Argentina, Australia, Brazil, Chile, China, France, Germany, Great Britain, India, Japan, New Zealand, Poland, Russia, South Africa, South Korea, the United States and Uruguay.

### *India and Antarctica*

India is a signatory to and consultative member of the treaty. India has also signed and ratified the following conventions, protocols and agreements that are a part of the Antarctic Treaty System.<sup>4</sup>

- Agreed Measures for the Conservation of Antarctic Fauna and Flora—India acceded 7 March 1988;
- Convention on the Conservation of Antarctic Marine Living Resources—India acceded 17 July 1985; and
- Protocol on Environmental Protection to the Antarctic Treaty—India acceded 4 October 1991.

India maintains a permanent base in Antarctica and is a member of the Scientific Committee on Antarctic Research (SCAR) and the Standing Committee on Antarctic Logistics (SCALOP). Indian expeditions to Antarctica started in 1981. The lead agency is the Indian Department of Ocean Development (IDOD). The Indian permanent stations in Antarctica are built and operated by IDOD. Logistical support is provided by the Indian Defense Services. The IDOD also operates an Antarctic Study Center at the National Institute of Oceanography in Goa, India. This is a state-of-the-art national facility that does low-temperature research on ice cores from Antarctica and from the Himalayas.

In 1983, India established the Dakshin Gangotri station in Antarctica (latitude 70°05' South, longitude 12°00' East). Since then, annual expeditions—including a team that stays over the winter—have continued. The Dakshin Gangotri station has become a base for supplies and a transit camp. India now maintains the Maitri permanent station in the Schimacher ranges (latitude 70°46' South, longitude 11°50' East) established in 1989. Twenty-five personnel usually stay at Maitri through the winter.

The Maitri station includes a main block with living accommodations, medical facilities, communications and control systems and a laboratory, and three other blocks housing a workshop, power supplies, central heating systems, water storage tanks, a kitchen and dining hall, and chemical toilets and incinerator-type toilets.<sup>5</sup> Six diesel generator sets of 62.5 KVA provide power to the station. The IDOD and the Indian Defence Research and Development Organization (DRDO) are currently investigating the use of fuel cells to provide power for the Maitri station.

Water supply to Maitri comes from the adjacent Priyadarshini Lake. Waste water is treated and disposed of on-site, and solid waste ash from incinerators is packed into drums for removal from Antarctica.

The Maitri station has communication links with India through satellite and high frequency band transmission. High-speed Internet capabilities for the station are being worked on by the IDOD and the DRDO. E-mail connections exist.

Research teams stationed at Maitri have involved a few visiting foreign scientists. For example, the 1998 expedition involved fifty-one personnel (approximately 70% scientists), of which three were German scientists.

### *Pakistan and Antarctica*

Pakistan is not a signatory to the Antarctic Treaty and does not at this time maintain a permanent base in Antarctica. The Pakistani National Institute of Oceanography (PNIO) has conducted two expeditions to Antarctica (1990 and 1992). The objectives of these expeditions (according to material published by the PNIO) were:

- multi-disciplinary research and surveys in marine and terrestrial areas of Antarctica;
- training and research in technologies needed for Antarctic resource development and utilization;
- establishment of a research station at a suitable location in Antarctica; and
- installation of a weather station that would send weather data to Pakistan via satellite.

The Pakistani objectives of establishing a research and a weather station offer an opening for interested countries to share their experience and their technologies that have been improved through field deployment. This would allow Pakistan to avoid costly mistakes that others have suffered from earlier. This certainly is an opportunity for India to consider—some of its non-sensitive technologies might be the best suited in many ways for Pakistani teams. It is unlikely, for instance, that any other Antarctic Treaty state has developed (as has been done for Maitri) long shelf-life 'chapattis' and 'poories', the staple breads of Pakistani and Indian diets!

### *South Asian cooperation in Antarctica*

A collaborative programme in Antarctica including all South Asian countries might be more palatable for policy-makers than a bilateral programme between India and Pakistan. Giving access to Bangladeshi, Bhutanese, Maldivian, Nepali, Pakistani and Sri Lankan scientists, journalists and/or educators to stay the winter at Maitri could generate considerable regional goodwill for India. Pakistan has already demonstrated its interest in Antarctic research. Bangladesh and Maldives are extremely low-lying countries and have much to fear from sea-level rise and global climate change. Parts of Sri Lanka too would be severely impacted by sea-level rise. Mountain countries such as Bhutan and Nepal are very concerned at the possible melting of Himalayan glaciers and downstream floods. Cold weather technologies would also be of interest to these mountain states. The scientific communities in these countries would be very well disposed to collaborative research on global climate change for which Antarctica is an excellent location. There are several South Asian networks

already established for scientific cooperation that provide a framework for proposing such projects. American sponsorship could help implement relevant projects using the existing frameworks.

The long-term goal of developing a Siachen Science Center could begin with Indian and Pakistani collaboration in Antarctica. An inducement for India to consider participating in a cooperative research programme in Antarctica that includes Pakistan could be offers of American assistance in developing Antarctica-specific technologies—for example, modifying commercialized fuel cells and getting improved Internet access to the Maitri station.

Video feed from Antarctica displaying Indian and Pakistani scientists working together in a harsh environment could be of great value on the television screens of South Asia in promoting the benefits of cooperation. These pictures could have beneficial symbolic value similar to those of American-Soviet collaboration in linking the Apollo and Soyuz space modules.

Critics might complain that in bringing Pakistani scientists to Maitri, there are risks of Indian sensitive technologies being exposed. Indian capabilities in cold weather engineering would be exposed to Pakistani observation. Pakistani technological support to its troops in high altitude Himalayan areas could also be improved through more active participation in polar research programmes. However, Pakistan could easily conduct cold weather engineering research within its own high altitude areas, and such risks are far smaller than the potential benefits of improved relations through greater cooperation. South Asian cooperation in Antarctica would be truly fitting of the name of the Indian station Maitri—it translates as 'friendship'.

