

Wilfrid Laurier University

**Scholars Commons @ Laurier**

---

Theses and Dissertations (Comprehensive)

---

2008

## Opportunity, Tools and Support: NGO Engagement in the Security and Disarmament Field

Sarah Estabrooks

*Wilfrid Laurier University*

Follow this and additional works at: <https://scholars.wlu.ca/etd>



Part of the [Political Science Commons](#)

---

### Recommended Citation

Estabrooks, Sarah, "Opportunity, Tools and Support: NGO Engagement in the Security and Disarmament Field" (2008). *Theses and Dissertations (Comprehensive)*. 889.

<https://scholars.wlu.ca/etd/889>

This Thesis is brought to you for free and open access by Scholars Commons @ Laurier. It has been accepted for inclusion in Theses and Dissertations (Comprehensive) by an authorized administrator of Scholars Commons @ Laurier. For more information, please contact [scholarscommons@wlu.ca](mailto:scholarscommons@wlu.ca).



Library and  
Archives Canada

Published Heritage  
Branch

395 Wellington Street  
Ottawa ON K1A 0N4  
Canada

Bibliothèque et  
Archives Canada

Direction du  
Patrimoine de l'édition

395, rue Wellington  
Ottawa ON K1A 0N4  
Canada

*Your file    Votre référence*

*ISBN: 978-0-494-46130-3*

*Our file    Notre référence*

*ISBN: 978-0-494-46130-3*

**NOTICE:**

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

**AVIS:**

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

---

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.



# **Opportunity, Tools and Support: NGO Engagement in the Security and Disarmament Field**

**By**

**Sarah Estabrooks  
Bachelor of Arts, University of New Brunswick, 1999**

**THESIS**

**Submitted to the Department of Political Science**

**in partial fulfilment of the requirements for**

**Master of Arts**

**Wilfrid Laurier University**

**2008 ©**

# **Abstract**

NGOs have been consistently excluded from multilateral proceedings in the security and disarmament sector where states are concerned about their national security interests. And yet, they have found avenues to participate in the multilateral process through the negotiation of treaties, provision of expert research and testimony, systematic monitoring of state compliance, documentation of UN proceedings, and even as members of government delegations. This paper explores the conditions that enable NGOs to engage directly in the state-centric system of the United Nations, addressing political opportunity, enabling resources, and institutional support. I explore how NGOs contribute to international politics, using a constructivist approach, to consider the important role NGOs play in the security and disarmament sector.

# Table of Contents

<b>List of Figures</b>	<b>iv</b>
<b>List of Acronyms</b>	<b>v</b>
<b>Chapter 1 ~ NGOs and the UN System</b>	<b>1</b>
<b>Chapter 2 ~ A Constructivist Framework for NGO Engagement in the Multilateral System</b>	<b>27</b>
<b>Chapter 3 ~ A Political Opportunity</b>	<b>43</b>
<b>Chapter 4 ~ NGO Tools of Engagement</b>	<b>64</b>
<b>Chapter 5 ~ Making the Connection: Institutional Support</b>	<b>84</b>
<b>Chapter 6 ~ Transparency, Professionalism and Legitimacy</b>	<b>102</b>
<b><i>Notes</i></b>	<b>120</b>
<b><i>Appendices</i></b>	<b>132</b>
<b><i>References</i></b>	<b>146</b>

## List of Figures

<b>Figure 1: Non-State Actors</b>	<b>12</b>
<b>Figure 2: Levels of ECOSOC Consultative Status for NGOs</b>	<b>19</b>
<b>Figure 3: Stages of Norms</b>	<b>30</b>
<b>Figure 4: NGO Institutionalization in the UN System – expanded model</b>	<b>35</b>
<b>Figure 5: Landmine Monitor Research Network</b>	<b>66</b>
<b>Figure 6: Reaching Critical Will's Web-based Resources</b>	<b>73</b>
<b>Figure 7: Government Funders of Landmine Monitor</b>	<b>82</b>

## List of Acronyms

AP – Anti-personnel landmines  
BMS – Biennial Meeting of States  
BTWC – Biological and Toxin Weapons Convention (also BWC)  
CBO – Community-Based Organization  
CCW – Convention on Certain Conventional Weapons  
CD – Conference on Disarmament  
CTBT – Comprehensive Test Ban Treaty  
CWC – Chemical Weapons Convention  
DFAIT – Department of Foreign Affairs and International Trade (Canada)  
ECOSOC – Economic and Social Council  
GRO – Grassroots Organization  
IANSA – International Action Network on Small Arms  
ICBL – International Campaign to Ban Landmines  
ICRC – International Committee of the Red Cross  
IGO – Intergovernmental Organization  
INGO – International Non-Governmental Organization  
IO – International Organization  
MSP – Meeting of States Parties  
NATO – North Atlantic Treaty Organization  
NGO – Non-Governmental Organization  
NPT – Treaty on the Non-Proliferation of Nuclear Weapons  
ODA – Office of Disarmament Affairs (formerly Department of Disarmament Affairs)  
PoA – Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects  
PrepCom – Preparatory Committee  
RCW – Reaching Critical Will  
RevCon – Review Conference  
SALW – Small arms and light weapons  
UN – United Nations  
UNDP – UN Development Program  
UNGA – UN General Assembly  
UNICEF – UN Children's Fund  
WILPF – Women's International League for Peace and Freedom  
WMD – Weapons of mass destruction



# Chapter 1 ~ NGOs and the UN System

In various fora at different times in the history of the UN, NGOs have been at the centre of proceedings, or at the distant periphery, barred from substantive discussions. In the security and disarmament sector, however, NGOs have been consistently excluded from proceedings with a national security and disarmament theme. Peter Willetts (1996:1), an expert on the place of NGOs in the UN system, in differentiating between 'high' and 'low' politics on the international agenda observed: "Governments expect to dominate disarmament negotiations, military alliances, armed conflicts and the international arms trade. On the other hand, they will usually be cautious about claiming any authority at all in sport and religious affairs". NGOs have a long history of activism on the 'peace' agenda around specific conflicts and particularly on nuclear disarmament, but until recently, the security and disarmament field has not seen NGOs in a prominent role. Directly engaged in the negotiation of treaties, the provision of expert research and testimony, systematic monitoring of state compliance, the documentation of formal UN proceedings, and as members of government delegations, NGOs have found recently found avenues to participate in UN activities in various security and disarmament areas.

What conditions have enabled NGOs to engage directly in the state-centric system of the United Nations? Specifically, why has the security and disarmament sector seen the proliferation of highly specialized NGOs and individuals functioning in roles that complement official processes? Openness to NGOs, access to new operational tools, and an increasingly supportive institutional environment all contributed to the emergence of

such actors. With the end of the Cold War, the explosion of internet-based communications, and the emergence of new non-state actors engaging in the political process across national lines, the environment for NGO engagement in the UN system changed dramatically in the 1990's and set the stage for these initiatives. NGOs have found new ways to employ their skills in what has historically been a closed area of multilateral diplomacy, partnering with states and UN agencies in the provision of services. These NGO initiatives contrast to the image of global civil society that emerged in the 1990's, but I would argue are indicative of democratization in international politics and the blurring of the line of state sovereignty in the UN arena.

Non-governmental activity in the security and disarmament sector has generally fallen into two categories: activism, typified by mass rallies, protests and publicity stunts; and advocacy, including letter-writing, lobbying and information dissemination for public awareness. Service NGOs have always existed in the humanitarian aid and development fields, working in close cooperation with governments in the delivery of aid programs. The record of NGO activity in the multilateral realm grew extraordinarily in the 1990's with activity around the major UN summits, as well as meetings of the international economic institutions, and smaller international meetings like the G8, APEC and World Economic Forum that drew organizations from around the world. The protests of the new 'anti-globalization' movement were first seen in 1999 at World Trade Organization Ministerial meeting in Seattle and subsequent G8 and World Economic Forum meetings. Terms such as 'global civil society' and 'transnational civil society' emerged in the policy literature in an extensive debate around a new 'third force' in international politics.<sup>1</sup>

At the same time, however, non-governmental organizations working in the multilateral context began to employ tactics that mirrored the corporate world. Employment of specialized experts; the production of highly refined marketing materials; targeted fundraising and publicity strategies; as well as new information dissemination tools, became increasingly common across various NGO sectors. This ‘professionalization’ of NGO activity borrowed tools and strategies from business, think tanks and government agencies to implement new operational projects. Among international and specialized NGOs, the UN system was the locus for this activity. These borrowed skills laid the foundation for NGOs to fulfill roles perceived to be in the domain of states. Through the provision of services such as treaty monitoring, document collection and as expert advisors to governments, NGOs assumed central roles in the multilateral system. The pre-eminent case of an NGO in this capacity is the International Campaign to Ban Landmines.

### **The International Campaign to Ban Landmines**

Among the most important multilateral accomplishments of the 1990’s was the negotiation of the 1997 “Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction”, familiarly called the Landmines Ban or Mine Ban Treaty. The NGO community – led by the ICBL as an umbrella network of over 1200 partner organizations – was instrumental in calling for the ban on antipersonnel mines.<sup>2</sup> Upon the ICBLs inception in 1992, the founding organizations issued a “Joint Call to Ban Antipersonnel Mines” and brought together a network of like-minded NGOs from the humanitarian, development, human rights, arms

control and faith sector.<sup>3</sup> Together, the NGOs and national campaigns that made up ICBL worked with a group of sympathetic governments that ultimately became the drivers behind the so-called ‘Ottawa Process’.<sup>4</sup> The ICBL’s strategy to achieve a landmine ban focused on providing evidence-based research on the effects of antipersonnel (AP) mines on civilians; lobbying sympathetic governments to address the problem internationally; and levying public awareness of the issue. Critical research by Human Rights Watch and the International Committee on the Red Cross (ICRC) established the baseline research about the humanitarian effects of anti-personnel mines. Subsequently, NGOs in mine affected regions provided victim testimony and field research, while the ICBL engaged high profile public figures to garner media support for the issue. The network structure of the ICBL broadened the activism and advocacy around the issue and later in the process, information technology enabled the participation of groups from developing and mine-affected regions.<sup>5</sup>

The ICBL broke new ground in the disarmament sector through its close collaboration with governments to realize the goal of a Mine Ban Treaty. The landmines campaign itself is widely regarded in the NGO community as a model of a successful campaign strategy: the groundwork was laid with strong research; the network featured affected people, public figures and nationally-based campaigns; and NGOs worked with governments throughout the – admittedly unusual – negotiations.<sup>6</sup> But IBCL’s leadership did not stop with the achievement of the Treaty; attention shifted to monitoring the Treaty’s implementation through the Landmine Monitor project. In its preface to the first Landmine Monitor annual report in 1999, the ICBL noted that this was “the first time that non-governmental organizations are coming together in a coordinated, systematic and

sustained way to monitor a humanitarian law or disarmament treaty, and to regularly document progress and problems.”

Although the ICBL case is exceptional, it is a useful example of NGOs performing tasks and fulfilling roles typically belonging to state parties and UN agencies in the security and disarmament sector. Following the successes of the ICBL and the emergence of Landmine Monitor, there has been a profusion of efforts by NGOs in other security areas to perform treaty verification or document treaty implementation using similar methods. NGOs are also performing documentation services, providing the primary repositories of statements and official documents pertaining to a certain treaty or UN body ensuring public access to the record of proceedings. Others are engaged in treaty negotiations or implementation as consultants, NGO representatives and official delegates in areas where previously NGOs were kept at the sidelines. Chayes and Handler Chayes (1995: 252) describe the variety of parallel and supplementary roles played by NGOs in regime management:

They are independent sources of information and data that can be used by the regime. They help to check and verify party reporting. In many cases, they provide the basic evaluation and assessment of party performance that is the fulcrum of the compliance process. They have provided technical assistance to enable developing-country parties to participate in treaty negotiation and administration and to comply with the reporting and sometimes the substantive requirements of the treaty. They perform mediating and facilitating services. Where there is noncompliance, they are key to public exposure, shaming, and popular political response. In a real sense, they supply the personnel and resources for managing compliance that states have become increasingly reluctant to provide to international organizations.

This paper will explore the evolution of NGO activity in the security sector to consider why NGOs are increasingly assuming essential roles and responsibilities. At a general level, there is both an opening for NGOs to fulfill these roles and some level of

support for them to become involved in this way. On one hand, NGOs appear to be meeting needs not otherwise met in the various treaty regimes, by incapacity or negligence. On the other, there appears to be increased acceptance to the participation of NGOs in the international, multilateral system. New tools are enabling the NGOs to provide such complimentary services, supported by professional tactics to project implementation.

In the security and disarmament context, where NGOs have historically focused on advocacy and activism, new activities are observed demonstrating a high degree of professionalization and integration. The cases to be examined in depth are the ICBL's Landmine Monitor system; the documentation and archival services provided by the Reaching Critical Will project in the nuclear disarmament field; and contributions by individual experts on official government delegations in the small arms, biological weapons and nuclear regimes. The intention is to gain insight on the variety of NGOs that are engaged in the provision of key services in the security and disarmament, acknowledging that some are very small projects with narrow functions, or relatively new, but others are large, well-funded research groups. The examples cover a wide range of activities, including official UN bodies, formal treaties with broad adherence, and instruments of a more informal character.

The conditions that have enabled NGOs to contribute to the security and disarmament field will be discussed in terms of opportunity, means and institutional support. Changing state relations, and therefore multilateral dynamics, in the post-Cold War will be explored to consider how, in a system defined by sovereign state membership generally closed to direct NGO engagement, opportunities emerged for

NGOs to assume these roles. The case studies demonstrate incidents where a lack of capacity among states has enabled NGOs to supplement official efforts, and others where NGOs fill a gap in the institutional framework of the regime. There is evidence that some state parties were open to NGOs expertise, advocating their engagement, and this leadership will be considered.

The political opportunity to take on such roles is important because in most cases a new initiative was designed, expanding the NGOs mandate to engage in this activity. But NGOs also require the means to implement these programs. In this light, I will consider how organizational developments have facilitated the move from traditional NGO activism and advocacy to professionalized service provision. This will require an exploration of new tools, namely information technology, human resources, and strategies including outreach and research programs that have become essential features of many NGOs' work. States' openness to NGO contributions is in part a result of the perception that NGOs have specialized skills and expertise that generalist government officials do not share. I will explore the notion of an increasingly 'professionalized' NGO sector.

The initial entry into these NGO activities required opportunity and means, but the growth in this area stems from external and relationships with key institutional actors. There was a climate of openness to engagement with NGOs in the multilateral environment, fueled by donor support for such initiatives, and the leadership of key states. A shift within the UN agencies themselves to promote increased cooperation with NGOs will also be considered, including recent panel studies on UN-NGO interaction. Each of these conditions - the opportunity, means and assistance for NGO participation in

the security and disarmament sector - will be explored against the case study evidence in an analysis of NGO engagement in what was previously a sector with limited direct NGO participation.

The research for this paper has relied on a combination of secondary sources and factual interviews with individuals involved directly in each of the three cases. These interviews included email and telephone communication as well as face-to-face meetings and were non-standardized. A complete list of interviewees is attached as Appendix 1. As a former project associate with a Canadian peace and disarmament NGO, I have first-hand experience working with Reaching Critical Will and with some of the individual NGO experts, and personally served as an NGO Representative on the Canadian delegation to the 2003 NPT PrepCom in Geneva, Switzerland. To minimize personal bias I have endeavoured to examine other projects with which I am familiar only by reputation.<sup>7</sup>

### **Defining Concepts**

There are three primary elements to be examined in this study, NGOs, states, and the security and disarmament sector, each of which requires some discussion to clarify terminology. This discussion will probe further into the historical relationship with NGOs in the UN system; the sovereign state and its roles and responsibilities; and the nature of the security and disarmament sector within which this NGO behaviour is observed.



## **Sovereignty and Multilateralism**

The study of international politics, particularly according to the neo-realist and neo-liberal paradigms, is fundamentally state-centric, and examines the balance of power between sovereign states. The principle of sovereignty – defined by Christian Reus-Smith as “the notion that the state should hold absolute authority within its territory and recognize no higher authority outside” (1998:7) – is the qualifier of statehood. The Peace of Westphalia that ended the Thirty Years War in 1648 established this principle and a system of territorially bound sovereign states in Europe. While sovereignty has evolved from absolutist monarchical regimes, to the current dominant political system of democratic states operating within the multilateral system, statehood still prioritizes territorial sovereignty.<sup>8</sup> A discussion of sovereignty and state in the multilateral system is a useful starting point for this analysis of NGO engagement in that system.

The United Nations Charter identifies sovereign states as its Members, as per Article 2, which outlines the organization as being “based on the principle of the sovereign equality of all its Members” (Article II, Paragraph 1). Attributes of the sovereign state as identified in the Charter include: territorial integrity, political independence and jurisdiction over domestic affairs. Membership is obtained therefore by virtue of holding status as a sovereign state and signing the Charter, which thus entitles the state to a vote in the General Assembly, representation on the Security Council and Economic and Social Council on a rotating basis, and participation in all other UN bodies and treaties according to their specific membership rules and procedures. Chapter VII of the Charter provides additional insight on the concept of state sovereignty, with respect to threats to the peace, breaches of the peace and acts of aggression. The enforcement

measures defined in Chapter VII, determined by decision of the Security Council and with mutual cooperation of the Membership, must be consistent with Paragraph 7 of Article II. The intervention clause respects state sovereignty, ensuring that the Members of the UN do not “intervene in matters which are essentially within the domestic jurisdiction of any state” (Chapter I, Article 2, Paragraph 7). Ongoing debates about military intervention in cases of humanitarian crisis are focused on the principle of state sovereignty and the limitations outlined in the Charter.

The primary unit of analysis in the study of multilateralism is the sovereign state. Multilateralism is articulated through the various organs of the United Nations, including its formal committees, subsidiary and partner bodies, and the framework of treaties and agreements that together constitute our system of global governance. John Gerard Ruggie (1992: 571) provides a definition of ‘multilateralism’ that engages its qualitative attributes, as:

“an institutional form which coordinates relations among three or more states in accordance with generalized principles of conduct – that is, principles which specify appropriate conduct for a class of actions, without regard to the particularistic interests of the parties or the strategic exigencies that may exist in any specific occurrence.”

While often ‘multilateral’ is used in reference to a global or universal body, this is not always true; indeed the term ‘plurilateral’ is often used instead of multilateral to describe an institution made up of a small group of states. However, multilateralism assumes that states engage in a relationship with an agreed framework for cooperation.