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#### Reference

K. Biringer, 1998, *Siachen Science Center*, CMC Occasional Paper, Sandia National Laboratories, Albuquerque, NM, US, SAND 98-0505/2.

#### Notes

1. Biringer, 1998; <http://www.cmc.sandia.gov/issues/papers/siachen/index.html>
2. The Indian sub-continent was originally a part of Antarctica, and the high regions of the Himalayas offer unique locations to complement Antarctic research.
3. The twenty-seven Consultative Parties are Argentina, Australia, Belgium, Brazil, Bulgaria, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, the Republic of Korea, Netherlands, New Zealand, Norway, Peru, Poland, Russia, South Africa, Spain, Sweden, the United Kingdom, the United States and Uruguay. The seventeen Non-consultative Parties are Austria, Canada, Colombia, Cuba, the Czech Republic, Denmark, Greece, Guatemala, Hungary, the Democratic Republic of Korea, Papua New Guinea, Romania, the Slovak Republic, Switzerland, Turkey, Ukraine and Venezuela.
4. India has not signed the Convention for the Conservation of Antarctic Seals, presumably as it is not a sealing nation.
5. The information presented in this section comes primarily from reports of the Indian Department of Ocean Development (IDOD) and the Indian Defence Research and Development Organization (DRDO). The DRDO has produced the technologies used in the design and construction of the Dakshin Gangotri and Maitri bases.



## UNIDIR ACTIVITIES

### Strengthening the Role of Regional Organizations in Treaty Implementation

UNIDIR, in collaboration with the Monterey Institute for International Studies, has undertaken a project that focuses on strengthening the role of regional organizations in non-proliferation and arms control treaty implementation. Regional organizations could play a significant role in addressing questions of compliance related to WMD agreements.

The project will be launched with a small workshop in Geneva to discuss the existing verification system for WMD treaties and the gaps that regional organizations could potentially fill. Based on the findings from the workshop, authors will be selected and a series of consultations will take place with diplomats (in Geneva, Vienna and the Hague), academics, officials from multilateral treaty-implementing organizations (such as IAEA, CTBTO and OPCW), and experts in the field of verification. Interviews with key experts on the operational capabilities and roles of their regional organizations will assist to round out the research.

The preliminary findings will be presented at an international meeting where academics, multilateral arms control and disarmament experts, non-governmental organizations, diplomats, and representatives from both regional and treaty-implementing organizations will be invited to discuss the papers. The Ploughshares Fund has generously contributed to the establishment of this project.

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### Visiting Fellowship Programme

UNIDIR's 2002 visiting research fellowship programme on regional security focuses on the Middle East. Four researchers have been invited to Geneva for a period of up to six months. The researchers are working collectively on a single research paper, focusing on the Israeli-Palestinian conflict.

The visiting research fellowship programme helps generate regional cooperation and confidence building by allowing researchers to work alongside colleagues from the 'other side' of regional conflicts. The fellowship also provides an opportunity to interact with the UN Secretariat, government delegations, international organizations and non-governmental institutes, and contribute to UNIDIR's wider research programme.

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## Tactical Nuclear Weapons

To support efforts to address and curb the problem of TNWs, UNIDIR has launched a long-term project that includes a series of seminars and publications as well as attempts to raise the problem of TNWs in the eyes of the wider public through the international media. Various aspects of this project are carried out in cooperation with the Monterey Institute of International Studies and the Peace Research Institute Frankfurt.

For the ten-year anniversary of the 1991 unilateral declarations UNIDIR held a seminar at the United Nations Headquarters on 24 September 2001. The meeting generated stimulating discussion and was extremely well attended. A seminar report is available on our website ([www.unog.ch/unidir/tnw/TNW%20SEMINAR%20REPORT.pdf](http://www.unog.ch/unidir/tnw/TNW%20SEMINAR%20REPORT.pdf)). More detailed proceedings will be published in 2002.

UNIDIR recently published two research reports on TNWs: *Tactical Nuclear Weapons: Options for Control* and *Tactical Nuclear Weapons: A Perspective from Ukraine* (see publications section).

Additionally, UNIDIR has undertaken a study based on the recommendations presented in *Tactical Nuclear Weapons: Options for Control*. This report examines in detail and advances recommendations on codification as well as transparency and confidence-building measures related to the 1991 parallel unilateral declarations issued by the Presidents of the United States of America and the Russian Federation.

In March 2000, UNIDIR held a seminar in Geneva on TNWs. Experts from different institutions presented papers on various aspects of the issue. Recommendations drawn from this seminar were distributed to policy-makers at the 2000 NPT Review Conference.

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## Handbook on Verification and Compliance

Successful arms control in the Middle East—an essential component of the peace process—will require a thorough examination of the means to determine compliance and of the implications of regional verification mechanisms. In order to assist the process of ascertaining the necessary level and the approach to compliance monitoring in the Middle East, UNIDIR and VERTIC are producing a compendium of agreements and terms, in-depth analyses of approaches to verification, methods and technologies and practical experiences. The book will be published in English and Arabic in hard copy and electronic format (with hyperlink text).

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## Fissile Materials

In April 1999, UNIDIR published *Fissile Material Stocks: Characteristics, Measures and Policy Options* by William Walker and Frans Berkhout. The publication is intended to support the Conference on Disarmament in its thinking on the range of options available to deal with stocks of fissile material. Additionally, UNIDIR has commissioned a report on fissile material inventories to provide an up-to-date account of fissile materials, assess national policies related to the production, disposition and verification of fissile materials, and identify facilities and locations which might be subject to safeguards under a treaty. In March 2001, UNIDIR in collaboration with the German Delegation to the Conference on Disarmament held a meeting on the verification of a fissile material cut-off treaty.

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## Participatory Approaches to Evaluating the Implementation of Humanitarian Landmine Action

Evaluating mine action programmes in terms of cost-effectiveness and efficiency has its merits in a donor community concerned with value for money in project implementation. But humanitarian mine action is by definition a qualitative process. It is designed to enhance human security, provide

victim assistance and encourage ownership of mine action programmes in affected communities and regions. Traditional evaluation and monitoring techniques do not readily lend themselves to assessments of such qualitative goals and objectives. Participatory monitoring and evaluation techniques (PM&E) are more appropriate to this task. PM&E involves key stakeholders in identifying their needs and assessing the most appropriate options for meeting those needs. Experience has shown that participatory approaches improve the quality, effectiveness and sustainability of donor programmes' actions and outcomes. By placing people at the centre of the monitoring and evaluation process, mine action efforts are guaranteed to empower local communities and encourage local ownership. The proposed pilot study is not only designed to pioneer PM&E approaches within the landmine community, but also to provide a unique opportunity for UNIDIR to help innovate bottom-up approaches to arms control implementation.

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## The Costs of Disarmament

In order to present the cost-benefit analysis of disarmament, UNIDIR proposes to take key countries as examples and carefully research what their commitments to disarmament treaties mean to them in terms of financial and resource costs. In addition, the project will try to ascertain what each country perceives are the benefits brought to them through their participation in the agreements and whether there is consensus that there is a net gain to the state in question. The aim of the project is to achieve a better understanding of the costs and benefits of disarmament agreements with a view to assisting policy-makers decide how money is spent on such commitments, which budget lines are best structured to handle such spending and how states could approach this aspect of negotiations in the future.

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## Peace-building and Practical Disarmament in West Africa

UNIDIR's West Africa project focuses on promoting the role of West African civil society in the fight against the proliferation of small arms and light weapons.

The project seeks to:

- Inform and raise awareness on the problem, notably security and humanitarian threats;
- Undertake locally based research with civil society groups and produce collaborative publications;
- Organize national and regional debates in West Africa to stimulate discussion on people-centred security and small arms proliferation;
- Build local capacities for peace and security research and light weapons monitoring regimes;
- Work for transparency and facilitate participation in decision-making and policy implementation;
- Enhance confidence-building and strengthen regional stability through community-based and cross-border arms control and peace-building; and
- Assist in the establishment of a culture of peace and disarmament.

The project operates in partnership with local non-governmental and community-based organizations. For the last two years the project has been working mainly in Sierra Leone and Liberia. For the coming two years, the project will enlarge its scope to Guinea, Côte d'Ivoire, Mali, Niger and Burkina Faso. Specific categories of people with high peace-building potential, such as women, young people, religious and traditional leaders, and the media, will be targeted as partners. Police forces and customs services will also be included.

*Cooperating for Peace in West Africa: An Agenda for the 21<sup>st</sup> Century* and *Bound to Cooperate: Conflict, Peace and People in Sierra Leone*, two recent publications of the project, are described in detail in the publication section.

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## Geneva Forum

Together with the Programme for Strategic and International Security Studies of the Graduate Institute of International Studies and the Quaker United Nations Office, UNIDIR organizes an ongoing discussion series called the Geneva Forum.

The Geneva Forum is an intellectual space in which expertise on a broad range of disarmament issues is shared among government delegates, United Nations personnel, NGOs and academics. Experts from various fields of disarmament are regularly invited to share their knowledge in briefings, seminars and workshops. Such meetings provide disarmament negotiators with valuable opportunities to benefit from in-depth research and to interact with one another in a relatively informal atmosphere. The issues dealt with in Geneva Forum meetings reflect the priorities of the disarmament agenda at any given time. The aim is to provide negotiators with relevant information that will assist them in their disarmament work.

Now in its third year, the Geneva Forum is expanding its work thanks to a generous grant from the Ford Foundation. New areas of activity will include increased networking between Geneva's disarmament, human rights and humanitarian communities in order to discuss mutual interests in security and disarmament issues and to explore possibilities for coordination and collaboration. Also, in recognition of the important role that public opinion plays in advancing disarmament, the Geneva Forum will intensify its interaction with international media covering disarmament issues in Geneva.

The first volume of collected Geneva Forum papers on the issue of small arms and light weapons has been published (see publications section).

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## UNIDIR Disarmament Seminars

UNIDIR occasionally holds small, informal meetings on various topics related to disarmament, security and non-proliferation. These off-the-record gatherings allow members of the disarmament community, missions and NGOs to have an opportunity to discuss a specific topic with an expert. Recent topics covered include: verification of nuclear disarmament, restoring momentum to nuclear disarmament, missile defences, disarmament as humanitarian action, deadlock at the Conference on Disarmament, fissile materials, and next steps for nuclear disarmament and arms control. Speakers at recent meetings have included: Jonathan Dean, Daryl Kimball, Soren Jessen-Petersen, Martin Griffiths, Randall Forsberg, Rebecca Johnson, Tariq Rauf, Mutiah Alagappa, Graham Andrew, Anatoli Diakov, Annette Schaper, Tom Shea, Alain Munier, Seiichiro Noburu, Munir Akram, Thomas Markram, Christopher Westdal, Yuri Kapralov, Fu Zhigong, Robert Grey, William Potter, Lewis Dunn, Paolo Cotta-Ramusino and Harald Müller.

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## DATARIS

In cooperation with SIPRI (Stockholm International Peace Research Institute), UNIDIR has developed an online database of disarmament, arms control, security and peace research institutes and projects around the world. The database can be accessed through UNIDIR's website and

institutes can update their information via a password. A new feature allows the inclusion of the names of the director and research staff.