A discussion of statehood and what this means in the multilateral system is instructive with regard to the engagement of NGOs in the security and disarmament field. It is sovereign states, as UN Members, that have specific rights, so defined in the Charter,

of participation in UN bodies. The Vienna Convention on the Law of Treaties defines the parameters of Treaty law, outlining the terms and conditions of states' adherence to a treaty.<sup>9</sup> These rights as UN members or states party to a treaty also entail certain responsibilities. The relationship between rights and responsibilities of UN Members is described in Article 2 of the Charter, which states: "All members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter" (Charter I, Article 2, Paragraph 2). These responsibilities vary according to the body or document, but can be summed up as cooperation with other Member states, contribution to the operation of the UN system, and compliance with the requirements of its constituent bodies and agreements.

### **Non-State Actors**

The non-state actor or group is simply defined as any entity made up of private actors without legal status as a sovereign state. The term is used to describe a range of groups, in contrast to the legal state, and by definition NGOs are non-state actors together with intergovernmental organizations, commercial actors, criminal cartels, and rebel groups. In the introduction to their analysis of non-state actors in international relations, Reinalda, Arts and Noortmann (1998) identify three categories of non-state actors:

**Figure 1: Non-State Actors**

	<b>Non-governmental public-interest-oriented (non-profit)</b>	<b>Non-governmental profit-oriented</b>	<b>Governmental public- interest-oriented</b>
	<b>Public-Interest NGOs</b>	<b>Business INGOs</b>	
<b>Trans- national actors</b>	NGOs, private organizations or social movements: <ul style="list-style-type: none"> <li>• Proper NGOs</li> <li>• Governmentally organized NGOs</li> <li>• Quasi-NGOs</li> <li>• Donor organized NGOs</li> <li>• Grassroots Organisations</li> <li>• Citizen networks</li> </ul>	<ul style="list-style-type: none"> <li>• Transnational corporations (TNCs)</li> <li>• Criminal organizations</li> </ul>	Transgovernmental actors*  *refers to cross-border relations between representatives of (semi-)governmental institutions below government level
<b>International Actors</b>	<ul style="list-style-type: none"> <li>• International NGOs</li> <li>• Internationally active national NGOs</li> </ul>	Multinational corporations (MNCs)	<ul style="list-style-type: none"> <li>• Nation-states or governments representing them</li> <li>• Inter- Governmental Organisations</li> </ul>

Reproduced from Reinalda, 1998:13

While useful particularly for classifying the range of public-interest non-governmental organizations, Reinalda's table demonstrates the limitations of the term 'non-state actor'. It has some utility to compare entities against sovereign states, but its generality requires further precision for clarity, as is evident in light of the range of NGOs alone, and therefore it will be avoided.

## **Non-Governmental Organizations**

A variety of other terms are often used interchangeably with 'NGO', complicating the question of its definition. Gordenker and Weiss list alternative usages for the NGO sector including: "...independent sector, volunteer sector, civic society, grassroots organizations, private voluntary organizations, transnational social movement organizations, grassroots social change organizations and non-state actors" (1996: 18). The commonly used term 'civil society' is the subject of intense debate, complicated in that NGOs are made up of members of civil society, and alternatively form part of civil society with a wide range of additional groups. Further, there is wide discussion of the emergence of a global or transnational civil society and the place of NGOs in that phenomenon.<sup>10</sup> Other terms, including grassroots organizations (GROs) and community-based organizations (CBOs), are used to describe local NGOs, but will not be used because these are less useful in the multilateral context.<sup>11</sup>

In order to minimize definitional pitfalls, the term non-governmental organization, or NGO, will be used exclusively in this paper because it is the most widely accepted term for those organizations that are engaged in political activity in the multilateral process as private organizations without the authority and rights of states. The principles outlined in Resolution 1996/31 of the Economic and Social Council of the UN, the current version of the NGO Statute, provide a useful framework within which to define the term NGO. Although these principles apply specifically to the designation of an NGO in consultative status with ECOSOC, they provide accepted standards within the multilateral context. The second principle holds that an organization "shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations"

and the third that an NGO “support the work of the United Nations and to promote knowledge of its principles and activities.” Principles 10-12 speak to the established nature of an NGO, in terms of its constitution and governance structures, underlining that organizations established by a government do not qualify. A final general principle notes that NGOs are non-profit organizations.<sup>12</sup> These broad principles thus disqualify entities such as guerilla groups, criminal groups or organizations that espouse violence, political parties, and corporate or profit-driven entities.<sup>13</sup> The line between NGOs and academic institutes can also be unclear, so for the purpose of this study organizations affiliated with an academic institution will be included, when they have a separate governance structure and act as a non-profit.<sup>14</sup>

The ECOSOC principles speak to the attributes of NGOs, but are less illustrative of intention or objective. In general terms, NGOs advance principled positions on relevant international issues in order to bring their moral authority to bear in the influence of policy change. Khagram, Riker and Sikkink (2002:4) define NGOs as “private, voluntary, nonprofit groups whose primary aim is to influence publicly some form of social change.” There is an implicit assumption that organizations driven to influence social change make an inherently positive contribution to civil society and are like-minded in their principles. Normative claims about the intentions of NGOs are problematic, as is evident in the small arms and light weapons context, where gun control coalitions that advocate strong gun control legislation and affiliates of the National Rifle Association, proponents of the right to bear arms, participate together in the UN process. In her review of the literature on NGOs in the development field, Claire Mercer (2002:9) observes a pre-dominant “allegiance to the normative ideal that civil society and NGOs

are inherently ‘good things’; microcosms of the (liberal) democratic process, comprised of the grassroots, both separate and autonomous from the state, while acting as a ‘bulwark’ against it.”

Gordenker and Weiss (1997:20) propose a definition which holds that NGOs are “‘private citizens’ organizations, separate from government but active on social issues, not profit making, and with transnational scope.” They add the useful caveat to their definition regarding transnational scope, or organizations “having transnational goals, operations or connections, and active contacts with the UN system” (1997: 20).

Technically grassroots or community-based organizations may share the same characteristics of internationally focused NGOs, and may even be larger or more active, but it is the domestic focus of their work that differs. To that end, it is organizations with a transnational scope that are of interest in my research, regardless of size. Gordenker and Weiss further distinguish between NGOs and Intergovernmental Organizations or IGOs, which have unique membership structures, usually made up of national affiliates.

International NGOs or INGOs are described as organizations with an international framework or federative, multi-state membership, however this term will be avoided here. While some of the case studies are very small and localized groups, all have a distinctly international focus, though only the ICBL would technically constitute an INGO. This distinction is useful in considering not the essential characteristics of the organization, but the focus of its work. Mary Kaldor (2003: 82) in her work on Global Civil Society also suggests ‘international NGO’ is a misleading term that assumes organizations without an international structure do not have an international interest:

“Indeed almost all social movements and NGOs, including parochially minded nationalist and religious groups, have some kind of transnational relations.

Precisely because these groups inhabit a political space outside formal national politics (parties and elections), they address a range of institutions (local, global and national), they operate through links with a range of international institutions (NGOs, inter-governmental organizations, foreign states, Diaspora groups) and they often receive funding from abroad.”

### NGOs as ‘Quasi-State’ Actors?

The term ‘quasi-state’ was first used by Robert H. Jackson in his book, *Quasi-States: Sovereignty, International Relations and the Third World* to describe the weak states that emerged in the collapse of colonialism. Defined by their legal status as sovereign entities, Jackson depicts quasi-states as those states that possess negative sovereignty, or freedom from external intervention (by virtue of their sovereignty), as opposed to positive sovereignty, or the freedom to act and deter (because of their limited military power).<sup>15</sup> This application has been used further to examine the roles of African states and micro-states in the UN context.<sup>16</sup> The term ‘quasi-state’ has some utility in discussing NGOs, used not as a noun to describe a category of state, but as an adjective to describe the kind of activity in which that non-state actor is engaged. This usage suggests that the actor has assumed a *state-like* quality because of the official nature of its involvement in the specific multilateral context. ‘Quasi-state’ could describe those functions that are expected of the membership of a Treaty by the relevant security and disarmament organ, or its support system within the UN, which for whatever reason are not being implemented so NGOs have unilaterally taken on that responsibility.

There are, however problems with the use of the term ‘quasi-state’ to describe non-state actors that have assumed responsibilities that would typically fall to states or agencies in the UN system. It suggests that such NGOs have a state-like level of agency



and self-determination, implying that they have equivalent rights in the UN system, including a right to vote, which is not the case. Further, the term infers that NGOs seek a state-like status in these roles, which is misrepresentative of NGOs that value highly their independence in the UN system. For these reasons, 'quasi-state' will not be used. The term 'de facto' is appropriate to some degree in describing activities that have assumed a quasi-official place within the regime. But I will avoid categorizing the ways in which NGOs are partnering in the implementation of the specific Treaty or operation of the UN body, except to describe how these tasks are complimentary to state and UN mechanisms. While on one hand serving the health of the regimes, NGOs gain unique access to governments not previously seen in the security and disarmament field through these functions. The place of NGOs within the broader international system has a long history, and the limited role for NGOs in the security and disarmament sector must be understood within this context.

### **The Historical Interplay between NGOs and the UN**

The history of NGO-UN relations is older than the current UN system itself: a wide range of grassroots, community and even international NGOs pre-date the establishment of the League of Nations. A substantial community of NGOs including the World Alliance of YMCAs, International Committee of the Red Cross, Fellowship of Reconciliation, Woman's International League for Peace and Freedom and the Save the Children International Union, among others, was established by the end of World War I. Through the 1920's the NGO community, led by the Union of International Associations, promoted the League of Nations and participated in the early proceedings of League

meetings and committees. Bill Seary observes that this relationship ultimately changed: “In general, the interaction between the League and international NGOs changed from one of NGOs supporting and contributing to the policy work of the League to one where the League was less interested in the opinions of NGOs but more willing to provide information for and about them” (1996:26).

The NGO community was active in the negotiations that led to the agreement of the United Nations Charter at the United Nations Conference on International Organization held in San Francisco in 1945. Education, health and human rights themes were undoubtedly elevated in the final draft text because of the lobbying of NGOs, particularly the representatives of major US organizations.<sup>17</sup> But the greatest success at the conference was the inclusion of Article 71 in reference to the Economic and Social Council, which states:

“The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.”

It was recognized that NGOs had competencies in social and economic themes, and their input on these issues could have value to states. Notably, from the outset, issues of national security were considered outside the realm of NGO expertise. In 1946, a committee was established under ECOSOC to define the nature of the ECOSOC consultative relationship, made a Standing Committee of ECOSOC in 1947. Through the Standing Committee discussions NGOs were defined as international, regional and national organizations, though with limited roles for nationally-based NGOs. The

evolution of these categories over the successive iterations of the NGO statute is outlined below:

**Figure 2: Levels of ECOSOC Consultative Status for NGOs**

1946-50 Resolution 3 (II)	1950-68 Resolution 288 B(X)	1968-96 Resolution 1296 (XLIV)	1996-Y Resolution 1996/31	Type of NGO in each category, since 1996
Category A	Category A	Category I	General Status	Global, large membership and work on many issues
Category B	Category B	Category II	Special Status	Regional and general <i>or</i> specialized and high status
Category C	<del>Register</del> Register	Roster	Roster	Small or highly specialized or work with UN agencies

Reproduced from Foster and Anand, 1999: 250

Throughout the Cold War, NGO engagement in the UN system grew, with the greatest increase among those organizations included on the Roster, the small or specialized organizations. During this period, Cold War politics came to bear on ECOSOC consultative status negotiations. In 1968, Resolution 1296 was adopted by ECOSOC, requiring that NGOs report to the Council on their activities, allowing for suspension of consultative status if it was determined that the NGO received government financial influence, engaged in politically motivated acts against States Members of the UN, or “had not made any positive or effective contribution to the work of the Council or its commissions or other subsidiary organs” in the preceding three years (Section 36, Part VIII). Although this change resulted in intense debate and states instigated votes on the

status of several organizations, Willetts observes that the NGO community emerged from this period “virtually unscathed” (1996:33).

Another avenue for NGO engagement with the UN was created in 1968, when ECOSOC adopted Resolution 1297 regarding the partnership between the UN Department of Public Information and NGOs. The outcome was the establishment of the DPI/NGO Section and an associational relationship with NGOs for the purpose of information dissemination and exchange. Based on criteria, consistent with the ECOSOC Statute, an NGO with “the commitment and the means to conduct effective information programmes with its constituents about UN activities” can acquire associated status, upon approval by the DPI review committee.<sup>18</sup> At a working level, the UN Non-Governmental Liaison Service provides services both to the UN system and to NGOs to enhance their cooperation. A major component of this work is a range of news and information products and orientation materials for NGOs seeking to participate in UN activities.<sup>19</sup> ECOSOC accreditation remains the primary, though not sole means of NGO cooperation with UN member states; however, this was challenged by developments at the World Summits of the 1990s.

The 1992 United Nations Conference on Environment and Development, commonly known as the Earth Summit, was an important event in the history of UN-NGO relations for a number of reasons. The representation of civil society at the conference was unprecedented, with some 2,400 non-governmental actors attending the Summit while an additional 17,000 representatives participated in a parallel non-governmental forum,<sup>20</sup> many of which were not from NGOs with consultative status. But more importantly, the Earth Summit was the first major UN conference to adopt rules of

procedure that expanded the participation of NGOs beyond ECOSOC parameters to include ‘relevant non-governmental organisations’. The rules of procedure adopted in the preparatory process defined NGO participation as including the right to submit written presentations as official UN documents and make oral interventions at the discretion of the Chair. Notably, the rules of procedure did not require that these NGOs have ECOSOC status per Decision 1/1 of the Preparatory Committee, noted in UN document A/45/46 (1991: 22-3). As a consequence, the Earth Summit had a lasting impact on the relationship of NGOs with the UN in that its concluding document, Agenda 21, explicitly called for “Procedures [to] be established for an expanded role for non-governmental organizations, including those related to major groups, with accreditation based on the procedures used in the Conference” (Paragraph 44, Chapter 38, UN Document A/Conf.151/26). Having opened the accreditation process to ‘relevant NGOs’, the Summit set a standard that broadened the potential community of NGOs involved in the multilateral process beyond the limitations in the ECOSOC Statute.

The explosion of NGO activity in conjunction with the World Summits saw the multilateral system impacted by the activity of non-governmental actors operating within grassroots networks, virtual communities (for the first time) and international campaigns. Much of this organized activity was enabled by the nascent internet boom. Even with the end of the world summits, the tide had shifted and NGO activity around UN proceedings, major conferences and treaty negotiations was changed dramatically. Fundamentally this was the result of sheer growth. Estimations of the number of active NGOs are just that, estimations: they vary greatly depending on the definition of ‘NGO’ employed. As of October 2007, there were 3051 organizations in consultative status with ECOSOC.<sup>21</sup> The

most widely used figure for NGOs engaged in the UN system is that of the Union of International Organizations which in its 2007/8 edition, tallies some 52,000 *international* non-governmental organizations.<sup>22</sup> Approximations of the number of global grassroots, non-profit and community-based organizations range widely, to the millions.

### **The Security and Disarmament Sector**

This study focuses on the security and disarmament sector, a term used as shorthand for what is actually a comprehensive regime of treaties, multilateral sub-treaty level agreements and UN-affiliated bodies that deal with security themes. Two arms of the UN have responsibilities for security and disarmament: the UN General Assembly through its First Committee, within which the total membership of the UN debates, and votes by majority on, a wide range of security questions in consideration of thematic resolutions; and the UN Security Council (UNSC), which is mandated by the Charter to undertake enforcement actions under the parameters of Chapter VII and is made up of a rolling membership with five permanent members who have a right of veto. The Conference on Disarmament (CD) is the cornerstone of this regime, because it maintains sole responsibility for formal negotiation of disarmament treaties. A unique institution, the CD does not have universal state membership; rather, it is made up of the five nuclear weapon states and sixty others and periodically considers entrance of new members.<sup>23</sup> Under these official bodies comes a range of multilateral treaty-level agreements, which address specific disarmament programs. Among these are the *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, the *Chemical Weapons Convention (CWC)*, the *Convention on Certain Conventional Weapons (CCW)*, the *Biological and Toxin*

*Weapons Convention (BTWC)*, the *Comprehensive Test-Ban Treaty (CTBT)* and the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*. A range of agreements that are at the sub-treaty level also fall into this category, with the Kimberley Process for the Certification of Rough Diamonds and the UN Program of Action on Small Arms and Light Weapons among these.

By its nature, the security and disarmament sector deals with issues that are perceived to be sensitive because of their implications for national security. Debates over potential enforcement actions against a state of concern, or negotiations that require frank discussion of domestic military assets or policies, are approached with caution and restraint by most states. Consistent with the state-centric view of international affairs, security themes have typically been viewed as 'hard politics' in the domain of governments. Although at its creation UN member states recognized the possible value of NGO input on economic and social themes in Article 71, no such provision was made for consultation with NGOs on security issues. Neither the Security Council nor the General Assembly had any allowance for NGO participation or formal avenues for consultation however NGOs have long pursued informal means to engage with states around these themes. Without any direct channels for participation, an NGO Working Group on the Security Council was established for informally coordinated exchange with UNSC member states.<sup>24</sup> Most major NGOs maintain offices in New York to monitor proceedings and lobby states. The CD is interesting in this regard as all negotiations occur in closed session with no direct participation by NGOs and plenary meetings have only limited opportunity for observation by members of the public. There is however

extensive informal exchange with CD members, fostered by a strong Geneva-based disarmament community including the UN Institute for Disarmament Research. Annually on International Woman's Day, a statement is read to the CD membership by the highest-ranking UN official in Geneva on behalf of the NGO community.<sup>25</sup>

The security and disarmament treaties have a range of arrangements governing NGO access that differ significantly from the rules of procedure for standing UN bodies. While for example, general debates and opening speeches in most conferences of states parties are open to NGO observers, substantive discussions are typically held in closed session. NGO participation in annual meetings of states parties, preparatory committees and review conferences is for the most part limited to the hallways of the UN where distribution of materials and organization of seminars and briefings takes place outside the official conference hall. In some instances, for example meetings of the NPT Review Cycle and the Biennial Meetings of States on the illicit trade in small arms and light weapons, NGOs are granted a limited time to make presentations to the plenary. Unlike the human rights sector, which is centered on the UN High Commission on Human Rights with its annual Human Rights Council meeting where accredited NGOs can make interventions, the security and disarmament sector has no single dedicated UN body. Multiple processes, some centered in Geneva and others in New York or Vienna, deal with a range of technically disparate and sensitive themes with different rules for NGO participation, and thus dilute NGO engagement on the wider agenda.

In the development and humanitarian sectors, NGOs have long been seen as partners of states and UN agencies, acting as service providers and sub-contractors in the delivery of food aid, medical services, emergency relief and implementation of broader



development initiatives. Multi-million dollar international relief organizations, or national grassroots operations, such service NGOs regularly operate as field agents for UN and state aid agencies. Particularly useful in times of conflict, this relationship enables donors to channel funds to local service providers, reducing overhead, engaging domestic actors without costly external involvement, and alleviating concerns about allegiances. While NGOs are major voices in the human rights and environmental fields, the relationship between states and NGOs is generally more antagonistic. Security-based UN organs, including the multilateral disarmament treaties, the CD, First Committee and Security Council have typically featured limited direct NGO participation and regularly operate in closed sessions. Yet, it is in these areas where there are several significant cases of NGOs performing important functions, including treaty monitoring and verification, documenting official proceedings of UN bodies, acting as an informal treaty secretariat, and even participating directly in treaty negotiations and reviews.

In a multilateral system where membership is dependent on statehood, and particularly in the politically sensitive security and disarmament sector, how have NGOs come to play such roles in the proceedings of UN bodies and treaties? It is in the balance of rights and responsibilities where NGOs have found a niche within which to perform functions that are within the purview of states, but which are not otherwise being done. An opportunity to engage with states in this way has fueled the emergence of highly professionalized NGO behaviour. In some cases, states are negligent in maintaining certain tasks or functions of a regime, whether by unwillingness or lack of capacity. In other cases, states openly welcome NGO engagement, providing support for activities by way of financial aid, access to official proceedings or policy statements. Before

examining particular cases in detail, it will be useful to consider international relations theory, primarily constructivism, with regard to NGO roles in world politics. A theoretical model will be introduced in a discussion of how NGOs engage in the multilateral system. Finally, a theoretical development that was seen in the security and disarmament sector in the immediate Post-Cold War years, the discourse around 'human security', will be examined because it challenged the pre-eminence of state sovereignty and provided an opening for greater NGO engagement in the multilateral arena.

## Chapter 2: A Constructivist Framework for NGO Engagement in Multilateralism

Tremendous growth in the NGO sector in the last 20 years has inspired a profusion of research on the relationship between NGOs and the United Nations and the impact of NGOs on international politics. William DeMars (2005: 36) in his critical analysis of NGO theory observed that NGOs received little serious attention during the Cold War, but they "...continued to burrow into the nooks and crannies of world politics whether or not scholars paid any attention. Finally, in the early 1990s, NGOs became impossible to ignore, and the decline of security threats made it possible for scholars to see them." The evolution of the literature has traced developments in international relations theory more broadly. I will consider elements of the three major theoretical approaches with regard to NGO contributions to world politics. Then, a model will be introduced that considers how NGOs adapt their approaches to engage with states in the multilateral system.

Realism is a political theory based on an understanding of the nation state as the primary unit of politics, which functions in the national interest so as to retain and increase political power.<sup>26</sup> John J. Mearsheimer (1994: 10) provides a useful summary of realism, describing it as being predicated on five assumptions about the state system: the international system is anarchic; states inherently possess some offensive military capability; there is always uncertainty about the intentions of other states; the motive of states is survival; and states always think strategically to maintain their sovereignty. Realist approaches have largely ignored non-governmental actors as having no real power in international politics, or as Peter Willetts summarized: "If international relations

in the traditional view concerns the interactions between 'states', which seek to mobilize 'power' to promote their respective 'national interests', then pressure groups [NGOs] are not relevant to international relations" (1982: 1). Realism provides useful perspective about the state decision-making calculus, but as NGOs become increasingly active in the multilateral context, realism has not grown to account for the NGO role in the international system, thus inspiring a variety of theoretical responses.

Early interpretations of non-state actors' engagement in international politics sought to account for the impacts of the range of political actors on the international system, while retaining the central tenets of realism.<sup>27</sup> In the 1970's, neo-liberal transnationalists first addressed non-state actors' contributions to international politics. Keohane and Nye (1970: 380) proposed a new 'world politics' paradigm to "broaden the conception of actors to include transnational actors and conceptually break down the 'hard shell' of the nation-state." But their analysis gave limited attention to broader civil society including NGOs; rather it focused on the economic realm. Peter Willetts (1982) responded to their work with his analysis of 'pressure groups', defined as transnational political actors that 'mobilize legitimacy' separate from the exercise of military power and disposal of economic resources. Grounded in liberalism, these approaches maintained a state-centred approach but accounted for other influences on state decision making.<sup>28</sup>

The third dominant international relations theory adopts the view that politics has a social base, that governments are 'social organs' made up of people whose complex relationships affect the decisions made by governments. Critical theory includes a cluster of approaches but the one of particular interest here is Constructivism. The primary concern of the Constructivist approach is structure; however, this is viewed as a multi-

faceted social construction including both tangible and intangible components. Wendt, a leading proponent of Constructivism, describes a rational approach, whereby state interests are “in important part constructed by systemic structures, not exogenous to them” (Wendt, 1995:75). Arguing that these social structures are not merely concepts, Wendt describes them as having three elements: shared knowledge, material resources, and practices, which act as “collective phenomena that confront individuals as externally existing social fact” (Op cit: 75).

Constructivism has spawned a variety of theories that have explanative power with regard to NGO roles in international relations which will be considered more fully. The ‘global norm’ is one social structure that is widely debated in international relations, and is of particular interest in terms of NGO impacts on the multilateral system. Martha Finnemore cites an accepted definition of a norm as “a standard of appropriate behavior for actors with a given identity” which “embodies a quality of ‘oughtness’ and shared moral assessment” (Finnemore/Sikkink, 1998:891-2). Jeffrey Checkel explains how Constructivists modified the neo-liberal view of norms as a creation of states serving a regulatory function, without causal force: “For constructivists, by contrast, norms are collective understandings that make behavioral claims on actors. Their effects reach deeper: they constitute actor identities and interests and do not simply regulate behavior” (1998: 327-328). Scholars developed a norm ‘life cycle’ (See Figure 3) to describe the institutionalization of norms.<sup>29</sup>

**Figure 3: Stages of Norms**

	<i>Stage 1</i> <i>Norm emergence</i>	<i>Stage 2</i> <i>Norm Cascade</i>	<i>Stage 3</i> <i>Internalization</i>
<i>Actors</i>	Norm entrepreneurs with organizational platforms	States, international organizations, networks	Law, professions, bureaucracy
<i>Motives</i>	Altruism, empathy, ideational, commitment	Legitimacy, reputation, esteem	Conformity
<i>Dominant mechanisms</i>	Persuasion	Socialization, institutionalization, demonstration	Habit, institutionalization

Reproduced: Finnemore and Sikkink, 1998:898

NGOs contribute to the development of a global norm at various points in its lifecycle, particularly through the emergence and cascade stages as promoters of the norm. Sometimes founded specifically for the purpose of promoting an emerging norm, NGOs can provide the organizational structure within which norm entrepreneurs operate in persuading states to adopt the norm, as was seen in the landmine case by the ICBL. In the early stages of norm growth, NGOs socialize a norm by drawing attention to it, engaging the public in the ‘cascade’ process. The cases to be explored in this paper show another aspect of norm development as the various NGOs are engaged in institutionalizing the respective norms, working with states in increasing the legitimacy of what is either a new, or not fully developed norm. These NGOs are acting as norm promoters.

The literature on the role of non-state actors, including NGOs, in norm development has been expanded to consider the specific attributes that these actors offer to the norm life cycle. Primarily, NGOs are seen to hold unique moral authority within the realm of international politics, where they are considered a ‘third sector’ or ‘third

force' distinct from government and commerce. Khagram et al (2002: 11) describe the function of this third sector:

If the business sector has been characterized by the drive for profit and the government sector by the use of authority, the third sector, or nongovernmental sector, could be characterized by the search for meaning. The individuals and groups in this sector are primarily motivated to shape the world according to their principled beliefs.

In his review of the burgeoning normative literature on transnational activism in the late 1990's, Richard Price argues that "transnational activists [a term inclusive of NGOs] derive their authority from three principal sources: expertise, moral influence, and a claim to political legitimacy" (2003: 587). It is the perception of both a principled position and expertise that generates the notion of NGOs having authority on an issue, and thus holding political legitimacy in international relations.

Expertise is the underlying concept in Peter Haas' notion of an 'epistemic community' defined as a "network of professionals<sup>30</sup> with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area" (Haas, 1992: 3). Epistemic communities, drawing on their independent expertise on a specific issue, affect the policy making process by informing decision-makers and influencing social institutions. This approach does not assume correctness or truth in the information, but describes the manner in which experts as part of an epistemic community facilitate consensus on a policy question (Op cit: 23). While the literature on epistemic communities has generally focused on natural or social scientists, the term can be applied to other areas, and is applicable to the security and disarmament sector where technical expertise and value-based policy approaches are prevalent.<sup>31</sup> That is not to say that the entire disarmament

community of NGOs is a unified epistemic community, as clearly there is not a universally agreed rationale, policy approach or specific outcome among all actors.

Martha Finnemore, in her work, *National Interests in International Society*, observes the role of persuasion in norm development, noting: “Normative claims become powerful and prevail by being persuasive; being persuasive means grounding claims in existing norms in ways that emphasize normative congruence and coherence” (1996: 141). While her focus is the legal sector, she argues that states are made up of people whose preferences are malleable and can be affected by persuasive arguments. The element of persuasion is an important consideration with regard to NGOs, as deemed experts or moral authorities on an issue. NGOs that have political access through the multilateral system increase their ability to influence and persuade states of policy positions. Therefore, the influence of NGOs on norm growth is enhanced when they are directly engaged in international politics with the ability to employ persuasion.

The theoretical framework for this study must take into account on one hand, the ways in which NGOs contribute to world politics as non-state actors, and on the other hand the ways in which NGOs adapt to engage with states to affect politics. Early pluralist ideas recognized the contributions of non-state actors in international relations and neo-Liberal Institutionalists further clarified how non-state actors contribute to politics in a state-centric world. But Constructivists expanded international relations with a sociological interpretation, identifying the range of social structures impacting the policy-making process and the different actors engaged in politics. They accept that states make policy decisions by interpreting a range of social elements, allowing for non-state actors to impact the policy process. This theoretical perspective is useful in defining some



of the ways in which NGOs acquire 'political legitimacy' in the international arena as norm promoters, moral authorities and epistemic communities. All of these attributes can be observed in the case studies of NGOs in the security and disarmament sector. While constructivism provides broad-brush categorization of NGO roles, useful in a discussion of what impacts NGOs have on world politics, its focus still rests with the state. Kerstin Martens calls the work to date on NGOs one-sided, identifying motives for their cooperation with IGOs and their influence on the international process, but failing to explain impacts of international engagement on the NGOs themselves (2005: 16). In light of my interest in the emergence of professionalized NGOs engaged in the security and disarmament field, this challenge is a relevant one.

### **A Model of NGO Institutionalization and the International System**

The "new transnationalists" of the 1990's revisited the concept of 'transnational relations' first debated in the 1970's. Defined as "regular interactions across national boundaries when at least one actor is a non-state agent or does not operate on behalf of a national government or an intergovernmental organization" (Risse-Kappen, 1995: 3), the focus of 'transnationalism' was narrowed. It was focused on identifiable actors linked across at least two societies, including those promoting principled positions, namely non-governmental organizations, coalitions and transgovernmental networks; and those motivated by economic gain, namely multinational corporations. The previous transnationalist debate stalled on arguments over the state-centric view of international relations, toward which the new transnationalism adopts a broad view:

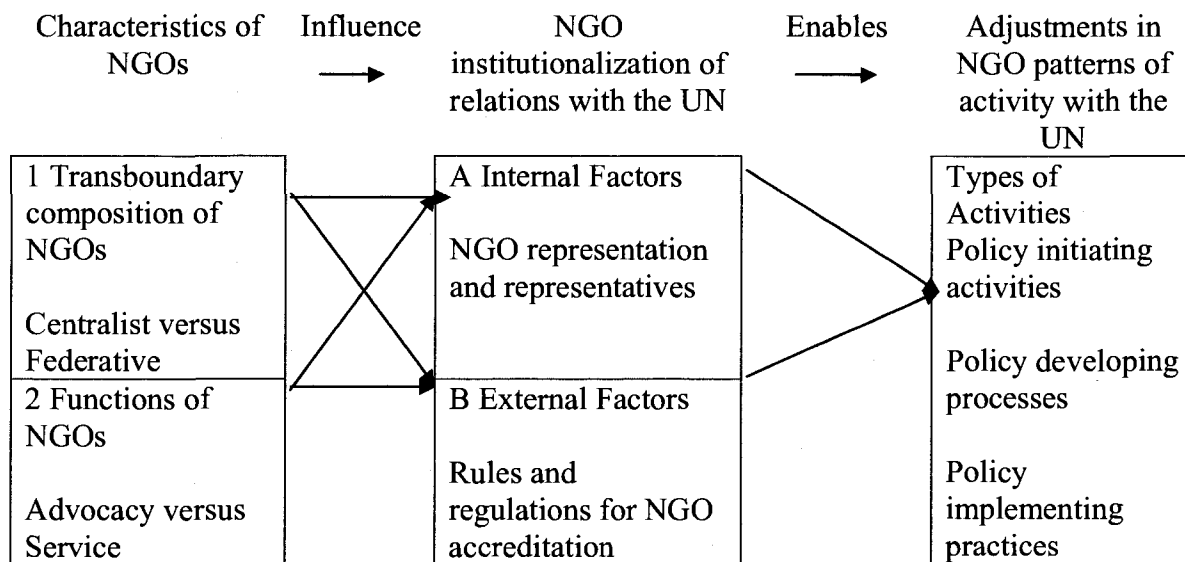
One can subscribe to the proposition that national governments are extremely significant in international relations and still claim that transnational actors

crucially affect state interests, policies and inter-state relations. Confusing the impact of transnational relations on world politics with a “society-dominated” view of international relations leads one to overlook the more interesting question of how inter-state and transnational relations interact. One does not have to do away with the “state” to establish the influence of transnational relations in world politics. (Risse-Kappen, 1995: 15)

Responding to developments in institutional theory the transnationalist approach examines two variables: domestic structures - the political institutions, societal structure and policy networks of the state – and international institutions. Domestic structures are a determinant of the degree to which non-state actors impact policy development in different states, while international institutions facilitate transnational relations and act as channels whereby transnational actors access governments. The approach posits that the interaction between domestic structures and international institutions determines impact on the policy process. This theory is adopted and slightly expanded by Kerstin Martens as the basis for her model of NGO institutionalization.<sup>32</sup>

Martens’ research assesses NGO activities in the humanitarian and human rights sectors by employing a theoretical model to assess adaptation through interaction with the UN and provides some useful guidance for this study. She describes three broad categories of activities engaged in by NGOs and how patterns of NGO activity change with respect to IGOs. Her research assumes the transnational approach to describe internal and external variables that affect NGO relationships with IGOs (Martens, 2005: 13-14). Her explanatory model considers the internal characteristics of the NGOs, or their composition, and their external function, how they institutionalize relations with the UN, as variables affecting the kind of activities in which they engage (See Figure 4).

**Figure 4: NGO Institutionalization in the UN System – expanded model**



Reproduced: (Martens, 2005: 18)

The basic model is useful with regard to NGO activity in the security and disarmament sector, but it has some limitations and requires broadening. The model proposed by Martens is designed for international NGOs, made clear by her description of NGO composition as ‘transboundary’ and the more precise qualifiers of ‘centralist’ or ‘federative’. Although Martens seeks to describe ‘Characteristics of Internationally Operating NGOs’ (emphasis added, 2005: 25), she assumes that there are only two types: international federations of loosely connected, independent NGOs, or strongly linked national organizations with a central head representative. Having based her model partly on what she calls the trans-social approach, this is perhaps not surprising, but it begs the question as to whether small, specialized NGOs operating at the UN level but without international affiliates or a network structure would fit the model. She hypothesizes that the loose structure of federative organizations increases their willingness to adapt in order to be recognized by the UN, while centralist organizations operate through many channels and are less dependent on UN relations (2005: 29-30). It can be correlated that,

like a federative network, a small, specialized NGO also would be dependent on its relationship with the UN as its primary vehicle to operate internationally.

The second NGO characteristic she describes is function, of which she identifies two: advocacy, described as agenda setting and policy input, and service, which she limits to humanitarian assistance and development aid. The case studies selected by Martens apply with regard to both composition – all are international NGOs with either a centralist or federative framework – and also function; they are limited to the human rights (advocacy) and development (service) sectors. Her narrow model of NGO function, with case studies chosen to fit it perfectly, is not sufficiently flexible to include the kind of activities seen in the security and disarmament sector. These cases show attributes of more traditional advocacy work requiring the policy expertise she recognizes, but provide services to states not unlike sub-contracted aid delivery. This problem is also evident in her description of NGO activities, which include policy initiating activities (agenda setting, information provision and lobbying); policy developing processes (policy advice and formulation); and policy implementing practices (cooperation and sub-contracting in completing specific tasks) (2005:18). This final category is limited to delivery of services related to humanitarian aid and “support to people in need” (2005:31). Specialized NGOs with a high level of expertise and professionalization act in many ways more like a service NGO.

Of greater value in Marten’s model is its recognition that the element of institutionalization of NGO relations with the UN system is a factor that affects changes in NGO activities. She describes two types of institutionalization: internal organizational modifications and external demands on organizations that regulate behaviour. To assess

the optimization of organizational structures to facilitate interaction with other social groups and mobilize necessary resources, Martens includes indicators such as representation in New York or Geneva, division of labour with respect to UN activities, and issue specialization. External institutionalization is explicitly a constraint of the UN, assessed through formal association with the UN as dictated by consultative arrangements. Unfortunately, her parameters are narrow and only include the official ECOSOC, Department of Public Information, and Non-Governmental Liaison Service channels of UN affiliation, not rules of procedure that govern individual Treaties, conferences or UN organs and which vary widely.

There are some areas in this model that would be better viewed with a wide lens, but I would also argue that there are fundamental gaps in Martens' model. First, her analysis of external institutionalization does not sufficiently account for the political context of UN institutions. Assuming a monolithic UN, or IGO as she regularly calls it, does not take into account the dramatically different political contexts across UN bodies and issue areas, which are always in flux depending on political circumstances. The championing of NGO participation by a state, or complete obstruction of NGOs by others, reflects particular state interests, linked with the specific issue under examination. Accounting for NGO participation in a specific UN body or forum cannot be limited to the consultative arrangements defined under ECOSOC; rules of procedure in some cases are re-negotiated regularly and the role of a meeting or committee Chairperson – who always represents a state, with its domestic interests – can be very important in how NGOs are accommodated.<sup>33</sup> Second, she limits her analysis to change within existing organizations. Cases in the security and disarmament sector show several instances where

new NGOs were created to fill a given function. The element of opportunity, or the political context, is therefore a key factor affecting why NGOs pursue a particular project or strategy. This could be interpreted negatively – whereby the need is not otherwise being met and thus NGOs assume responsibility for it – or positively – whereby NGOs are invited or welcomed to take the subject role.