If you would like your institute to be included in DATARIs, please contact:

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## PUBLICATIONS

### **Coming to Terms with Security: A Lexicon for Arms Control, Disarmament and Confidence-Building**

*Coming to Terms with Security: A Lexicon for Arms Control, Disarmament and Confidence-Building* is aimed at informing people on the body of arms control and disarmament terms that has developed over recent decades. There is so much information existing in the literature that a newcomer to the field can be overwhelmed and not know where to begin. UNIDIR intends this compilation to be a reference manual for the young and the experienced scholar alike.

In the future, the lexicon will be published in different languages—each bound together with the English version—so that the language and culture of arms control and disarmament become accessible to a much larger readership.

Introduction

Overview

The Big Picture on ‘Defence by other Means’

Arms Control and Disarmament Agreements (includes conventional, biological, chemical and nuclear weapons, as well as their delivery systems)

Building Trust and Confidence (CBMs)

Treaty Basics

Implementation of Arms Control and Disarmament Agreements (verification and compliance)

Index

*Steve Tulliu and Thomas Schmalberger*

ISBN 92-9045-135-1

Sales number GVE.00.0.12

## Cooperating for Peace in West Africa: An Agenda for the 21<sup>st</sup> Century

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The last two decades have witnessed a growing determination in the efforts of the Economic Community of West African States (ECOWAS) to consolidate the institutional capacity of the organization to prevent violence and manage crises. From the signing of a Non-Aggression Pact in 1978 to the establishment of a Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security in 1999, ECOWAS member states have endowed their organization with a rich and promising legal framework for conflict management. These efforts could be taken as an inspiration for the rest of the African continent struggling to extricate itself from a seemingly endless cycle of endemic violence. For that reason, these achievements deserve to be widely known and concretely encouraged.

*Cooperating for Peace in West Africa: An Agenda for the 21<sup>st</sup> Century*, a collection of ECOWAS legal instruments for peace and security, aims at making the endeavours of ECOWAS better known and supported by the rest of the international community. It is our wish that all those interested in the making of and the future of peace and security in West Africa, notably academics, researchers, students, diplomats, military and civilian experts in preventive diplomacy, would find in this compendium a useful tool for their work and a faithful companion in their quest for better knowledge of what is being done in terms of institutional peacebuilding in the Western part of the African continent. Preface by H.E. Olusegun Obasanjo, President of the Federal Republic of Nigeria.

**Anatole Ayissi**

Editor

ISBN 92-9045-140-8

Sales number GV.E/F01.0.19



## Illicit Trafficking in Firearms: Prevention and Combat in Rio de Janeiro, Brazil

Since the 1980s, Brazil has faced one of the worst small arms problems in the world. Drug and arms trafficking have led to increasing levels of violence in Brazilian society, notably in large cities such as São Paulo and Rio de Janeiro. This publication offers an account of the arms trafficking situation in Rio de Janeiro and the Brazilian Government's response to it.

Local initiatives constitute a society's front line of defence. In the case of Brazil, efforts to curb the flow of illicit firearms into the country, notably by addressing cross-border smuggling as well as sea routes, would be a good first step. Local initiatives, however, are not enough. Small arms trafficking involves many actors, from both inside and outside the country. To realistically address the firearms problem, concerted and co-ordinated action is needed at all levels—from local to international.

Detailing the specific case of a Latin American metropolis, this book serves as an excellent illustration that combating illicit firearms is a national, subregional, regional and global problem. The publication presents recommendations for increased co-ordination and response.

Introduction

Illicit Firearms in Rio de Janeiro

The New Brazilian Drive Against Illicit Trafficking

The Subregional and Regional Dimensions of the Fight Against Illicit Trafficking

Essential Additional Measures to Curb Illicit Trafficking in Firearms

Final Reflections

*Péricles Gasparini Alves*

ISBN 92-9045-139-4

Sales number GVE.01.0.2

## Tactical Nuclear Weapons: Options for Control

At the end of the Cold War, it was well understood that tactical nuclear weapons, which were forward-based and integrated with conventional forces, were a particularly dangerous category of nuclear weapons. A great deal of uncertainty remains today over the implementation of the 1991 unilateral declarations.

Since 1999, the spectre of tactical nuclear weapons has again been raised as a serious concern. The culminated response by Russia to NATO enlargement, the conflict over Kosovo, and United States proposals to modify the Anti-Ballistic Missile Treaty, thus allowing national missile defences, has led to renewed interest in tactical nuclear weapons in Russia and to calls to remanufacture or modernize the existing tactical nuclear force within the near future. In addition, regional nuclear weapons developments, particularly in South Asia following the nuclear weapons tests by India and Pakistan in 1998, have fostered concerns over the deployment of tactical nuclear weapons in Asia and the Middle East.

It is clear, particularly when considering the possession of nuclear weapons by States other than the *de jure* nuclear weapon states, that the definitions of tactical nuclear weapons are inadequate. If strategic nuclear weapons are defined in terms of the capability and mission to hit the heart of an adversary's homeland, then the range of these weapons is not always the key factor in their definition, neither is the explosive yield. In the United States-Russia dialogue on such weapons however, geographical range has been the overriding feature in attempts to delineate tactical from strategic. A number of critics argue that the subdivision of nuclear weapons into strategic and tactical is not as useful as treating all nuclear weapons collectively. Others feel strongly that the particular dangers of tactical nuclear weapons, with regard to their missions, command and control, are sufficient to warrant their separate and urgent treatment.

There is also the debate about the role of tactical nuclear weapons beyond the national boundaries of the possessor states, focusing much attention on tactical nuclear weapons in NATO Europe and on NATO doctrine. The large numerical superiority of Russian deployed tactical nuclear weapons and recent changes in Russian nuclear weapons doctrine were cause for increasing concern. A number of approaches to dealing with the tactical nuclear weapons issue are outlined in this book. It is hoped that these proposals will add value to the discussions and debates.