Elements of Martens' model provide useful guidance for the examination of behaviour among NGOs in the security and disarmament sector, but it will not be applied dogmatically to the case studies. Rather, my analysis will begin with a consideration of the political climate within which the cases have emerged in the security and disarmament field, to assess the element of 'opportunity', the opening by which each project was created. Secondly, consistent with Martens' model and the analysis of NGO characteristics, I will examine the composition and function of the various NGOs, or what I see as the 'means' with which they are enabled to pursue this kind of activity, including specific resources at their disposal and organizational structure. Finally, taking into account 'institutionalization', I will consider interaction with the UN and other governments, or what may be regarded as institutional support to implement the projects.

Martens' model acts as a framework for this analysis and Constructivism lends further insights into the roles NGOs play in international relations. But to further frame this analysis, a major policy development that coincided with the growth of direct NGO engagement in the security and disarmament sector will be examined in depth. The Human Security debate was important with regard to NGO participation in the proceedings of the UN and as an umbrella concept it impacted all three elements of this study: opportunity, means, and assistance.

## **The Human Security Paradigm**

The release of the UN Development Programme's Human Development Report in 1994 spawned an academic debate, new security paradigm and NGO advocacy tool that made humans the referent subject of security. Adopting an individualistic approach to security reminiscent of early liberal philosophy, the human security discourse presented a challenge to traditional state-centered security.<sup>34</sup> The greatest challenge with regard to this concept of human security is consensus on a definition, with a fundamental debate over scope. The UNDP report proposed a seven part 'agenda' of human security addressing economic, food, health, environmental, personal, community and political security with the individual as the central reference point. The report rejected the traditional focus on state security ensured by armaments, to describe human security in terms of freedom from fear and freedom from want (UNDP, 1994: 24). The 2003 report of the independent Commission on Human Security adopted a broad perspective defining human security as the means "to protect the vital core of all human lives in ways that enhance human freedoms and human fulfillment...from critical (severe) and pervasive (widespread) threats and situations" (Chapter 2, p 4). Taylor Owen asserts that this approach differentiates human security from human development in that it denotes urgency, where dire emergencies risk the vital core of the individual, rather than a 'laundry list of threats' (2004: 19).

A much narrower approach espoused by a Canadian school of theorists focuses on violent threats to the individual, consistent with a more traditional security perspective but viewed from a different point of reference and thus embracing a wider range of threats.<sup>35</sup> Andrew Mack has criticized that the broad agenda mixes independent and

dependent variables by assuming that interconnected factors like war, hunger and poverty all threaten human security, thus minimizing its explanatory value. Similarly, Keith Krause argues that the broad definition “does not allow us to see what is distinctive about the idea of ‘security’, and how it is inextricably tied up with the threat and use of violence” (2004: 368). The ‘freedom from fear’ approach, with its focus on violent threats to individuals, is attributed with having expanded the multilateral security agenda by elevating issues affecting woman, children and civilians through debates over landmines, small arms and light weapons, conflict resources, and child soldiers.

Human security has received wide attention in the multilateral security and disarmament sector among ‘middle power’ states.<sup>36</sup> Canada championed the notion, notably under Minister of Foreign Affairs Lloyd Axworthy, and its leadership on landmines was framed in terms of human security. The Commission on Human Security was established in 2001 by Japan to promote public understanding; develop the concept of human security as a policy tool; and propose a program of action to address critical and pervasive threats to human security.<sup>37</sup> Several states that embraced the concept as a framework for their multilateral policy joined to form the Human Security Network in 1999 at a Ministerial Meeting in Norway, adopting a list of common principles. Member states<sup>38</sup> cooperate to develop common positions from a human security perspective and have worked on landmines, the International Criminal Court, children in armed conflict, small arms and light weapons, trans-national organized crime, and human rights. A fundamental objective of the Network is to “energize political processes aimed at preventing or solving conflicts and promoting peace and development”, and this goal is pursued in part through cooperation with NGOs. At its second Ministerial Meeting in



Lucerne, Switzerland (2000), the Network recognized the role of NGOs in “developing, advocating, building and implementing human security” and “undertook to work nationally and in international fora to promote greater engagement, inclusivity and transparency between governments and civil society on human security issues.”

More than a decade after the 1994 UNDP report launched the debate about human security, the human security concept remains somewhat ambiguous, however the fundamental elements are agreed: individuals are the focus of a human security paradigm, not states; threats to individuals’ security extend beyond traditional, militaristic threats and are linked with human development; and human rights and humanitarian law have a central role in the paradigm, thus challenging the immutability of state sovereignty. Advocates of human security question absolute state sovereignty and have inspired an intense debate around its limitations in cases of dire humanitarian crisis. The issue of humanitarian intervention and the parameters of Chapter VII of the UN charter were the subject of a dedicated International Commission on Intervention and State Sovereignty, which in 2001 issued its final report, entitled “A Responsibility to Protect”. The events that led up to the US invasion of Iraq in 2003 saw adaptation of this discussion, notably by Anne-Marie Slaughter and Lee Feinstein (2004), to justify intervention in sovereign states to respond to threats from weapons of mass destruction. They proposed “a collective ‘duty to prevent’ nations run by rulers without internal checks on their power from acquiring or using WMD” (Feinstein and Slaughter, 2004: 136).

The human security debate also drew attention to the role of NGOs in the security sector, particularly in light of NGO leadership in the landmines case. From the conceptual shift to make individuals the referent subject of security, a logical conclusion

holds that citizen's organizations and NGOs could have useful insights and potentially important contributions to build up that security. Several states that have championed a human security agenda are also proponents of NGO access to multilateral proceedings and major funders of NGO activities. Canada created a Human Security Program, renamed the Glyn Berry Program for Peace and Security in 2006, with funds to support projects by NGOs, academic institutions, and even foreign governments or international organizations working in relevant areas.<sup>39</sup> The Swiss government funds a range of human security-related research institutes, notably the Geneva Centre for Humanitarian Demining and the Small Arms Survey. And governments including Canada, Sweden, New Zealand and Mexico speak regularly in the NPT context on NGO access rights.

The human security debate challenged immutable state sovereignty and as a consequence, supported civil society. The conditions that enabled NGOs to find openings in particular security and disarmament bodies by which to assume new roles broadly coincided with growing acceptance of a human security paradigm. It is therefore an important consideration with regard to the political climate, or element of opportunity, for NGOs to participate in the state-based system. While this policy discussion certainly contributed to political openness to NGO activity among some states, other dynamics were at play in each of the specific cases. These will be examined in detail, beginning with the important example of the International Campaign to Ban Landmines (ICBL) and its assumption of a monitoring role for the Antipersonnel Landmine Ban Treaty.

## **Chapter 3: A Political Opportunity**

Considering that NGOs are external actors, with limited rights of participation in the state-based UN system, it is useful to commence discussion of the case studies by considering the element of opportunity. What are the openings used by NGOs to become involved in key roles in the security and disarmament sector? The element of opportunity has both external and internal aspects, driven by other actors or the organization's program interests. I will consider external impacts including interaction among states parties and between specific states and the NGO, as well as gaps in the particular regime. Internal aspects include moral or organizational interests in pursuing the activity. For the three case studies the element of opportunity was a pre-determinant of the NGOs becoming engaged in the particular project that has ultimately come to play a central role in maintaining the regime.

### **The Landmine Monitor: A Logical Extension of NGO Leadership**

The leadership of the ICBL in achieving the Mine Ban – in cooperation with a network of NGO partners, a core group of supportive states, and prominent international organizations including the ICRC – was introduced in the opening chapter. The role of the ICBL in the lead-up and Treaty negotiation phases<sup>40</sup> has been examined in depth in the policy literature but I will consider a lesser-studied part of the story: the origins and development of Landmine Monitor. Landmine Monitor is the pre-eminent example of an NGO assuming a role to implement a treaty on behalf of states party. Its annual report on state compliance with the Treaty and progress towards its universalization has become the de facto monitoring and verification system for the Treaty. The 'opportunity' seized

by the ICBL to take on the monitoring function was an extension of its successful work leading up to the Ottawa Process. In order to understand more fully why the ICBL took on the monitoring function, it will be important first to consider the Treaty itself, namely its compliance and verification scheme. Secondly, I will examine the important relationship between the ICBL member organizations that founded Landmine Monitor and the states that acted as patrons of the project. This interaction was a continuation of the important NGO-state cooperation that reached fruition with the Ottawa Process and was instrumental in the Landmine Monitor's creation.

The Mine Ban Treaty contains very modest compliance measures. Article 7, entitled "Transparency Measures", establishes a reporting requirement, and Article 8, "Facilitation and clarification of compliance", outlines the means which states can use to resolve compliance questions.<sup>41</sup> Article 7 requires that states submit status reports to the UN Secretary-General on their progress to implement the Treaty, including national implementation measures, the number of stockpiled anti-personnel mines, the location of mined areas, mines retained for training purposes, status of destruction and de-commissioning programs, total destroyed anti-personnel mines, and nature of mines produced (See Appendix 2 for complete text). Parties are required to submit their first report within 180 days of the Treaty's entry into force after ratification and to update the information annually. The primary characteristic of the Treaty's compliance scheme, therefore, is its reliance on states' self-reporting, both to establish the baseline against which implementation is measured and to demonstrate subsequent progress.<sup>42</sup> The Treaty has no formal verification mechanism by way of independent monitoring or inspections to verify the content of voluntary reports, nor a technical secretariat or standing body to

collect and assess the contents of the reports, rather this task falls to the states parties. Subsequent to the transparency measures in Article 7, Article 8 allows for states to seek clarification of questions pertaining to compliance by submitting a formal Request for Clarification through the UN Secretary General to the State Party. However, such measures carry immense political weight and they are therefore used very infrequently.

The voluntary reporting measures of Article 7, and lack of any means for independent verification of state compliance, are viewed by many as weaknesses in the Treaty. Findlay (1999) has traced the negotiations to show where there was divergence around the issue of verification, with some states such as the US and Australia favouring robust mechanisms, while Mexico and many African states argued there was no need for any verification mechanism. A compromise position, supported by Canada, called for moderate measures that would allow for negotiations to proceed without becoming bogged down over the technicalities and expense of verifying a total ban on such a widely used weapon. In his assessment of the Treaty's compliance measures, Findlay notes: "The Ottawa Convention is a hybrid treaty, having antecedents in both arms control and international humanitarian law (IHL). Its verification and compliance provisions sit indeterminably between the two traditions – more robust than some humanitarian law but weaker than the best arms control models" (1999: 46). The hybrid approach calls for transparency and cooperation among the member states to implement the Treaty with self-reporting on progress.<sup>43</sup>

Weakness in the Treaty's compliance and verification scheme provided the major impetus for an independent Treaty monitoring system. The concept of NGOs monitoring state compliance was a novel idea but had precedents from the human rights sector. The

Dr. Andrew Latham first proposed the concept in a 1995 paper for the Canadian Verification Research Unit and briefly referenced it in 1996 within the context of negotiations on landmines in the Treaty on Certain Conventional Weapons.<sup>44</sup> In the early negotiations of the Mine Ban, the subject of verification surfaced and the NGO monitoring network concept was revisited as a possible option. Bob Lawson, the Canadian official that served as the government's primary liaison with the ICBL and driver behind Canadian leadership in the Ottawa Process, reintroduced Latham's idea in discussions with sympathetic states and ICBL leadership.<sup>45</sup> The Canadian government hosted a roundtable on verification during the Ottawa Conference with government representatives and introduced the idea of NGO verification and a subsequent 'non-paper', authored by Lawson, acted as a proposal for the Landmine Monitor.<sup>46</sup> There was interest from both governments and the ICBL in retaining the cooperative relationship that had developed through the Ottawa Process, and an NGO monitoring effort was proposed as a possible means to do so. The leadership and credibility of one of the lead agencies, Human Rights Watch, was an important influence on states whose support was essential for the project in its early days.

The ICBL also had an institutional interest in pursuing the monitoring role. Mary Wareham notes that ICBL was interested in maintaining media attention on the landmines issue and had built considerable research capacity during the campaign that could be built upon (2007: 22-23). The Landmine Monitor also provided a *raison d'être* for the ICBL to continue once its campaign goal had been reached.<sup>47</sup> After six months of preparatory discussions, and with the backing of partner states, the ICBL met in Sweden in June 1998 to decide whether or not it would proceed with the project. The Network

reached agreement on supporting Landmine Monitor as an ICBL initiative under a core group of member organizations.<sup>48</sup>

From the outset, Landmine Monitor was intended to complement the reporting of states parties required by the Treaty: “(Landmine Monitor) was created in the spirit of Article 7 and reflects the shared view that transparency and cooperation are essential elements to the successful elimination of antipersonnel mines. But it is also recognition that there is a need for independent reporting and evaluation.”<sup>49</sup> The project states in the “About Landmine Monitor” section of each Executive Summary that “the Landmine Monitor is not a technical verification system or a formal inspection regime. It is an attempt by civil society to hold governments accountable to the obligations they have taken on with respect to antipersonnel mines.” Operating outside of the formal parameters of the Treaty, Landmine Monitor provides independent monitoring of states’ actions, though without robust verification. Its emphasis is on transparency through public reporting on implementation of the Treaty that can include ‘shaming’ when non-compliance is seen. Unlike an official treaty reporting mechanism, the annual report includes assessments of both member and non-member states’ compliance with the Treaty’s key requirements. As such, it seeks both to hold states party accountable and encourage broader adherence to the norm of the mine ban. Although as an informal mechanism, Landmine Monitor has certain limitations, Steve Goose observed that Landmine Monitor is “not official and we don’t want to be official. If we’re official then we become the ISU (Implementation Support Unit) and have to ‘serve’ the States Parties” (Cited in Wareham, 2007: 36).

The core group of NGOs that undertook such a large-scale and expensive project

accepted the risk that the effort would not gain traction with governments. But evident in Landmine Monitor's statement above is the sense of a moral imperative to monitor state behaviour, underlined by the notion of 'holding them accountable'. The humanitarian argument that played such an important role in achieving the mine ban by emphasizing the indiscriminate impacts of landmines, gave the ICBL a certain moral authority once the ban was achieved, evidenced by Jody Williams winning the Nobel Peace Prize in 1997 on behalf of the ICBL.<sup>50</sup> The principled position that the ICBL had espoused and promoted throughout the campaign became an impetus for it to expand its work into the monitoring function and retain the 'high ground', holding states accountable for the Treaty's implementation. In addition, the Landmine Monitor provided a *raison d'être* for the ICBL to continue once its campaign goal had been reached.<sup>51</sup> Having acted as norm entrepreneur and promoter, the ICBL through Landmine Monitor has assumed a key role in promoting the further institutionalization of the norm against AP mines.

The opportunity to create Landmine Monitor grew out of the unique partnership between NGOs and government that evolved through the Ottawa Process. Because the Treaty lacked a robust verification mechanism, NGO monitoring was seen as a possible means to support the limited compliance measures in the Treaty. At the same time, the ICBL saw an opportunity to provide a new focus for the international network, building on its reputation as a moral force in the landmine campaign. The result was the establishment of an independent monitoring mechanism whereby the ICBL could promote the institutionalization of the norm against landmines and further its goal of a world without landmines.



## **Reaching Critical Will: Necessity is the Mother of Invention**

Reaching Critical Will (RCW) is a project of the Women's International League for Peace and Freedom (WILPF) with a mandate to increase NGO engagement in international disarmament fora, both in terms of NGO preparation for and direct participation in multilateral proceedings. RCW facilitates NGO activities at official disarmament events by arranging meeting space, coordinating NGO statements to plenary meetings (when permitted) and assisting with general logistics. It has also developed a comprehensive website with an array of disarmament related resources, freely accessible to the public. Through this website, RCW has gradually assumed a role not being filled by states or the UN in a comprehensive way: it has become the primary publicly accessible repository of multilateral disarmament-related documentation.

The coordination role envisioned for RCW when WILPF was designing the project recognized that not all NGOs could be in New York or Geneva for multilateral disarmament meetings. Therefore, among its activities, RCW prioritized dissemination of information to educate and inform grassroots organizations working domestically: "For non-governmental organizations, and concerned individuals to act, they need information, primary documents and analysis. Reaching Critical Will collects, packages and often translates disarmament related information into terms ordinary people can understand."<sup>52</sup> Materials collected by RCW are published on its website at [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org) in order to educate and inform the NGO community. Staff members attend official proceedings to collect original documents including official UN documents, government interventions and working papers from the Conference on Disarmament, UNGA First Committee, NPT review process, and UN Disarmament Commission. These are then

scanned and posted online as part of RCW's centralized library of disarmament documentation.

Unlike Landmine Monitor, the central documentation role that RCW has assumed was never the explicit intention for the project; rather, in seeking to provide education tools to better equip the nuclear community for its advocacy and activism, the project has grown into a unique documentation service used widely by academics, officials and the NGO community. Nor was the impetus for this work a response to a single shortcoming in the multilateral disarmament regime, or the result of direct governmental support. RCW has grown over time, in the absence of any other similar documentation service, to become an essential resource in the disarmament regime. To better understand the origins of the RCW project, I will discuss briefly the disarmament and arms control NGO community and challenges to NGO accessibility at the multilateral level, which together created the opportunity to create RCW.

In 1995, at the 5<sup>th</sup> Review Conference (RevCon) of the NPT, an indefinite extension of the Treaty was negotiated.<sup>53</sup> Many NGOs viewed the extension as a continuation of the status quo, with no hard timelines for nuclear disarmament, and protested it vigorously. Others supported the extension as a means of institutionalizing the disarmament norm and retaining the Treaty framework for ultimate disarmament. The division within the NGO community was seen during the Review and Extension Conference when several organizations refused to join 60 members of the Abolition Caucus, who opposed the extension, in signing a declaration calling for abolition of nuclear weapons.<sup>54</sup> Although the disarmament community is considered generally like-minded, it is characterized by range of organizational approaches from abolitionists to

arms controllers that use different tactics including grassroots activism and high-level advocacy.<sup>55</sup> In the aftermath of the 1995 RevCon, there was concern within the NGO community about a lack of coordination among the disparate grassroots peace organizations, research institutes, and disarmament groups, and the negative impact of this division on NGO effectiveness at international meetings.