Harald Müller is Executive Director at the Peace Research Institute Frankfurt, Germany, where Annette Schaper is a Senior Associate in the Arms Control and Disarmament Group. William C. Potter is the Director of the Center for Nonproliferation Studies and the Center for Russian and Eurasian Studies at the Monterey Institute of International Studies, United States. Nikolai Sokov is also at the Center for Nonproliferation Studies.

*Harald Müller, Annette Schaper, William C. Potter and Nikolai Sokov*

Sales number GV.E.00.0.21

## Tactical Nuclear Weapons: A Perspective from Ukraine

After a decade in the background, the question of tactical nuclear weapons (TNWs) in Europe has begun to raise concern among politicians and the public. Although the problems of today are not as dramatic as those of the Cold War, when the threat of TNW use was ever present, TNW remain a cause for concern and must be addressed. The approaches used during the Cold War are no longer effective and new ones have not yet been devised.

This study is concerned with the present and future role of TNW in the new European security system as seen from Ukraine, a country which once had the world's third largest nuclear arsenal stationed on its territory.

The study is the work of a team of researchers at the Dnipropetrovsk Branch of the National Institute for Strategic Studies led by Professor A. Shevtsov. A. Shevtsov writes on the problems that faced Ukraine in choosing the non-nuclear alternative. A. Gavrish contributes the analysis of the situation with regard to the tactical nuclear weapons possessed by NATO countries. A. Chumakov provides the corresponding analysis of the Russian arsenal. A. Yizhak presents the prospects for nuclear disarmament.

Tactical Nuclear Weapons in Europe: History of Deployment

Renunciation of Nuclear Weapons: The History of Ukraine

Tactical Nuclear Weapons in the New European Security System: To Be or Not To Be?

Prospects for Reducing the Role of Tactical Nuclear Weapons in Europe

*A. Shevtsov, A. Yizhak, A. Gavrish and A. Chumakov*

## Bound to Cooperate: Conflict, Peace and People in Sierra Leone

The chapters of this book wrestle with fundamental questions of practical disarmament and peace-building in Sierra Leone. Although they were written prior to the May-June 2000 upsurge of violence in Freetown that led to the arrest of Foday Sankoh, these incidents underline the relevance of the authors' analyses.

What links this series of research papers is the fact that all the authors are actors: they are Sierra Leonean civic leaders who are working for sustainable peace in their country. Each author is involved at one level or another in the search for a permanent peaceful resolution to the civil war, and a solution to the destabilizing influence of small arms and light weapons. In enabling these writers to get their views across, we hope to encourage a much-needed debate on security and security-sector reform in West Africa. We hope to enrich the understanding of Sierra Leone's partners and donors. In the long run, we believe that this partnership approach will shore up the peace builders, and contribute to sustainable peace across the whole region.

This is the first in a series of books designed to feed into the debate on sustainable peace, security and development in West Africa. The next book in the series will present a collection of papers from civil society actors in Liberia. Depending on funding, we will publish similar studies by civil society in other ECOWAS countries.

Background to the Conflict (1961–1991): What Went Wrong and Why?—*Joe A.D. Alie*

The Long Road to Peace: 1991–1997—*Abubakar Kargbo*

Bound to Cooperate: Peacemaking and Power-sharing in Sierra Leone—*Chris Squire*

Arms Smuggling in Post-War Sierra Leone—*Nat J.O. Cole*

Arms Regulation—*J.P. Chris Charley*

Arms Control Policy Under Threat: Dealing with the Plague of Corruption—*Abdulai Bayraytay*

Peace by Other Means: The Missing Link in DDR Programmes—*Michael Foray*

Disarmament, Demobilization and Reintegration in Post-War Sierra Leone—*Francis Kai-Kai*

Community-Based Disarmament and Post-Conflict Peace-building—*Isaac Lappia*

Women Against Weapons: A Leading Role for Women in Disarmament—*Binta Mansaray*

A Price for Peace? Justice and Reconciliation in Post-War Sierra Leone—*Joe A.D. Alie*

*Anatole Ayissi and Robin-Edward Poulton*

Editors

Sales number GV.E.00.0.20

## Peacekeeping in Africa: Capabilities and Culpabilities

African regional and subregional organizations have an important role to play in the promotion of peace and security on their continent. The United Nations Security Council has relied on them excessively, however, in large part because it has been reluctant to authorize United Nations peacekeeping operations. Although there is merit to strengthening indigenous capabilities, the issue of whether Africans are prepared for the challenge of assuming primary responsibility for responding to conflicts is another matter. What can African states and organizations do to enhance their peacekeeping capabilities? How can the international community better tailor its initiatives to the needs of African actors? This book answers such questions.

Part I of this book describes challenges to African peace and security and discusses the reasons why the United Nations Security Council has changed its peacekeeping policy. Part II examines African attempts to manage and resolve conflicts on their continent. Part III reviews African peacekeeping experience outside of African regional, subregional and ad hoc initiatives. Part IV describes and analyses efforts made by non-African states to address the deficit. The study concludes with a series of recommendations on how to make current approaches more effective. It provides concrete suggestions for strengthening African regional and subregional efforts and for improving Western capacity-building programmes. It also emphasizes that the United Nations must assume a greater role in both promoting and undertaking peacekeeping on the African continent.

Preface by the Secretary-General

PART I      Setting the Stage

PART II      African Organizations and Ad Hoc Initiatives

PART III     Understanding African Peacekeeping Abilities and Limitations

PART IV     Efforts to Develop African Capacities

Conclusion

Annexes and Selected Bibliography

*Eric Berman and Katie Sams*

ISBN 92-9045-133-5

Sales number G.V.E.00.0.4

## The Small Arms Problem in Central Asia: Features and Implications

Although Central Asia has been seriously afflicted by the proliferation, accumulation and misuse of small arms, the region has been largely ignored by the international community. This report attempts to highlight the gravity of the situation in the region by describing the ways in which the small arms problem manifests itself within the Central Asian context. The study specifically focuses on the following issues: the factors generating demand for small arms; the external and internal sources of small arms; the routes through which arms and ammunition are transferred; the various types of small arms in circulation; the humanitarian, political and societal implications of small arms; and finally, the factors hampering the efforts to combat the small arms problem. The study concludes with remarks on the impact of small arms in Central Asia and on possible approaches for their control.

### Afghanistan: Two Decades of Armed Conflict

The Cold War Legacy

Small Arms and the Taliban Ascendancy

The Human Costs of Small Arms

### The Conflict in Tajikistan

The Civil War 1992–1997

The Sources of Small Arms

The Fragile Peace

### Uzbekistan, Kyrgyzstan, Kazakhstan and Turkmenistan: Small Arms and Latent Threats to Stability

Weaponized Societies

Potential Sources of Armed Internal Conflict

*Bobi Pirseyedi*

ISBN 92-9045-134-3

Sales number G.V.E.00.0.6

## West Africa Small Arms Moratorium: High-Level Consultations on the Modalities for the Implementation of PCASED

*A report of the Experts' Meeting and the Civil Society Meeting  
23–24 March 1999, Bamako, Mali*

Recognizing the threats to national security posed by the proliferation of small arms and light weapons, West African States have sought to address the issue through a subregional grouping, the Economic Community of West African States (ECOWAS). Inspired by the 'security first' approach, on 31 October 1998, in Abuja, all sixteen ECOWAS member states signed the *Declaration of a moratorium on the importation, exportation and manufacture of light weapons in West Africa*.

The Moratorium — commonly known as the West African Small Arms Moratorium — entered into force on 1 November 1998, for a renewable period of three years. This Moratorium is an innovative approach to peace-building and conflict prevention. It is not a legally binding regime but rather an expression of shared political will. In order for the Moratorium regime to be effective, concrete measures need to be adopted to ensure that West African governments remember this political commitment and to mobilize national, regional and international support for its implementation. Located in Bamako, the Programme for Coordination and Assistance for Security and Development (PCASED) is the designated implementation mechanism for the Moratorium.

On 23 and 24 March 1999, ECOWAS, the UN Development Programme and the UN Regional Centre for Peace and Disarmament in Africa hosted high-level consultations with West African and small arms experts to elaborate the modalities for the implementation of PCASED. This report outlines the various discussions that took place within both the Experts' Meeting and the Civil Society Meeting about these priority areas.

*Jacqueline Seck*

United Nations Institute for Disarmament Research  
United Nations Regional Centre for Peace and Disarmament in Africa

GE.00-00475  
UNIDIR/2000/2

## Small Arms Control: Old Weapons, New Issues

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The twenty-nine papers collected in this volume were originally prepared for four regional workshops organized by the United Nations Department for Disarmament Affairs to inform the work of the United Nations Panel of Governmental Experts on Small Arms. These workshops were held during 1995–96. Most of the papers were updated in 1998. Authors include academic, military, governmental and activist experts.

The editorial committee consisted of: Jayantha Dhanapala, Under-Secretary-General for Disarmament Affairs, United Nations; Mitsuro Donowaki, Ambassador and Special Assistant to the Minister for Foreign Affairs of Japan; Swadesh Rana, Chief, Conventional Arms Branch, Department for Disarmament Affairs, United Nations; and Lora Lumpe, Senior Researcher for the Norwegian Initiative on Small Arms Transfers (NISAT) at the International Peace Research Institute, Oslo (PRIO).

The publication is divided into four parts:

Causal Factors and Policy Considerations

The Problem of Small Arms and Light Weapons in Africa

The Proliferation of Small Arms and Light Weapons in Latin America and the Caribbean

The Plague of Small Arms and Light Weaponry in South Asia

*Jayantha Dhanapala, Mitsuro Donowaki, Swadesh Rana and Lora Lumpe*

Editors

UNIDIR/Ashgate publication  
ISBN 0-7546-2076-X



## Fissile Material Stocks: Characteristics, Measures and Policy Options

In 1998, on the basis of the Shannon Mandate, the Conference on Disarmament (CD) established an ad hoc committee for negotiating a fissile materials treaty. The treaty is intended to achieve a ban on the production of fissile materials for military purposes in a non-discriminatory, multilateral and internationally verifiably manner. Stocks of fissile materials have accrued transnationally due to armament and disarmament processes, as well as to civil uses of nuclear power. However, very little is known in the public domain about the nature, size and whereabouts of such stocks, and the complexities surrounding their regulation and control. UNIDIR's report on fissile material stocks seeks to begin to redress this problem by providing factual background information on all of these important matters. The report categorizes and quantifies fissile material stocks, and examines the measures which have heretofore been developed regarding their control and management. The report also includes an overview of broad policy options available to states in addressing the stocks issue, which could prove valuable in informing negotiations in the CD.

Fissile material stocks: function, scale and distribution

Characterization by type of inventory

The scale, type and location of fissile material stocks

Measures relating to fissile material stocks: recent developments

Military inventories: continuing absence of international regulation

Transitional inventories: towards regulation and disposition

Civil inventories: the extension of transparency

Policy strategies and options

Stocks and the FMT: possible diplomatic approaches

Possible measures for reducing risks posed by fissile material stocks

Fissile materials and their production processes

International safeguards and physical protection

*William Walker and Frans Berkhout*

Sales no. G.V.E.99.0.15  
ISBN 92-9045-131-9

## Sensors for Peace

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United Nations peace operations have a tradition of several decades, and their scope and importance has increased markedly since the end of the Cold War. Peacekeeping operations, both of the traditional and the extended type, comprise monitoring tasks as a central part of their mandates. Agreements or resolutions, whether they demand withdrawal behind a cease-fire line, keeping a buffer zone demilitarized, or banning heavy weapons in control zones or safe havens, require that compliance is checked reliably and impartially. The more comprehensive the monitoring, the more likely the compliance. In practice, however, monitoring duties often require the surveillance of such large areas that United Nations peacekeeping units cannot provide continuous coverage. Thus, peacekeeping personnel are permanently deployed only at control points on the roads or areas deemed most sensitive. Minor roads and open terrain are covered by spot-check patrols. This creates many opportunities for infractions and violations.