The effectiveness of this divided and uncoordinated NGO community was further strained because of limitations on NGO access in UN disarmament meetings, specifically NPT events. Generally speaking, NGO access to multilateral disarmament fora is limited: accredited NGOs are permitted to access the UN facilities where they can attend open sessions sitting in the gallery or at the back of meeting hall as observers with no right to intervene in the deliberations.<sup>56</sup> Regularly, substantive debates or negotiation of text occurs in closed session from which all members of the media and NGO observers are barred. Standing bodies like the CD allow accredited NGO observers to sit in the gallery with limited formal interaction with officials. The NPT rules of procedure are gradually becoming more accommodating: since 2000, NGOs have been granted one three-hour slot to make presentations to the plenary at all PrepComs and RevCons and in 2004, the thematic debates, or so-called ‘Cluster Debates’, were open to NGO observation for the first time.<sup>57</sup> Because of the restrictions on access to official proceedings, NGOs rely on informal means – through NGO-organized side events, distribution of materials and hallway conversations – to engage diplomats.

Limitations on participation in the official disarmament proceedings make NGOs reliant on the documentary record for a full understanding of developments. The range of documents submitted by states for an official UN or Treaty review meeting is wide,

including: general statements submitted as official UN documents to be translated and given a conference document number; working papers, national reports or thematic proposals also provided as official submissions; oral interventions distributed within the conference hall only without translation; and printed materials handed out informally within the conference halls and without. All official UN documents are available through the UN's Official Document System (ODS)<sup>58</sup> however meetings that are held in closed session typically feature only oral interventions made with simultaneous translation. Such statements to an NPT thematic debate, for example, are prepared by the national missions to be distributed as hardcopies in the meeting hall by the Secretariat, and are not given numbers as official documents to be made accessible via ODS. Both the NPT and CD lack an institutional Secretariat or coordinating body, and rely on the Office of Disarmament Affairs (formerly the Department of Disarmament Affairs) to provide conference services for meetings and maintain the record of proceedings. ODA has relied on UN document services to disseminate official documents through its regular channels, with no formal library or website.<sup>59</sup>

The disarmament NGOs therefore faced the twin access challenges of limited participation in multilateral meetings and an incomplete record of proceedings, compounding concerns about internal divisions and lack of coordination. The RCW project was designed to address these challenges, with central coordination for the large international community of NGOs. As the project founder, the WILPF UN office was motivated to address a remark by a South African diplomat about poor coordination among the disarmament community and observations by other governments that the NGOs could be more effective in the NPT context if they were better prepared.<sup>60</sup> WILPF

was an obvious organization to assume the coordinating role because it had a long record of involvement on the disarmament agenda, good connections with a wide range of NGOs, and a presence in both Geneva and New York. The initial project proposal was of interest to a primary funder to meet the modest start-up budget.<sup>61</sup> The project was launched in 1999 as a six-month initiative around the 2000 NPT RevCon with a mandate to increase the quantity and quality of NGO participation in the disarmament regime. For the RevCon RCW prepared and disseminated orientation and briefing materials, including a video, for the international NGO community; compiled its first website; published a daily newsletter; held press conferences; and coordinated the joint NGO presentations to the plenary.

Facilitation of the NGO presence at the 2000 RevCon was RCW's first activity, however it was the website and collection of documents and background information it prepared for the occasion that was the legacy of the conference. The Office of Disarmament Affairs did not have the capacity to develop an online library, what was at the time a relatively innovative project. RCW's online collection of disarmament documentation filled this gap and enabled greater information sharing among the concerned public in an area where access and participation continue to be hampered by restrictive rules of procedure. The result is a continuously growing resource of documentation related to all of the multilateral nuclear disarmament bodies, freely available for download.

In providing the central repository for disarmament related documentation, RCW exhibits characteristic attributes of an NGO acting as a norm promoter. Addressing the dearth of publicly accessible information in the disarmament regime, and the limitations

on NGO access to official proceedings, RCW's services promote the norms of transparency and accountability. Transparency is defined by Mitchell (1998: 110) as "information regarding the operation and impact of a regime."<sup>62</sup> Grigorescu (2007: 627) notes that transparency is determined by the ability to access information, not just the offering of it, and must be understood as relational, in other words, to whom is the institution transparent?<sup>63</sup> This is a useful question in light of the documentary transparency of the UN: the UN maintains official records of proceedings and documentary records; but while these are in principle 'offered', RCW made them 'accessible'. In 2000, RCW circumvented official channels to further institutionalize the norm of transparency with its new website. By providing free public access to official and informal documents related to the various multilateral disarmament bodies, the proceedings of the RevCon were in principle more transparent than any previous NPT meeting of states parties.

Promoting transparency is assumed by many NGOs to be a means of ensuring state compliance with treaty obligations by 'holding them accountable'. Chayes and Handler Chayes (1995: 135) have described transparency's role in promoting treaty compliance:

In the context of international regulation, we mean by transparency the availability and accessibility of knowledge and information about (1) the meaning of norms, rules, and procedures established by the treaty and practice of the regime, and (2) the policies and activities of parties to the treaty and of any central organs of the regime as to matters relevant to treaty compliance and regime efficacy.

Transparency is a normative concept: it is considered a democratic ideal to have transparent systems of government and a principle of good governance holds that the governed receive information from the government. The accountability of primary concern to NGOs is what Robert Keohane (2003: 135) calls 'external accountability' or

“accountability to people outside the acting entity, whose lives are affected by it.”<sup>64</sup> In the multilateral context, NGOs widely promote accountability for state behaviour to the citizens of the world.

These means of promoting accountability by states party to a Treaty toward the people affected by it are closely linked with transparency through increased access to information. Scholte (2002) notes that NGOs can facilitate increased accountability in the global system:

“Civic groups can monitor the implementation and effects of policies regarding global relations and press for corrective measures when the consequences are adverse. Civil society bodies can take grievances with the performance of global regimes to auditors, ombudspersons, parliaments, courts, and the mass media...civil society associations can push authorities in global governance to take greater public responsibility for their actions and policies.”<sup>65</sup>

Casting a public eye on developments in the multilateral disarmament fora, RCW seeks to promote state accountability for the implementation of obligations called for in the Treaty regimes. Documentation is used as a form of monitoring, enhanced by independent analysis and reporting, to allow NGOs and therefore the public to track progress. States that are not meeting their obligations, whether by inaction or blatant non-compliance, may be ‘shamed’ with public scrutiny and negative publicity.

The opportunity for RCW to become the central documentary library for the disarmament sector was created by a combination of situational elements: divisions within the disarmament were exacerbated by the results of the 1995 Review and Extension Conference; representatives of sympathetic states observed and commented on the ineffectiveness of the NGOs, encouraging greater internal coordination; to compensate for limited direct access to the disarmament proceeding, NGOs relied on incomplete documentary records; there was an obvious programmatic opportunity in the

absence of an official disarmament documentation library; and a sympathetic foundation was willing to back the initiative. Responding to these developments, WILPF staff developed a strategic project to assume a coordinating role, and thus address internal NGO dynamics, with information dissemination as part of its wider mandate for education and preparation of NGOs in advance of the 2000 RevCon. The resulting web resource, namely the library of disarmament documentation has become a key feature in the disarmament arena. Consequently, RCW has become an important promoter of the norm of transparency in the disarmament sector and continues to push for increased accountability for states party to the various Treaties.

### **Inside the Tent: NGO Representatives on Official Delegations**

The Landmine Monitor and the RCW projects were developed in response to gaps in the respective regimes, with input from sympathetic states, and organizational interests in pursuing the project. Multiple factors guided project development and created the opportunity for the NGOs to assume these roles. When NGO representatives serve on official government delegations, however, state support is directly responsible for creating the opening for their participation. Only by invitation and with authorization from the government leading the delegation could a non-governmental representative acquire the necessary accreditation to join an official delegation. In most cases the composition of a government delegation to a UN meeting requires senior, if not ministerial approval, and some countries have special procedures when NGO representatives are engaged.<sup>66</sup> While the direct opportunity for involvement in this activity depends on state support, the motivation to involve non-governmental



representatives, and thus the ‘opportunity’ is impacted by other factors. Questions of capacity and the politics of support for NGOs will be considered in light of examples of non-governmental participation on official delegations from the small arms, nuclear disarmament and biological weapons regimes.

Unlike the previous cases, which were focused on an organization or network engaged in a single project, this case features individuals participating on delegations from several states parties to a range of multilateral events including Treaty reviews, annual meetings of states parties, and in one unique case, on a panel of governmental experts. Appendix 4 provides a summary table outlining the cases and listing the individuals who were interviewed for this research, all of whom served as non-governmental representatives on one or more official delegations. Engagement of non-governmental representatives is observed on delegations in a variety of multilateral fora<sup>67</sup> however the sample cases were selected from the security and disarmament sector, from delegations covering meetings for the BTWC, NPT and UN Program of Action on small arms and light weapons (UN PoA). While the research is not exhaustive, it includes a cross section of major cases in the three regimes.<sup>68</sup> From these individual cases, several broad trends emerge, which thus shed light on the conditions that have enabled non-governmental representatives to occupy this position on governmental delegations.

In terms of opportunity, the cases studied show a variety of avenues by which these individuals participated on their respective country’s delegation. Certainly the majority were personally invited, many of whom have filled the role over numerous years including John Simpson, Bill Potter and Ernie Regehr. Canada for many years requested that its domestic nuclear disarmament community nominate its preferred representative

and invited the recommended individual to join its NPT delegation.<sup>69</sup> In some cases the individuals were not invited, but requested of their governments the opportunity to participate. The German NGO community used examples from other countries – especially Canada – in seeking permission for members of its research community to join delegations. Una Becker and Götz Neuneck are colleagues at the Peace Research Institute Frankfurt (PRIF) and participants on German BWC and NPT delegations respectively.<sup>70</sup> PRIF lobbied officials requesting that its staff be permitted to join delegations as expert advisors, with the expectation that they could benefit professionally from the experience of observing the meeting ‘from inside the tent’. Similarly, Angela Woodward of New Zealand requested – and was welcomed – as a respected expert to advise her government as a member of its BTWC delegation. Having been part of the delegation to the 2000 NPT RevCon, when he was invited to join the Canadian delegation for the first of four NPT meetings in the 2005 Review Cycle, Ernie Regehr negotiated his participation in the full cycle as an Expert Advisor. Florella Hazeley was nominated on behalf of the NGO community in Sierra Leone to join its delegation to the RevCon of the UN PoA, in part because of international lobbying by IANSA for affected countries to consider asking NGO experts to advise them on this issue. However, even in these where the individuals requested to serve on the delegation, the participation was endorsed by the officials ultimately responsible for approving the delegation’s composition.<sup>71</sup>

Across the individual cases examined a range of titles were given to the non-governmental delegation member, which fall into two broad categories, described as advisors or liaisons. The advisor role, seen where individuals were called ‘expert advisor’, ‘technical advisor’, or ‘NGO advisor’, describes cases where the individual was

engaged with a view to capitalizing on his or her technical expertise and past experience. Individuals like Bill Potter and John Simpson have held the advisor role at multiple international meetings. Notably, these individuals are academics with doctoral credentials, working at institutes with dedicated non-proliferation programs, and are considered experts in the field.<sup>72</sup> The experts commented that their technical knowledge, policy expertise and experience are valued by rotational foreign ministry officials who lack the same depth of knowledge on technical issues. An important function of this advisor role as observed by John Simpson and Bill Potter is that of providing ‘institutional memory’. As that the procedures of multilateral bodies are not always clearly stated or written down, rather are based on precedent, Simpson noted that an historical perspective of process is important to active government delegations, and experts who have attended several rounds of meetings maintain this procedural knowledge.<sup>73</sup>

The liaison role, seen with titles including ‘NGO liaison’ and ‘NGO representative’, implies a slightly different function where the representative bridges the gap between government and non-governmental participants in the meeting. This role should not be interpreted to mean that the individual is necessarily less knowledgeable in the technical aspects, but it does suggest that the government has a different interest in the person’s participation. Among the tasks for which the liaison is responsible are attendance at NGO side events and reporting to other NGOs, both organizations present at the meeting and the national NGO community. When meetings enter closed sessions, this liaison role can be important for the NGO community, as was evidenced at the 2001 UN Conference on SALW. NGO members of official delegations, including Ernie

Regehr (Canada) and Stein Villumstad (Norway) regularly briefed members of the International Action Network on Small Arms about developments inside the meeting hall, part of what Villumstad described as his role to be a ‘bridge’ between the Norwegian government and the NGOs.<sup>74</sup> Several of the individuals interviewed mentioned that they provided regular email updates to NGO counterparts not at the meeting.<sup>75</sup> With an NGO liaison on the official delegation, the state portrays itself as both in touch with and interested in the positions of the NGO community.

The categorization of advisor or liaison suggests that states may invite a non-governmental representative to participate on an official delegation for multiple reasons. The direct benefits of institutional memory, technical expertise, or interaction with other NGOs must be considered within a broader political context. What does it say about a state when it invites a member of civil society to sit on an official delegation, with privileged access to the policy process and closed-door, state-level negotiations? This question is partially answered by considering which states invite NGO participation on delegations. While my analysis is not exhaustive of every case in all the security and disarmament fora, the sample suggests that there is a group of states that consistently engage NGO representatives on delegations. Canada, historically a strong supporter of NGOs and champion of NGO access rights at multilateral proceedings,<sup>76</sup> regularly engages NGO representatives as both experts and liaisons. Other like-minded countries including Germany, Norway and New Zealand are supporters of NGO representatives. The cases suggest that some states, namely the UK, engage non-governmental experts as advisors without the liaison function.<sup>77</sup> Others, Kyrgyzstan and Sierra Leone for example, benefit from the extra support of an NGO expert. Perhaps even more illuminating is the

group of states that have few if any examples of non-governmental delegates: generally speaking China, Russia, the US<sup>78</sup>, most middle-Eastern and most Asian states rarely draw on non-governmental experts for security and disarmament themed official delegations.

The public relations aspect of inviting close cooperation with representatives of the non-governmental sector, or the so-called 'optics', is another consideration. This point was raised by several of the Canadians interviewed, one observing that inviting NGOs to be on a delegation "gives Canada a reputation of being open in its attitude to civil society and thus perhaps forward-thinking."<sup>79</sup> Another expert questioned whether having an NGO representative on a delegation might suggest that a risky policy position is supported by an informed public through the non-governmental representative.<sup>80</sup> In the small arms sector a number of states with acute small arms problems including Guatemala, Kenya, Mali, Nigeria, Senegal, Sierra Leone and Sri Lanka have had NGO representatives from victims groups and gun control coalitions on their official delegations, bringing both expertise and representation of the affected population to the UN floor. Appendix 5 lists all NGO representatives on delegations to the 2005 Biennial Meeting of States to the UN PoA, the 2006 PoA RevCon and its PrepCom.

Underlying the emergence of non-governmental representatives being engaged as technical experts and liaisons with civil society is the increasing 'respectability' of the NGO sector. A series of articles in the mid-1990's traced the 'rise of the nonprofit sector' and the explosion of NGO activity. Lester Salamon (1994) in his seminal article on the emerging NGO sector identified several growth factors at both the micro and macro levels including official policies that favoured nonprofit service providers over state-issued development and social welfare, endowing nonprofits with public validity in aid

delivery. Jessica Mathews, in her paper describing growth in the NGO sector as a 'Power Shift', noted that "NGOs deliver more official development assistance than the entire UN System (excluding the World Bank and the International Monetary Fund)" and in many countries are delivering services "that faltering governments can no longer manage" (1995: 53). She argued that by NGOs bearing responsibility in the delivery of development programs and humanitarian assistance, this conferred upon them respectability in the international realm.<sup>81</sup> Kim Reimann (2002: 59-61) has described a 'pro-NGO norm' seen in the 1990's with the end of the Cold War. She describes two components of this norm: a domestic angle whereby it was important for modern states to have a 'flourishing civil society sector', and an international element whereby the UN system was seen as promoting 'partnership' with NGOs. The human security discourse was a further contributor to the legitimization of NGO contributions to multilateralism in the 1990s. The public perception of NGOs as legitimate agents of the public good has made them acceptable partners for certain governments and thus facilitated their direct engagement in the policy process as members of official delegations.<sup>82</sup>

The element of opportunity is particularly important in the case of non-governmental representatives on government delegations, because whether they were invited directly, or requested to participate, these individuals have to be approved and accredited by their government to acquire the necessary security clearances as delegation members. All of the individuals examined had reputations as expert and experienced individuals, and were thus considered credible partners on the official delegation. This 'respectability' was therefore essential in opening the door for their contribution to the functioning of an official delegation, but as representatives of NGOs and academic

institutions rather than government agencies.

Political circumstances, organizational motivation, and shortcomings in the particular regime created the openings for these NGOs to take on particular roles in the various regimes. However, two factors affected their further development once the initial opportunity was available. In each case, particular organizational tools had an enormous impact on the development of the project, providing the means whereby the NGO was able to provide its services in the multilateral regime. These tools will be examined carefully in the next chapter. Finally, considering the element of ‘institutionalization’ introduced by the Martins model, external support and institutional ties will be examined in the final chapter to demonstrate the sustainability of these initiatives.

## **Chapter 4 ~ NGO Tools of Engagement**

The stereotype of NGO activity sees an army of volunteers writing letters and distributing photocopied flyers to campaign for an issue on a shoestring budget. While some grassroots organizations do operate this way, others including Amnesty International, Oxfam and Greenpeace use sophisticated organizational and business models to operate multi-million dollar program budgets, with permanent staff, and extensive institutional support. The structure and composition of NGOs impact on the scale and nature of their programming and these characteristics vary greatly among the cases examined here. Each initiative is dependent on particular organizational tools that enable their activity. These cover a wide spectrum, but generally fall into three categories including financial, technical, and human resources. A key condition that must be considered, therefore, is the financial, technical, and human resources at the disposal of each of the NGOs. NGO programming is always dependent on external funding and often projects are designed because they are 'fundable'. In each of the Landmine Monitor, RCW and NGO expert cases financial resources have to some degree shaped the effort and therefore this factor will be considered separately as the underlying enabler of NGO activity. The availability and type of resources accessible in each case have significantly shaped the scope of the projects and their contributions to the regimes.

### **Landmine Monitor: A Network Approach**

The network behind the International Campaign to Ban Landmines was made up of some 1200 organizations in over 60 countries at the time the Mine Ban Treaty was signed. Representing a diverse array of regions and interests but united in their common



call for a ban on antipersonnel mines, the organizations were loosely affiliated through the campaign and able to pursue national campaign goals while drawing on the resources of the collective to interact at the international level.<sup>83</sup> The success of the network model in the campaign was replicated with the Landmine Monitor to capitalize on contributions from a network of field researchers. Landmine Monitor is run by four ICBL member organizations that serve as its editorial board: Human Rights Watch, Handicap International, Norwegian People's Aid, and Mines Action Canada.<sup>84</sup> Both independent researchers and NGO partners are drawn on to write national updates, working with thematic research coordinators and the editorial board to produce the annual report. A strong and cohesive research methodology ensures that the contributions from the various researchers together produce a coherent annual report. These human and technical resources enable the Landmine Monitor to maintain high standards of accuracy and reliability, thus serving as the Treaty's primary monitoring mechanism.