Unattended ground sensor systems allow all this to change. Unattended ground sensors are suited to permanent, continuous monitoring. They can be deployed at important points or along sections of a control line, sense movement or the presence of vehicles, persons, weapons, etc. in their vicinity and signal an alarm. This alerts peacekeepers in a monitoring centre or command post, who can send a rapid-reaction patrol immediately to the site to confront the intruders, try to stop them, or at least document the infraction unequivocally.

Unattended ground sensor systems generally have not been used in peace operations. Thus, the wider introduction of unattended ground sensor systems in future United Nations peace operations requires fresh study from operational, practitioner, system design and legal perspectives. *Sensors for Peace* is an excellent first look at this timely issue.

Introduction — *Jürgen Altmann, Horst Fisher & Henny J. van der Graaf*

The Use of Unattended Ground Sensors in Peace Operations — *Henny J. van der Graaf*

Questionnaire Answers Analysis — *Willem A. Huijssoon*

Technical Potentials, Status and Costs of Ground Sensor Systems — *Reinhard Blumrich*

Maintaining Consent: The Legality of Ground Sensors in Peace Operations — *Ralph Czarnecki*

Conclusions and Recommendations — *Jürgen Altmann, Horst Fisher & Henny J. van der Graaf*

*Jürgen Altmann, Horst Fischer and Henny J. van der Graaf*

Editors

Sales No. GVE.98.0.28

ISBN 92-9045-130-0

## Non-Offensive Defence in the Middle East?

Non-offensive defence (NOD) emerged as a proposed remedy to the military security problems of East and West during the latter part of the Cold War. Grounded in the notion of “cooperative security”, NOD is premised on the postulate that states in the international system are better off pursuing military policies which take account of each other’s legitimate security interests than they are in trying to gain security at each others’ expense. Competitive military policies which seek to achieve national security through a build-up of national military means may well be counter-productive and leave states more insecure. Seeking to procure national military security through a build-up of national armaments raises suspicions as to the purpose of these armaments, which in turn trigger countervailing armament efforts and ultimately lower the level of security for all. By making the defence of domestic territory the sole and clear objective of national military policies, NOD aims to strike a balance between the imperatives of ensuring adequate national military security and of avoiding provocation.

NOD aims towards national military defences strong enough to ensure adequate national military security, but not strong enough to be seen as threatening by others. The provision of adequate yet non-threatening military defence can be highly useful in a region such as the Middle East where political and military confrontations are inextricably linked, and where political settlement in the absence of military security is inconceivable. In the Middle East, NOD could reduce prevailing military tensions and open the way for broader political arrangements on the future of the region.

The introduction of NOD in the Middle East would not require that all Middle Eastern states adopt the same NOD model. Rather, each Middle Eastern state can select the particular NOD model most suitable to its requirements.

Non-Offensive Defence in the Middle East — *Bjørn Møller*

Non-Offensive Defence in the Middle East: Necessity versus Feasibility — *Ioannis A. Stivachtis*

Cooperative Security and Non-Offensive Defence in the Middle East — *Gustav Däniker*

Non-Offensive Defence and its Applicability to the Middle East: An Israeli Perspective —  
*Shmuel Limone*

*Bjørn Møller, Gustav Däniker, Shmuel Limone and Ioannis A. Stivachtis*

Sales No. GVE.98.0.27

ISBN 92-9045-129-7

## A Peace of Timbuktu: Democratic Governance, Development and African Peacemaking

Mali is admired for two recent accomplishments. The first is the country's transition to democracy, which took place in 1991–1992. This effort included the overthrow of Moussa Traoré's twenty-three year military dictatorship on 26 March 1991—a process of military and civilian collaboration which fostered national reconciliation, a referendum for a new constitution, and elections which brought to power Mali's first democratically elected president, government and legislature. The second achievement is the peacemaking between the Government of Mali and the rebel movements in the northern part of the country: this process successfully prevented the outbreak of civil war and presents useful lessons in preventive diplomacy for the international community. The peacemaking culminated in a ceremony known as the Flame of Peace, when rebel weapons were incinerated in Timbuktu on 27 March 1996. This study of the events surrounding the uprisings in the North of Mali and the measures which restored peace (and those which will maintain it) is the result of a collaboration between the United Nations Development Programme and the United Nations Institute for Disarmament Research.

This peace process was remarkable for the way in which the United Nations agencies were able to help, discreetly dropping oil into the machinery of peacemaking. For a cost of less than \$1 million, the United Nations helped the Malians to avoid a war, and lit the Flame of Peace. With less than \$10 million, the United Nations became the leading partner of Mali's Government and civil society, in peace-building, disarming the ex-combatants and integrating 11,000 of them into public service and into the socio-economy of the North through a United Nations Trust Fund. The experience shows that not only is peacemaking better than peace-keeping, but that it is much cheaper.

*A Peace of Timbuktu* includes in-depth coverage of the following topics:

- Mali's History and Natural Environment
- The Build-up to the Crisis in Northern Mali
- The Armed Revolt 1990–1997
- Peacemaking and the Process of Disarmament
- The International Community as a Catalyst for Peace
- Ensuring Continued Peace and Development in Mali
- The Flame of Peace Burns New Paths for the United Nations

United Nations Secretary-General Kofi Annan has written the preface. The book includes maps, texts of relevant documents and laws, and a bibliography, as well as photographs by the authors and peace drawings by the children of Mali.