The first issue of the annual report was published in 1999, a year and a half after the Ottawa conference, and presented at the First Meeting of States in Maputo, Mozambique. The tome weighed in at 1,100 pages and contained information on every country in the world, including states not party to the Treaty, addressing all Treaty obligations. Described as a 'system', the Landmine Monitor project began with a global reporting network, a central online database and a published annual report.<sup>85</sup> While the annual report is its most visible product, the network of researchers around the world is its greatest attribute. A 2005 job posting for Landmine Monitor researchers noted that its researchers include: "lawyers, doctors, humanitarian aid workers, human rights activists, landmine survivors, mine action practitioners, graduate students and anti-landmine

campaigners and they are all non-governmental”.<sup>86</sup> The network makes use of both professional contract researchers and campaigners affiliated with an ICBL member NGO such as Handicap International, Mines Action Canada, and Norwegian People’s Aid, as well as several national campaigns such as the Afghan, Cambodia and Pakistan Campaigns to Ban Landmines and the Kenya Coalition Against Landmines.<sup>87</sup> For the most part, the researchers receive small consultancies for their time and can apply for research grants for travel, translation or other related expenses. Network affiliates help to maximize the consultancy budget. Between 2000 and 2005, Landmine Monitor engaged over 100 researchers from some 90 countries to complete the research for every country in the world (See Figure 5). When the project shifted its primary focus to ‘mine-affected countries’ this number dropped slightly, but the network still includes approximately 70 researchers.

**Figure 5: Landmine Monitor Research Network<sup>88</sup>**

Year	Subject Countries	Number of Researchers
1999	192	80
2000	192	115 from 95 countries
2001	192	122 from 95 countries
2002	192	115 from 90 countries
2003	192	110 from 90 countries
2004	192	110 from 93 countries
2005	112 mine-affected countries	77 from 72 countries
2006	126 mine-affected countries and regions	71 from 62 countries
2007	118 mine-affected countries, states-parties with outstanding obligations, non states-parties	69 from 57 countries
2008	Not yet finalized	62 from 46 countries

To consolidate the work of such a diverse group of researchers and research coordinators into one cohesive report, the Landmine Monitor has developed a methodology with common standards of practice to which all researchers are required to

adhere. Yet, by its own admission, the greatest weakness of the project is the limitations it faces in the collection of accurate data.<sup>89</sup> The 1999 issue of the report was described as an attempt to “establish a baseline of information from which to measure progress in alleviating the landmine crisis” (Executive Summary, 1999: 1). Subsequent reports have updated and refined the baseline information, and in the process, the research methodology has been strengthened to minimize the research pitfalls of a non-governmental monitoring network with limitations on the gathering of data. The major characteristics of the methodology that have enabled continued improvement of the product include: localized data collection, cooperation with states, centralized editorial oversight and quality control. A strict publication schedule is demanded by the timeline from distribution of the research contracts in November, through to publication in time for the annual Meeting of States Parties, or the Review Conference as in 2004, typically in the fall.<sup>90</sup>

The international research network has already been discussed however it bears further reference as a central feature of the research methodology that enables localized data collection. Researchers based in the country, or working in the region, develop personal contacts and make use of sources in the local language, though in several countries including Burma, China and Iran, access challenges persist.<sup>91</sup> Landmine Monitor relies entirely on publicly accessible information to monitor the Treaty’s implementation, using open-source information rather than investigative journalism or war-zone reporting.<sup>92</sup> In order to gather official field information, the researchers cooperate with national governments and institutions, when this is feasible, including military and health practitioners. An important information-gathering tool is Landmine

Monitor's practice of providing governments with a draft of their national entry before the report goes to the publisher. This provides an opportunity to gauge reaction and gather feedback including correction of facts before final publication. Cooperation with local UN offices and humanitarian aid agencies, particularly in affected countries, is another important resource for researchers. Further, UN Mine Action Centre and Geneva Centre for Mine-Affected both collect in-country data that is accessible online.<sup>93</sup>

The research is organized by both country and theme, with four Thematic Research Coordinators responsible for Ban Policy, Non-State Armed Groups, Victim Assistance and Mine Action respectively.<sup>94</sup> The Thematic Research Coordinators work to ensure consistency and common reporting methods among the international researchers. Final editorial oversight is centralized with one lead agency, previously Human Rights Watch and now Mines Action Canada, which bears ultimate responsibility for the correctness and completeness of the report. Filtering the independent national reports through the Thematic Research Coordinators and finally the editorial team brings consistency to the disparate voices that produce the report. The research is also subject to a process of peer review at an annual research network conference where the researchers and editorial team gather to discuss major findings and address outstanding questions. In the past, the conference has featured workshops and training in research methods, to strengthen the skills of the research network.<sup>95</sup>

Quality control is consistently a concern for the project. Since its creation, researchers have been required to find corroborating evidence for pieces of information to verify such facts as the kind of mine used to ensure it was an AP mine, the nature of injuries received, and whether this was a new incidence of mine usage, before including

the incident in the annual report. The Thematic Research Coordinators perform an additional fact-check of all draft country reports, and the editorial team has final responsibility for ensuring the veracity of the report's contents. A "Research" page on the Landmine Monitor website, at <http://www.icbl.org/lm/research>, is maintained by the lead agency to coordinate the research methodology for the international network. Sections including the Production Schedule, Key Reference Documents and Links, and the Thematic Guidelines and Questionnaires feature essential web-based content for the researchers. For each thematic area, a document outlining information sources and key research areas, with instructions and research requirements for each, is provided, as well as an orientation guide.<sup>96</sup> These documents provide tips for what information should be reported, how to update the previous year's report, and how data can be gathered, for example:

III) Antipersonnel Mine Use

In your first draft, cite all allegations of antipersonnel mine use from any source or actor, even if the allegation does not seem credible. Note if nothing new has happened in the reporting period. Describe any confirmed or suspected recent mine use by your government or within your country in as much detail as possible with several, varied sources for this information. Use open sources such as media reports or try interviews. Do not put yourself at risk during this research. If you know of something, but don't wish to include it in the report communicate direct with us.<sup>97</sup>

The website acts as a quality control mechanism, providing ready access to clear instructions, necessary online resources and contact information.

NGOs were at the forefront of the effort to ban antipersonnel landmines, and it is therefore logical that they remain engaged to monitor implementation of the Mine Ban Treaty. During the landmine campaign, the concern was with grafting an existing norm – the taboo of certain indiscriminate means of warfare – on what was at the time an acceptable military device – AP mines.<sup>98</sup> With Landmine Monitor, the same NGOs who acted as 'moral entrepreneurs' in their advocacy for a landmine ban, are institutionalizing

the nascent norm of the mine ban. The NGO network monitors changes in state policy and practice over successive years and publicizes developments through the annual report, creating a record of state accountability with the Treaty. States that have implemented the measures called for in the Treaty, or with no remaining landmines, are removed from the report in an acknowledgement of success, while cases of non-compliance are recognized and admonished. These monitoring functions, including the public shaming of non-compliance and the tracking of trends over time, thus strengthen the landmines taboo. In order to fulfill this task with credibility, the Monitor employs field-based researchers and seeks to ensure consistent and reliable reporting through its research methodology and editorial structure. These tools have enabled Landmine Monitor to become the de facto monitoring system for the Mine Ban Treaty.

### **Reaching Critical Will: Maximizing its Reach through the Internet**

Unlike the Landmine Monitor, which draws on an international network of researchers and partner organizations to monitor implementation of the Mine Ban Treaty, Reaching Critical Will has a single full-time staff member working at WILPF's New York office, with supplementary assistance from interns and WILPF's Geneva office. Run on a limited budget, RCW depends enormously on electronic tools to manage and execute its project. The vast majority of its program is implemented online through its website at [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org). With minimal human and financial resources, RCW's program has an international reach to other NGOs, the broader public, as well as officials and diplomats through its website and thus technical resources are the major tool supporting RCW's role as a documentary resource.

Reaching Critical Will was founded by one of the oldest disarmament NGOs, the Women's International League for Peace and Freedom. Although the project itself has a small staff, the institutional support of WILPF and its international affiliates must be acknowledged. RCW is an expansion of WILPF's historical activism on the disarmament agenda and is supported by its international constituency. The Program Associate that runs RCW is a dedicated staff person, specialized in the disarmament agenda with a primary focus on nuclear disarmament. The majority of RCW's program associates over the years have possessed academic backgrounds in peace and disarmament studies, and several rose through the WILPF internship program.<sup>99</sup> Typically quite young, there has been regular turnover of the project associates, attributable to the demands of the job and its modest compensation.<sup>100</sup> In spite of their relative inexperience, however, program associates and interns are immersed in the disarmament agenda and quickly develop issue expertise.

Arguably, RCW is a product of the information technology revolution, compensating for its small staff with modern electronic resources. It is only made possible in its current manifestation by technological tools including laptop computers, document scanners, the internet and e-mail. All of the staff members interviewed for this research attested to the value of electronic tools for the project, noting that the work would not be possible without modern information technology. The costs of staffing, hard-copy publishing, postage and even office space are minimized because RCW has built a centralized electronic nucleus. Further technological innovations even over the past eight years have improved the ability of RCW to deliver its services in near real-time.<sup>101</sup> Yet its website maintains a relatively simple design, is easily navigable and well

organized and only once has it been significantly redesigned since the project's inception.<sup>102</sup>

Craig Warkentin (2001) has described six ways in which NGOs use the internet: “facilitating internal communication; shaping public perceptions; enhancing member services; disseminating informational resources; encouraging political participation; and realizing innovative ideas.” While he acknowledges that the first two purposes are common, others are emphasized variably by different NGOs consistent with their program objectives.<sup>103</sup> RCW employs the internet for all of these purposes, with a particular emphasis on the latter four (See Figure 6). In its capacity as coordinator for the disarmament community, RCW's website enhances member services by providing information about NGO registration for multilateral meetings, a calendar of events, and general background information. The series of newsletters produced by RCW – daily during NPT meetings, weekly during the UNGA 1<sup>st</sup> Committee and the CD, with periodic organizational updates – for information dissemination are sent by email and linked to the site. These newsletters and occasional action notices regularly call on the NGO community to respond domestically to political developments and the website features a database of diplomatic contact information. Finally, in terms of ‘realizing innovative ideas’, RCW's creation of a central document repository for the major multilateral disarmament events draws a wider audience than the target NGO audience, introducing diplomats, officials, academics and the wider public to the site. Without the internet, clearly the RCW project would not be of the same scale or reach the audience that it is able to currently.



**Figure 6: Reaching Critical Will's Web-based Resources**

<b>Resource</b>	<b>Format</b>	<b>Purpose</b>
Newsletters (General E-News, CD Report, News in Review, First Committee Monitor)	Email distribution, linked to website	Disseminating information, encouraging political participation
Government Contact Database (NY missions, UN Security Council members, CD members)	Posted on website with links to government sites as available	Encouraging political participation
NGO Contact Database	Posted on website with email contacts	Enhancing member services
Disarmament Treaty Texts	Linked externally or posted on website	Disseminating information
Disarmament Calendar	Posted on website with email contacts	Encouraging political participation; enhancing member services
Fact sheets and backgrounders	PDF texts on website	Disseminating information
Published Reports	PDF texts on website	Disseminating information
Disarmament documentation	PDF texts on website	Realizing innovative ideas – disarmament library to increase transparency

In the nuclear disarmament context, the norm of transparency is regularly referenced as a confidence-building measure with regard to Treaty implementation.<sup>104</sup> States parties call for the nuclear-weapon states to make 'transparent' reductions of nuclear forces or hold 'transparent' policies of no first-use, weapons test bans, and assurances of non-use against non-nuclear weapons states. RCW has become a promoter of this norm through its effort to bring into the public eye the documentary record of the disarmament Treaties and negotiating bodies. While arguably a hard-copy collection of

documents could serve the same general purpose, it is the complete and near real-time posting of documents online that allows an international audience to monitor the multilateral proceedings. This unofficial record is more comprehensive than any other UN source and the only centralized repository of disarmament-related documents.

Cornelia Beyer (2007: 525) notes that “transparency through information is understood to be central for the creation and exertion of public control and thus to be of importance for democratization” and traces a line from increased information flow and transparency to the public’s ability to form opinion and thus participate in the political process. RCW seeks to strengthen the norm of transparency by ensuring free, public access to information and official documents, through which the community of advocates and activists can pursue its objectives in an informed manner. The norm of transparency is linked – by both states and NGOs – with the principle of state accountability for compliance with multilateral obligations. In enhancing transparency at the multilateral level, RCW is enabling increased public engagement in the political process around disarmament diplomacy, and thus drawing attention to the actions of states with an interest to promoting accountability. This pursuit of transparency, and RCW’s creation of a library for the disarmament regime, is only made possible by its extensive use of economical and far-reaching electronic tools.

### **NGO Representatives: Speaking with Authority**

The human and technical resources that have enabled the Landmine Monitor and RCW projects to provide essential services to the landmines and nuclear sectors correlate very closely with the nature of the projects. As a treaty monitoring system, Landmine

Monitor relies on its international network of researchers, whose work is united through a solid research strategy. With a modest staff and budget, RCW capitalizes on electronic means to deliver its services economically to a wide audience. Similarly, the individual non-governmental representatives who participate on official delegations have certain resources at their disposal. Best categorized as human resources, these qualities include an institutional affiliation as a non-governmental member of civil society and individual expertise on the issue. These attributes establish the individual's authority to act in the capacity of a non-governmental representative on an official delegation.

Whether the non-governmental representative fills the role as advisor or liaison, all of the individuals interviewed for this research demonstrate a high level of issue expertise. Some are widely published academics with expertise on the technical and political issues in their respective fields including Una Becker, John Simpson, Bill Potter and Götz Neuneck. Other practitioners have a combination of academic and program experience including Angela Woodward of VERTIC, Ernie Regehr of Project Ploughshares and Stein Villumstad, previously with Norwegian Church Aid. All of these individuals have been expert advisors to their governments and all felt that their personal expertise was a major reason they were selected to perform this function.

Technical knowledge is that much more important for states that lack domestic government expertise on technically demanding subjects. The case of Bill Potter is perhaps the most unique among the sample cases in that he is an American academic who serves as Technical Advisor to the government of Kyrgyzstan for NPT meetings. Dr. Potter was invited to join the delegation early in Kyrgyzstan's post-Soviet history when it lacked experienced diplomats to cover the NPT and needed external support.<sup>105</sup> Since

1994 he has served on delegations to every NPT PrepCom and RevCon and provided direct input into the drafting of Kyrgyz national interventions. Incapacity among government delegations may also be a result of the short-terms served by diplomats on any one issue, an institutional memory gap John Simpson viewed to be filled by his advisory role on the UK NPT delegation.

In contrast, the individuals who have played the role of NGO liaison are more likely to have personal or field experience in the area, or work in a particularly affected region. For example, Florella Hazeley of Sierra Leone is both a survivor of her country's civil war and an educator about the dangers of small arms and light weapons through her organization, the Sierra Leone Action Network on Small Arms (SLANSA). Similarly, Ochieng Adala is a policy practitioner working on small arms issues in the Horn of Africa and as a former member of the Kenyan government, is uniquely qualified to sit as an NGO representative on his government's delegation to the Biennial Meeting of States Parties and RevCon of the UN PoA on small arms and light weapons. Bev Delong is the Chairperson of the Canadian Network to Abolish Nuclear Weapons with some 25 years of advocacy and activist experience on the nuclear agenda. Her grassroots experience has been important in her role as NGO liaison on Canadian delegations to the NPT reporting to the domestic NGO community. These individuals also felt that their personal experience and professional credentials were the primary reason they were invited to serve on a delegation. Expertise and experience lend respectability to an individual when a government considers inviting his or her participation on a delegation.

The other common attribute among the non-governmental representatives interviewed is their institutional affiliation. They represent a range of academic, research,

and non-governmental organizations but all are established civil society organizations. Organizational affiliation qualifies the individuals as representatives of civil society and denotes a certain authority – real or perceived – to speak on the subject. For example, representing an organization active in public education and campaigning on the impact of small arms on civilians in Sierra Leone, Florella Hazeley advises her government from an NGO perspective. Similarly, as Executive Director of a major NGO involved in verification research, Angela Woodward is a respected authority on biological weapons serving as advisor to New Zealand. Both of these women come from small countries with relatively few experts on a given issue and are respected because of their accomplished careers. The academics involved primarily in the NPT context as expert advisors have personal credentials on the issue, affiliated with distinguished academic research institutions with specialized programs on disarmament and non-proliferation. Coupled with an overall increase in NGO respectability, and personal expertise, the specific credentials of the organizations represented in these cases suggest that institutional affiliation provides certain credibility to the delegation member.<sup>106</sup>

Richard Price, in his review article on transnational civil society, examined the concepts of civil society authority and legitimacy. His observation (cited above) that “Transnational activists derive their authority from three principal sources: expertise, moral influence, and a claim to political legitimacy” is worth re-visiting in consideration of the means by which individuals assume the role of a non-governmental member of an official delegation. In the cases studied, the individuals were qualified to participate on delegations because of particular credentials, namely personal expertise and institutional affiliation, attributes that embody the sources of ‘authority’ identified by Price. Technical

expertise – either academic or practice-based – is critical when NGO representatives fill an advisory role, seen most among western countries with non-governmental advisors. Moral authority – or personal experience at the grassroots level or in an affected area – is observed particularly in cases where the individual is an NGO representative with a liaison function. And political legitimacy is a result of affiliation with a recognized, and respected, NGO or institution deemed to be authoritative on the issue. Of these, political legitimacy is most contested and will be examined further.

Non-governmental representatives serving on official delegations can be understood as representatives of an epistemic community, consistent with Peter Haas' definition (1992: 3) of "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area."<sup>107</sup> Haas assumes that states face uncertainty about policy decisions, which stimulates the need for information, and epistemic communities are a possible source of information and advice, particularly on technical and scientific questions. Non-governmental experts such as the individuals examined here demonstrate the function of an epistemic community: as independent experts on technical issues with shared beliefs and a principled approach, they are invited to participate on official delegations to provide informed advice on policy questions to the state party. While possessing a perceived authority on the issue was critical in every incidence before the non-governmental representative was engaged as an official delegate by a government, it can be assumed that serving in this capacity also further enhanced the individual's reputation as an expert. The authority of the epistemic community

representative is underlined by both the political legitimacy resulting from affiliation with a recognized organization and personal expertise.