*Robin Edward Poulton and Ibrahim ag Youssouf*

Sales No. G.V.E.98.0.3

ISBN 92-9045-125-4

Updated second edition available in French

G.V.F.98.0.3

## The Implications of South Asia's Nuclear Tests for Non-proliferation and Disarmament Regimes

On 7 and 8 September 1998, UNIDIR held a private, off-the-record meeting on *The Implications of South Asia's Nuclear Tests for the Non-proliferation and Disarmament Regimes*. This 'track one and a half' meeting was designed to address the needs of policy-makers—governmental and non-governmental agents—in their assessment of the impact of the nuclear-weapons tests carried out by India and Pakistan in May 1998. The governments of Australia, Denmark, Italy, Norway, New Zealand and the United States generously sponsored the meeting.

More than fifty people from over twenty-five countries attended the conference. Each participant attended in his or her personal capacity as an expert and not as a representative of a country or a NGO. At the end of this two-day meeting, there was general agreement among participants that neither India nor Pakistan had enhanced its own security or international status by conducting the tests, but that the risk of nuclear war in the region is now greater. Also, it was recognized that the NPT and the CTBT had been in difficulty prior to the tests, although they remained the best solutions available to reduce potential for further conflict and therefore remained crucial. Finally, many participants expressed their concern that if India and Pakistan were rewarded in any way for demonstrating their nuclear capabilities, this may cause some NPT members to reassess their membership in the regime.

International response to the nuclear tests in South Asia was inadequate: there is a need for more coherent and collective action. Participants focused on practical suggestions to policy-makers to reduce the risk of war; to save the non-proliferation and nuclear arms control regimes; and to anticipate the effects of the tests on areas of regional tensions, particularly the Middle East.

The Responses to the Tests

Causes of the Tests

Consequences of the Tests

Regional Security

Consequences for Non-Proliferation and Disarmament

Damage Limitation

Developing the Non-Proliferation and Disarmament Agenda

Conclusions and Policy Options

Main Summary

Prevention of Nuclear War

Saving the Non-Proliferation and Arms Control Regimes

The Effects on Regional Tensions, Especially in the Middle East

GE.99-00415  
UNIDIR/99/2

## The Geneva Forum: Seminars on Small Arms, Vol. 1

Since 1997, the Quaker United Nations Office, the Programme for Strategic and International Security Studies of the Graduate Institute of International Studies, and the United Nations Institute for Disarmament Research have collaborated in bringing expert presentations on issues in contemporary arms control and disarmament to the international community in Geneva. These presentations have been addressed to the members of the diplomatic missions in Geneva, and our goal has been to offer high-quality analytical perspectives on contemporary issues in a 'user friendly' format related to the policy development needs and possibilities of this particular community.

The focus of the Geneva Forum in 1998 and 1999 was the issue of small arms and light weapons. In this small volume, the reader will find the summary results of the seminars that were held between May 1998 and November 1999. We hope, through this volume, to reinforce the experts' presentations by making them available to a wider audience.

### Introduction

Conventional Arms Transfers: Surplus Weapons and Small Arms — *Herbert Wulf*

Illegal Arms in Albania and European Security — *Chris Smith*

Weapons: A Question of Health? — *Robin M. Coupland & David Meddings*

The International Commission of Inquiry (Rwanda) — *Eric Berman*

The United Nations and Small Arms: The Role of the Group of Governmental Experts —  
*Mitsuro Donowaki, Graciela Uribe de Lozano & André Mernier*

Monitoring the Flow, Availability and Misuse of Light Weapons: A New Tool for the Early Warning  
of Violent Conflict — *Edward J. Laurance*

The Norwegian Initiative on Small Arms Transfers: West Africa and Beyond — *Ole-Petter Sunde*

War, Peace and Light Weapons in Colombia: A Case Study — *Daniel Garcíá-Peña Jaramillo*

*Quaker United Nations Office, the Programme for Strategic and International Security Studies of the Graduate Institute of International Studies and the United Nations Institute for Disarmament Research*

Editors

## Additional UNIDIR publications

*Building Confidence in Outer Space Activities*, Péricles Gasparini Alves, ed., 1995, ISBN 1855216302, published for UNIDIR by Dartmouth (Aldershot)

*Curbing Illicit Trafficking in Small Arms and Sensitive Technologies: An Action-Oriented Agenda*, Péricles Gasparini Alves and Daiana Belinda Cipollone, eds., 1998, Sales No. GV.E.98.0.8, also available in Spanish, GV.S.98.0.8

*Evolving Trends in the Dual Use of Satellites*, Péricles Gasparini Alves, ed., 1996, Sales No. GV.E.96.0.20, ISBN 92-9045-115-7

*The Fissile Material Cut-Off Debate: A Bibliographical Survey*, Daiana Cipollone, 1996, Sales No. GV.E.96.0.30.

*Increasing Access to Information Technology for International Security*, Péricles Gasparini Alves, ed., 1997, Sales No. GV.E.97.0.23

*National Threat Perceptions in the Middle East*, by James Leonard, Shmuel Limone, Abdel Monem Said Aly, Yezid Sayigh, the Center for Strategic Studies (University of Jordan), Abdulhay Sayed and Saleh Al-Mani, 1995, Sales No. GV.E.95.0.24.

*Nuclear-Weapon-Free Zones in the 21st Century*, Péricles Gasparini Alves and Daiana Belinda Cipollone, eds., 1997, Sales No. GV.E.97.0.29, also available in Spanish, Sales No. GV.S.97.0.29

*The Transfer of Sensitive Technologies and the Future of Control Regimes*, Péricles Gasparini Alves and Kerstin Hoffman, eds., 1997, Sales No. GV.E.97.0.10

*Verification of a Comprehensive Test Ban Treaty from Space — A Preliminary Study*, Bhupendra Jasani, 1994, Sales No. GV.E.94.0.30.

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