### **The Costs: Financial Resources for NGO Initiatives**

Technical and human resources vary among the different cases because each has a distinct project objective and set of activities which require unique tools. At first glance there is very little commonality across the three cases with regard to financial resources. Landmine Monitor operates on a \$1.6 million dollar budget with extensive government support; Reaching Critical Will has a very limited budget supplemented by voluntary contributions from interns and partner organizations; and the individuals serving as representatives on official delegations come from organizations and academic institutions with various forms of financial backing. There are, however, two aspects of financial support that are worth considering across the three cases: the scale and stability of funding for the initiatives. Sustainable NGO programming requires both sufficient and reliable financial resources, which is something these initiatives have in common.

Comparing the scale of a project with an international monitoring network and thousand page published report, to one with a mostly web-based resource, or an individual's short-term but intensive commitment on a delegation, it is concluded that above all, funding must be commensurate with the scale of a project. NGOs design projects to target the possible funding sources at their disposal and the scale of a project is typically determined by the availability of resources. In spite of the variance in the kind of funding evident in each of the three cases, all have support that meets the scale of planned activities.

Inspired in part by supportive governments to capitalize on a strong NGO network and develop the primary mechanism to verify the Mine Ban Treaty, Landmine Monitor was designed to have a dedicated staff, extensive field research, a published annual report, as well as a high-quality website. Its current budget of \$1.6 million reflects this and is in fact very economical considering the cost of other official treaty monitoring schemes.<sup>108</sup> In contrast, Reaching Critical Will was designed by an organization with strong grassroots ties and had modest initial objectives within a \$30,000 budget constrained to a single multilateral meeting. RCW is still a very low-cost project with an annual budget in the area of \$70,000 made possible by it capitalizing on its web-based resources and intern program.<sup>109</sup> The funding support for NGO representatives on official delegations is a somewhat different question, but it is only with both a regular salary and support for additional travel expenses that these individuals can accept invitations to participate on government delegations. Very few are paid for the time they are required to spend away from their regular employment and therefore without institutional support, could not attend the international meetings.<sup>110</sup> While in some cases, the government funds the travel expenses of its NGO representative, in others, the individual bears the cost personally, or finds external support for travel.<sup>111</sup> In the three cases, program expectations and budget scale are consistent; however fundraising remains a struggle and preoccupation, particularly for the staff of the project cases.

Acquiring start-up funding for project activities and maintaining sustainable sources of funding are somewhat distinct challenges. These efforts to monitor treaty implementation or maintain the documentary record of multilateral proceedings are not one-off projects, but are efforts that could theoretically go on in perpetuity. As such,



some funders are hesitant to commit funds for such projects, or may make start-up funding conditional on the project finding sustainable means to continue after year one.<sup>112</sup> The necessity of ensuring sustainable funding, particularly for the project cases, is clear.

Landmine Monitor was designed in cooperation with governments and thus had reasonable assurances of long-term government funding from the outset (See Figure 7). However, it is a continual struggle for staff to raise the necessary budget from year to year, compounded in that few governments can provide multi-year funding, each state has a different fiscal year, and the burden of reporting on government funding continues to grow.<sup>113</sup> While the Landmine Monitor has retained a relatively stable budget since 2005, the annual report is its major cost and activities such as the international research network conference are held when funding permits.<sup>114</sup> RCW was designed as a short-term project to coincide with the 2000 NPT RevCon on a pledge of one-time support from a US foundation. Transposing the project plan into a long-term program with a parallel funding scheme was a challenge and project managers struggled to acquire sustainable foundation support in the early years.<sup>115</sup> RCW shifted its focus somewhat to pursue governmental funding, with some limited success, but is still primarily dependent on the small number of foundations interested in multilateral disarmament work. In spite of the challenges to secure multi-year funding, manage the changing interests of donors, and fulfill the major reporting requirements, both projects have sustained adequate funding for the priority activities over multiple years.

**Figure 7: Government Funders of Landmine Monitor<sup>116</sup>**

Country	1999 a	2000 a,b	2001 a	2002	2003	2004 c	2005 c	2006 c, d	2007 c, d
Australia		X	X	X	X	X	X	X	X
Austria	X	X	X	X	X	X	X	X	X
Belgium	X	X	X	X	X	X	X	X	X
Canada	X	X	X	X	X	X	X	X	X
Cyprus							X	X	X
Czech									X
Denmark		X	X	X	X	X	X	X	X
France		X	X	X	X	X	X	X	
Germany		X	X	X	X	X	X	X	X
Greece							X		
Holy See							X		
Ireland	X						X	X	X
Italy				X	X	X	X		
Japan		X							
Luxembourg					X	X	X	X	X
Netherlands	X	X	X	X	X	X	X	X	
New Zealand						X	X	X	X
Norway	X	X	X	X	X	X	X	X	X
Spain									X
Sweden			X	X	X	X	X	X	X
Switzerland		X	X	X	X	X	X	X	X
Turkey						X	X		
UK	X	X	X	X	X	X	X	X	X
European Community			X	X	X	X	X	X	X

Other Funders:

<sup>a</sup> Open Society Foundation

<sup>b</sup> Merck

<sup>c</sup> UNICEF

<sup>d</sup> UNDP

NGO activity of all sorts is dependent on external financial support from individual donors, foundations and government agencies. The common tool that acts as an enabler for the three cases studied here is financial support that is both sufficient and sustainable to meet ongoing program needs. Beyond financial support, the projects rely on different technical and human resources consistent with the scale and objectives of the

initiatives. Capitalizing on the connections built during the Landmine Ban Campaign, with a developed research methodology to establish common practice amongst its diverse network, Landmine Monitor has developed an unparalleled monitoring system for a fraction of the cost of an official state-run Treaty verification program. RCW has employed information technology in innovative and far-reaching ways to become the authoritative documentary resource for the disarmament regime with only one full-time staff person. Individuals, with both expertise and organizational affiliation, serve as non-governmental representatives on official delegations fulfilling both advisory and liaison functions. The tools that enable the various initiatives reflect the structure and objectives of the initiative.

Opportunity – a combination of timing, inclination and political circumstances – as well as organizational structure and tools together enable NGOs to pursue initiatives that have the potential to become complementary and critical to official processes. But sustaining a project such that it is essential to the particular regime requires institutional support. In addition to the sustained funding discussed above, support from various external actors is essential in defining these projects and distinguishing them from typical NGO activities. Each of the case studies is characterized by some level of institutionalization directed at state governments, the broader UN system or a combination of the two.

## **Chapter 5: Making the Connection: Institutional Support**

The level of engagement in the state-based system observed in these cases is rarely, if ever, the result of a one-time initiative or single attempt at political involvement.<sup>117</sup> Rather, in all of the initiatives a long-term programmatic commitment is observed. To sustain their projects and acquire essential resources, NGOs develop important institutional links with governments, funders and UN organizations. This institutional support results when relationships with key actors are fostered over time to assist in project implementation. In the manner of Kerstin Martens' model, a number of variables will be examined to assess institutionalization, including the nature of interaction with the UN system; organizational professionalism; donor relations; and cooperation with government officials. This area is arguably that which differentiates more typical, one-time NGO initiatives from the cases here, in that it is only with strong institutional support that NGOs can build upon opportunity and their own capacity to develop and sustain projects that complement official processes.

### **Landmine Monitor's Contacts in the Field**

The scale and scope of the Landmine Monitor project require that it have strong institutional relationships at multiple levels. Field researchers depend on close cooperation with UN field offices and specialized agencies for data and corroboration of information. Connections with national militaries, the media, and international organizations, particularly the International Committee of the Red Cross, continue to be important for the project long after the successful networking of the landmine campaign.

Landmine Monitor has, however, established the closest institutional relationship with those governments it is monitoring.<sup>118</sup> It has pursued a range of avenues to engage with governments, ensuring the support of both sympathetic and opposing states for the Monitor's work.

Understandably, governments were somewhat skeptical of the Landmine Monitor effort in its early iterations and were reticent to cooperate with the NGO researchers. But because the annual report uses only publicly available information, cooperation with officials was deemed important to enable researchers to get comprehensive and factual information. The project therefore emphasized outreach and sought every possible opportunity to engage with both states-party and those not party to the Treaty to both 'sell' the Monitor and acquire information. The Treaty itself provides occasions for informal interaction with officials including at the intersessional standing committees and meetings of states parties, which editorial staff attend in order to meet and interview officials. Landmine Monitor has pursued other informal and indirect means to develop government contacts and promote its work including at various multilateral and regional meetings with presentations to ASEAN, the Francophonie, NATO and the Commonwealth. At national mine-destruction events, researchers meet with military officials, take photographs for the annual report, and document mine destruction. ICBL events, including regional meetings and annual report launches, provide occasions to invite government participation and further engage states. Landmine Monitor seeks to engage with states on the contents of the report and posts correspondence from governments on its website in the interest of transparency.<sup>119</sup>

As systematic civil society monitoring of a treaty was new to the security and disarmament sector, there was widespread expectation that Landmine Monitor would be politically charged.<sup>120</sup> In order to avoid this, Landmine Monitor sought to employ an even-handed approach from the outset. Although at risk of showing a bias toward its key supporting states, including Norway, Canada, Belgium and Austria, the editors sought to balance each state's record against its obligations and circumstances. In adopting this approach, most states directly implicated in the Mine Ban Treaty – as producers of landmines or affected countries – were called to task in the early reports.<sup>121</sup> Deliberate outreach and interaction, coupled with Landmine Monitor's early emphasis on objective reporting, were essential to build credibility as a reliable account of state compliance among all states party. In time, even those states that were not in compliance with, or have not signed the Treaty, began cooperating with researchers.<sup>122</sup> For example, although the US vehemently opposes the Treaty, refusing to sign and give up its right to possess landmines, it cooperates very closely in the provision of information for the annual report.<sup>123</sup>

Cooperating with the governments that it is monitoring has facilitated Landmine Monitor's ability to access and verify open source information for the annual report. Central to the Monitor's research methodology is state review of the draft national reports before publication. Government feedback in response to these reviews has occasionally had a significant impact on the final research. In a 2000 letter to Landmine Monitor, Australia corrected the statement that it had never produced landmines, noting that production had ceased in the 1980's.<sup>124</sup> Reported in the 2003 annual report, (2003: 652) Nepalese government officials admitted to use of landmines to Landmine Monitor for the

first time in 2002, and an Army Official subsequently reported that Nepal had once produced landmines, thus correcting statements in previous annual reports. While there is a risk of real, or perceived, compromise due to close cooperation states, over time, the Monitor is building a reputation for credibility, reliability and objectivity.

Like its interaction with states, Landmine Monitor's relationship with the UN is not confined to the traditional avenues for NGO engagement with UN bodies, but is interactive and essential to the research program. ECOSOC accreditation is not required for NGO access to meetings of states party to the Landmine Convention, and the ICBL has observer status in the Treaty regime. The ICBL has a presence in Geneva, with an office of six staff, to coordinate participation in regular intersessional meetings and meetings of states parties that are commonly held there.<sup>125</sup> The lead agencies for Landmine Monitor are based in Belgium, Canada, Norway and the United States, with staff in affected regions. Landmine Monitor makes use of several channels to interact with the UN, not limited to formal diplomatic meetings. In affected countries, Landmine Monitor researchers cooperate with UN Mine Action Centres, which often have technical expertise and provide a forum for inter-agency consultation on mine-related issues. UN field offices provide a means to acquire and verify information that might not otherwise be reported, including from migrants and refugees. The official data collected by the UN, primarily through the UN Mine Action Service, is an essential tool for completion of the annual report.

In addition to the research resources of its agencies, the UN also provides political support for the landmine issue broadly by way of relevant agencies and the Secretary General. In the context of the human security debate and human rights and development

implications of the issue, landmines have provided a political focal point for several UN agencies. UNDP identifies with the development challenges in landmine-affected countries, advocating around the issue and supporting Landmine Monitor's work financially. UNICEF is concerned with landmines because children are a disproportionate percentage of their victims and is also a project funder. Both agencies fund landmines-related field work and are politically supportive of the work of the ICBL.<sup>126</sup> The Department of Peacekeeping Operations has a dedicated Mine Action Service that works in post-conflict situations doing mine-action, a key information resource. Policy guidance for the UN's approach to landmines is provided in "The United Nations Inter-Agency Mine Action Strategy 2006-2011", which links mine action strategy with overarching UN policy, stressing the Millennium Development Goals.<sup>127</sup> The annual landmine appeals of the UN Secretary General on the occasion of the April 4<sup>th</sup> International Day for Mine Awareness and Assistance in Mine Action, are important for maintaining public attention on the issue.<sup>128</sup> This political support for landmines and engagement with the UN more generally translates into valuable information resources, financial support and political capital for Landmine Monitor.

Landmine Monitor has nurtured its connections with national governments, international diplomats, UN field offices, and specialized UN agencies over nine years of operation. An asset to its ability to build and maintain these relationships is the core of long-term dedicated staff that remains involved in the project. Among these, Steve Goose and Paul Hannon, the former and current editors, have been part of Landmine Monitor since its creation, as has Mary Wareham formerly of the Human Rights Watch editorial team and now a researcher. Among the research network there are several additional 'old



hands': in a comparison of the contributors to the annual report of past years and the contact list for 2008, nearly half of the researchers for 2008 were involved in 2005 and of these about a dozen were also involved in 2001. Continuity in the team of researchers and editors facilitates informal interaction with officials and other institutional sources.

In 1999, as an NGO project designed to promote the new mine ban norm through institutionalization of the monitoring and accountability provisions of the Treaty, Landmine Monitor was viewed by some as the new frontier for NGO engagement in international politics. It was a continuation of the partnership between government and NGOs built during the landmine campaign, autonomous but reliant on government funding. Though Landmine Monitor has independently monitored implementation of the Landmine Monitor in its nine comprehensive annual reports to date, it has relied on cooperation with states and the UN for funding, access to information and political endorsement.<sup>129</sup> The approach for each state differs and thus Landmine Monitor diversifies its outreach strategy accordingly. Informal interaction with officials and information exchange with other agencies is essential, rather than consultation through formal diplomatic channels. In working so closely with governments and institutions, Landmine Monitor has developed its position as the Treaty's monitoring system on behalf of states parties in lieu of a formal verification mechanism.

#### **RCW: Cooperating with the Bureaucrats**

Reaching Critical Will is a project of WILPF – a decentralized, international NGO whose members are international affiliates represented by a General Secretariat. WILPF maintains a small full-time staff, of which one Project Associate is exclusively

responsible for RCW. The small size of RCW necessitates wide use of electronic tools to develop its resources and maximize its reach. Similarly, RCW is dependent on external support to implement its program and exploit its resources. RCW capitalizes on its proximity to the UN to foster relationships with government officials and UN bureaucrats, relationships that have facilitated access to information and documents. Staff cultivate relationships with several foundations interested in arms control and disarmament issues, to meet funding goals. As a small project of a federative NGO, RCW prioritizes institutional relationships, and is supported by key actors in the multilateral system.

RCW operates from the small WILPF UN Office located directly across the street from UN Headquarters in New York. Some activities, including the regular monitoring of the Conference on Disarmament, which is based at the UN Office in Geneva, are supported by WILPF's international secretariat headquarters in Geneva. From these strategic locations RCW staff frequent the halls of the UN to attend relevant meetings of states and cover events within their purview. Proximity to the two UN headquarters is essential for RCW's work, enabling staff to be present at all major disarmament meetings as well as the range of side events and conferences centered at the UN. Further, the resources and support of the RCW offices are literally steps away from the proceedings in the UN building, which facilitates day to day operations and prompt postings to the website as new documents are made available.

WILPF, and thus by proxy RCW, is one of the oldest ECOSOC accredited disarmament NGOs. As such, its staff members carry UN grounds passes, which provide access to the conference and meeting rooms of the UN buildings in Geneva and New

York.<sup>130</sup> ECOSOC accreditation, and its accompanying privileges, is particularly useful for participation in meetings of regular standing bodies such as the CD. The CD has no special conference accommodations for NGOs that are not accredited with the UN, although ECOSOC accredited NGOs can sit in the gallery and observe.<sup>131</sup> With ECOSOC accreditation, NGOs are also entitled to make use of UN press and communications tools through the Department of Public Information and acquire hardcopies of documents. This formal relationship with the UN through ECOSOC also imbues WILPF, and thus RCW, with a certain degree of credibility as all accreditations are endorsed by the ECOSOC states parties through the membership committee.

The founder of RCW, Felicity Hill, noted that WILPF has always prioritized its relationship with officials at the Office of Disarmament Affairs, “because diplomats go, but the bureaucrats stay”. RCW has regular interaction with the ODA staff that have coordinating responsibility for disarmament events, cooperation that is important for the acquisition of documents and the provision of coordination services to the wider NGO community. Because ODA did not have the capacity to build a document library in anticipation of the 2000 NPT RevCon, the RCW staff copied official documents at the UN library and posted them online for the first time.<sup>132</sup> The UN now maintains websites with complete coverage for all major conferences, but in 2000 when RCW first created its online library of disarmament documentation the then-DDA did not have the time, web-presence or even bandwidth to build such a resource. One former program associate noted that “perhaps nobody is as grateful for RCW as the ODA” because RCW serves as the liaison with the NGO community and lessens the administrative burden by taking on certain coordination tasks. The relationship is described as a “two-way street” such that

RCW has provided welcome services, and thus has received reciprocal assistance when it was required.<sup>133</sup>

Access to the UN also enables RCW staff to interact with diplomats and build informal relationships with government officials. Several of the program associates noted that this interaction facilitated their work of collecting documents, particularly hard-copy informal interventions. As early as the 2000 RevCon, RCW's newsletters provided an opening to interact with government officials. The "News in Review" is now distributed in hard copy at the door of the meeting hall every morning during the NPT and is widely read by diplomats seeking a snapshot summary on the proceedings.<sup>134</sup> As the physical products of RCW's work – daily newsletters and the document library – have become recognized and appreciated by officials, so has the willingness to share statements. One program associate recounted that even governments that disagree with RCW's positions provide insights and information to support the reporting effort, seeking to have their approach reflected fairly in the widely read newsletters. While initially acquiring informal statements was difficult, now many governments provide RCW with electronic files of their interventions immediately after they are issued, and some provide a delivery copy of statements not distributed in the meeting room.<sup>135</sup> Through these channels of interaction, RCW has built relationships with diplomats and officials that aid the collection of documents and flow of information and have become a source of funding from a handful of governments.

In its effort to promote transparency and accountability within the multilateral disarmament regime, RCW has established a series of resources to educate and inform. Developing its library of documentation has required that RCW staff cooperate with UN

officials and interact with states parties. As a small project with minimal resources, RCW prioritizes institutional relationships that it has built through formal channels of UN-NGO interaction. At the same time, its narrow focus, ECOSOC status, modest budget and close proximity to multilateral activities enable RCW to provide its documentary services while retaining its identity as an independent NGO. Only a small percentage of RCW's budget is funded by states, and thus it is not likely to compromise its principled positions to ensure funding. It provides an essential service as a reliable source for disarmament documentation and reporting, but is at liberty to take critical positions. Interaction with bureaucrats and diplomats enables staff to keep abreast of developments to provide informed reporting, but RCW maintains its independence as part of a grassroots, women's organization.

### **Speaking on their Behalf**

Non-governmental members of official delegations, by definition, demonstrate close interaction with their governments, working hand-in-hand on the particular issue. In most of the examples, the individuals are given the opportunity to comment on draft statements, actively participate in daily delegation briefings, attend bilateral and side meetings with other delegations, and wear the red UN security badge of a government official.<sup>136</sup> While the two project cases show interaction with UN and government officials for information, financial and political support, the fate of the projects is dependent on the organizations responsible for their operation. In the case of individual experts, the government may be asked to include a non-governmental representative on an official delegation, but ultimately the decision lies with officials. In this way, the

institutional relationship seen in the third case is overwhelmingly directed toward government not the UN.

A high level of interaction between the non-governmental experts and the officials working on the delegations was observed in all of the examples. The majority of the advisors and liaisons attended daily briefings and provided input into national positions. Una Becker and Ernie Regehr were each tasked with drafting national working papers, which were ultimately submitted to the respective BWC and NPT meetings as official conference documents by their governments. John Simpson occasionally attends group and bilateral meetings on the perimeter of the NPT to represent the UK delegation. Typically the non-governmental experts stay at the same hotel as the other delegation members and socialize outside of official activities.<sup>137</sup> The integration is cause for confusion at times: Angela Woodward noted that her organizational affiliation with VERTIC was well known and therefore her presence in closed meetings caused some confusion at the 2006 BWC RevCon. Though rare, incidents where NGO representatives actually speak on behalf of governments, demonstrate the highest level of institutional interaction. Ernie Regehr's participation on the Group of Government Experts on Arms Transfer Transparency is an interesting example of this.

UN General Assembly Resolution 43/75 of 1988 called for establishment of a Group of Government Experts to study the Ways and Means of Promoting Transparency in International Transfers of Conventional Arms in the interest of enhancing arms trade transparency. Between January 1990 and July 1991 the Group of Experts met four times to prepare its final report, which was transmitted to the General Assembly as Resolution A/46/301 of 9 September 2001 under the title: "General and Complete Disarmament:

International Arms Transfers”.<sup>138</sup> The group of experts included 18 individuals representing Australia, Brazil, Canada, Colombia, Czechoslovakia, Egypt, Finland, Germany, Indonesia, Italy, Japan, Peru, Sri Lanka, UK, US, the USSR, Yugoslavia and Zimbabwe. Because there was not an appropriately qualified expert in Canada’s Department of Foreign Affairs and International Trade at the time, an NGO representative with respected expertise on small arms and light weapons, Ernie Regehr, then Director of Project Ploughshares, was appointed to represent Canada. Though he was accompanied to meetings by an official from the Permanent Mission in New York, Regehr is listed in the report as Canada’s official representative and was duly instructed to participate actively in the negotiations, speaking freely.

The Group of Experts negotiations did not proceed smoothly on all fronts and Regehr was in the position of maintaining Canada’s pro-registry position without blocking consensus.<sup>139</sup> Compelled to participate in the process, though not supportive of a compulsory registry system, the US and UK in particular supported a minimalist approach. However the aftermath of Iraq’s 1990 invasion of Kuwait, and indications that western states had initially supplied Iraq with the arms that enabled its actions, led to a broad call for stronger export control measures on conventional arms and greater transparency in transfers. A like-minded group including Brazil, Colombia, Zimbabwe and Canada emerged in the Group of Experts and considered the idea of preparing a minority report advocating a comprehensive and compulsory registry system, but eventually compromise was reached. The final result was a consensus report that was recommended to the UNGA (A/46/301) for the consideration of member states, calling for the creation of a voluntary reporting mechanism for both suppliers and recipients of

conventional arms, called a “universal and non-discriminatory arms transfer register under the auspices of the United Nations” (Para. 161.c).<sup>140</sup>

Regehr’s role as Canada’s representative on the Group of Experts over four sets of international negotiations on the report that ultimately created the conventional arms registry demonstrates a very high level of government endorsement for an NGO representative. There was not, however, universal support for Regehr’s participation among the Group: at one point in the negotiations the US queried whether the position of the Canadian representative was representative of Canadian policy.<sup>141</sup> Regardless, Regehr had the full confidence of DFAIT and its senior management in his participation even in the difficult negotiations to reach the final compromise position.<sup>142</sup> He attributed the support for his involvement in the Group of Experts to his professional reputation and working relationship with key officials in DFAIT at the time. Although he represented a small national NGO, without previous experience in such a multilateral process, Regehr was asked to represent Canada as a full-fledged member of the Group of Experts. It was only the direct support of the Canadian government, and confidence in Regehr’s expertise, that allowed this.

In order for individual non-governmental representatives to act in the capacity of an official delegation member, or country representative in the case of the Group of Experts, they require institutional support from the particular government, not affiliation with the UN or ECOSOC accreditation. In the cases of non-governmental representatives serving on official delegations, the individuals are accredited as representatives of the government for security clearance and participation in the official proceedings. As such, they do not face the limitations of other accredited NGOs and have full access to the UN



facilities and all proceedings. In the cases examined, only one individual represents an ECOSOC accredited NGO, namely VERTIC.<sup>143</sup> Nor is involvement with the UN or proximity to its headquarters of particular importance in these cases. The institutions represented are for the most part based in locations outside of the UN centers with no regular representation or presence at the UN. For example, Bill Potter is based at the Monterrey Institute for International Affairs in northern California; Ernie Regehr is based in Waterloo, Ontario; and Götz Neuneck and Una Becker work at the Peace Research Institute Frankfurt. And unlike the other project cases studied, none of the non-governmental experts dedicate all of their time to the particular issue: several are professors or administrators, and most work on the full disarmament and security agenda.

Unlike either the Landmine Monitor or RCW cases, where institutionalization with the UN is important for information gathering, political support and even funding, this is not the case with the individual experts. And as only a minority of individual experts required external funding for their participation on an official delegation, donor support is not a major concern.<sup>144</sup> Rather, the cases include individuals with respected professional credentials, most of whom had previous connections with their government officials. Stein Villumstad was a member of a coalition of Norwegian NGOs and research institutions involved on the small arms issue and had cooperated with government before being invited to join his country's delegation to the 2001 UN Small Arms Conference. As a former diplomat and director of a research organization in Nairobi, Ochieng Adala was well known to the Kenyan government before being engaged in the meetings of the UN PoA. Bill Potter had worked with Kyrgyzstani diplomats earlier the 1990's through the Monterrey Institute, offering training in arms control issues, which led to his participation

as an advisor to that country. These professional connections are the means by which the individuals are 'institutionalized' with their governments and thus invited to participate as members of official delegations. However, over time this participation further strengthens that relationship.

### **Building a Reputation**

The institutional support exhibited here depends on maintaining a reputation for quality work, but in some cases even this is not sufficient to maintain support from governments in particular. Dependence on states for political support or more importantly funds leaves a project susceptible to changes in the governing party, policy direction or program funding priorities. Landmine Monitor was established in cooperation with several key governments and has been able to retain its funding support for the maintenance of the monitoring effort over nine years; however, its editor Paul Hannon attests that this is a year to year challenge. Several key funders, including France and the UK, recently withdrew support for the project after several years of involvement because their funding priorities changed. Canada's Landmine Fund will run out of funding in 2008, and with the recent corresponding change in government, Canada's place as the largest supporter of Landmine Monitor is likely to end.<sup>145</sup> In the case of non-governmental experts, government policy is an important determinant as to whether such experts are invited to participate on delegations. After contributing to five previous NPT delegations, in 2007 Ernie Regehr's name was not approved at the ministerial level for participation on Canada's PrepCom delegation.

Institutionalization as discussed in these cases stems from intentional effort on behalf of the NGOs, but that is not to say that it is unidirectional. The multilateral environment over the past decade has seen several initiatives to encourage greater interaction with NGOs and civil society more broadly. As was discussed previously, the human security debate was an important contributor to this climate of support for NGOs. Members of the Human Security Network including Austria, Canada, Ireland, Norway and Switzerland are important contributors to the Landmine Monitor (See Figure 7) and several of these states have invited NGO participation on official delegations. In the nuclear sector, states including Mexico, Brazil, Chile, South Africa, and Switzerland support NGO activities at NPT meetings, although none have yet had NGO representatives on their delegations.<sup>146</sup> In the UN PoA process, sixteen developing states had an NGO representative on at least one delegation (See Appendix 5).

The UN launched an initiative in the past decade to increase interaction with non-state actors, including NGOs and other private entities. At the recommendation of ECOSOC (1996/297), the UNGA tasked the Secretary General with assessing arrangements for the interaction of NGOs in UN activities, outlined in his 1998 report.<sup>147</sup> Within the context of the UN reform effort, the Secretary General prepared a subsequent report “Strengthening of the United Nations: an agenda for further change” (A/57/387 and Corr.1) that called for establishment of a Panel of Eminent Persons to make recommendations as to how the UN could enhance its cooperation with civil society. Endorsed by UNGA in December 2002 (A/57/300), the Panel was established in 2003 and chaired by Fernando Henrique Cardoso of Brazil. The ‘Cardoso Report’ that resulted from the Panel’s consultations with representatives of civil society, “We the peoples:

civil society, the UN and global governance”, contained 30 proposals to address civil society engagement in the UN.<sup>148</sup> Unfortunately the mandate for the Cardoso Panel mixed constituencies, addressing both NGOs and other private sector partners under the mantle of ‘civil society’, with many proposals applied to NGOs, while making implicit reference to the business sector.<sup>149</sup> In spite of the flaws with the Cardoso Panel’s approach and its proposals, it recommended ways to ‘enhance’ civil society cooperation; highlighted the shortcomings of the existing procedures for UN-NGO engagement; and in the process, Panelists consulted with a wide range of NGOs.

Institutional relationships are evident in each of the three cases examined however the focus of that integration is different. RCW is narrowly focused on the formal disarmament treaties and UN mechanisms therefore it is closely engaged with the Office of Disarmament Affairs. It makes use of formal avenues for NGO engagement in the UN system, including ECOSOC accreditation. Individual non-governmental experts are by definition reliant on the support of government officials to participate on official delegations, but have very little formal institutional dependence on the UN or donors. Personal contacts, fostered through professional qualifications and policy expertise, are imperative for developing the necessary relationships with officials. Because Landmine Monitor’s needs are varied, its institutional connections are dispersed at the national and international level, across government institutions and UN agencies, and it uses a variety of means to build relationships. Landmine Monitor has a multi-dimensional approach, using informal and diplomatic exchanges with states party and interaction with specialized UN agencies for research, fundraising and political support.

This paper has explored the conditions that enable NGOs to build initiatives that perform functions on behalf of states and officials, demonstrating how these evolve to play important roles in the state-based system. In the three cases, NGOs made use of the opportunity to pursue an avenue of work, and the necessary tools to implement the project, but all show that institutional linkages are essential for the development and sustainability of the initiative. Relationships with external actors including donors, governments, and UN bureaucrats are important in acquiring financial resources, technical assistance and information, as well as political endorsement and support. Although the approach differs in each case, they all prioritize institutional relationships to sustain their activities.

## Chapter 6 ~ Transparency, Professionalism and Legitimacy

I began this paper with two questions: What conditions have enabled NGOs to engage directly in the state-centric system of the United Nations? And, specifically, why has the security and disarmament sector seen the proliferation of highly specialized NGOs and individuals providing essential services to states? Three very different cases provided the means by which to consider these questions. The Landmine Monitor project of the International Campaign to Ban Landmines is the Mine Ban Treaty's de facto monitoring system. Reaching Critical Will, a project of the Women's International League for Peace and Freedom, provides the only comprehensive, centralized and publicly accessible repository of disarmament related documentation. And individual non-governmental experts serve on official delegations to meetings of the Non-Proliferation Treaty, Biological Weapons Convention and UN Programme of Action on small arms and light weapons as both advisors and liaisons with other NGOs. These cases provide insights about NGO engagement in the UN system, and the means by which they adapt to contribute as non-state actors. To conclude this paper, I will revisit some themes that emerged in the research, consider the limitations and outcomes of this NGO activity and propose areas for further study.

I employed two theoretical approaches to consider the three initiatives. The first addresses the aspect of adaptation, or the conditions that have enabled the NGOs and individuals to develop these initiatives, with particular attention to the security and disarmament sector. My interpretation of Kerstin Martens' model, which was inspired by

the new-transnationalist approach to NGO engagement in multilateralism, provides a basic framework for this analysis. The model considers internal characteristics of the NGO and institutionalization of relations with the UN to examine change or adaptation. I added an initial element of opportunity, or the political circumstances that provided the opening for the project's creation. An examination of opportunity, the operational tools and structures of the initiatives, and their institutional relationships with the UN, governments and donors provides further clarity about how NGOs adapt to the state-based security and disarmament sector.

Evolution of the ICBL from a campaign focus to the Landmine Monitor's role in treaty monitoring required substantial political and institutional support, while the resources of the existing network facilitated field research. But the moral voice demonstrated during the campaign was retained in the accountability mission of Landmine Monitor. RCW was created by WILPF as a new and distinct project using electronic tools and professional tactics to provide tangible services to the disarmament community. Though a new project and style of work, RCW continues WILPF's leadership on the nuclear agenda. For individual experts, engagement on a government delegation typically represents a shift from academic or policy work to assume advisory responsibilities. This is only possible because of their individual qualifications and government support.

The second theoretical approach provides a means to examine how non-state actors engage in the state-based multilateral world, impacting the political process and state decision-making. State-centric approaches to world politics are inadequate in their treatment of non-state actors, and yet it must be accepted that states are the primary unit

of analysis in the multilateral system. The question remains, then: how do NGOs engage in multilateral processes, particularly in the security and disarmament sector where rules of procedure are not accommodating to involvement by non-state actors? Through a constructivist lens, the social base of world politics clarifies the roles NGOs can play in a state-based system. Concepts of a moral 'third force', the norm promoter, and epistemic communities provide insight into how non-state actors can participate in the political process, in spite of limitations on their direct involvement. As norm promoters, RCW and Landmine Monitor work to institutionalize the landmine taboo and transparency norm respectively, acting as a third force in calling for accountability. Individual experts serving on official delegations contribute to the policy-making process as representatives of an epistemic community, influencing decision-making because of their expertise. More than fringe actors, these cases demonstrate how NGOs and non-governmental experts have adapted to provide services within the realm of state responsibility for the treaty or arrangement.

### **Pursuing Transparency**

NGOs in the nuclear disarmament field in the late 1990's were frustrated by limitations on both their access to official proceedings and the documents distributed by states in those proceedings. The call for transparency among states in the arms control and disarmament process was echoed by the NGOs with regard to the multilateral process and RCW responded with its initiative to coordinate NGO participation and increase access to information in the primary disarmament bodies: the UNGA 1<sup>st</sup> Committee, CD and NPT. While transparency was a driving force in the RCW case, it is a theme



throughout the cases of NGO engagement in the multilateral process. In pursuit of transparency, the cases show efforts to increase the availability of information about Treaty compliance and implementation; promote NGO access to the multilateral system; and foster interaction between governments and NGOs.

Increased information about state compliance – shown by Landmine Monitor, through the annual report, and RCW, with its disarmament library – is an immediate response to multilateral opacity. In both cases, the information gathered about Treaty implementation is disseminated in a free, publicly accessible format so as to make it as widely available as possible. But the cases demonstrate other steps to increase transparency at the multilateral level. As part of its program to coordinate the disarmament community, RCW has been a major advocate for increased NGO access to the NPT in particular. By maintaining a presence at all of the major disarmament bodies, RCW ensures some level of NGO engagement and has also worked for standard rules for NGO access in the NPT context. Non-governmental experts on official delegations are exposed to the political process in a direct way, participating in the development of positions, delegation discussions and closed negotiations. Through their liaison role, several of these experts report both to domestic NGOs and those present at the meeting, including when proceedings are in closed sessions. These individuals increase the flow of information about the official proceedings in this liaison role. In each of the cases, direct interaction with government officials facilitates the implementation of program objectives, but NGO-government interaction also fosters transparency. Through informal engagement with officials in the halls of the UN, sharing of draft Landmine Monitor

reports and direct partnership on official delegations, the work of governments in the various Treaty regimes is made more transparent to non-state actors.

The link between transparency and compliance is an extension of the demand for accountability seen in both the RCW and Landmine Monitor cases. The Landmine Monitor project was designed as a civil society initiative to “hold governments accountable to the obligations they have taken with respect to antipersonnel mines”<sup>150</sup> by monitoring compliance with Treaty obligations. For WILPF, restrictions on NGO access and limited availability of disarmament-related documentation fostered concerns about a lack of accountability to the various obligations of the disarmament treaty framework and provided a major impetus for the RCW project. Transparency, as a measure of accountability and thus compliance, is a recurrent theme in the three cases. In order to pursue transparency, however, the tactics used by the NGOs show another theme: that is ‘professionalization’.

### **Professionalization in the NGO Sector**

The NGOs adopted a professional approach to their work, demonstrated in the use of skilled staff, specialized operational tools and targeted outreach strategies to implement the different activities. Landmine Monitor prioritizes ongoing researcher training and strengthening of its methodology to ensure consistent and high-quality research for its annual report. An international editorial board provides oversight and central editorial control is held by the lead agency. Although RCW operates on a much smaller scale, it retains a dedicated staff person in New York where informal interaction with governments and UN bureaucrats has been essential for document collection, and

capitalizes on its electronic resources to reach a wide audience. The individual experts all carry certain professional qualifications – as academics or practitioners – that led to their participation on the respective official delegations, as representatives of respected organizations. In the highly technical security and disarmament sector, professionalization, including specialized scientific and policy expertise, play an important role in establishing authority and credibility.<sup>151</sup>

Employment of professional staff, tools and strategies in each of the three cases studied suggests an interest in establishing a reputation for quality and reliability. Reputation has an important role to play as the basis on which government, UN and donor support is built. The initiatives depended on the credentials of respected individuals and organizations to launch their initiatives. The success of the ICBL, WILPF's organizational legacy in the disarmament community, and the extensive résumés of the individual experts were important with regard to the initial opportunity. But over time the reputations of each initiative and individual continues to grow with demonstrated skill and professionalism. RCW has slowly built a reputation as its resources have expanded; today an official at the Office for Disarmament Affairs describes the RCW web resources 'indispensable' and called it 'astonishing' that this product has been developed on so few resources.<sup>152</sup> Having served on an official delegation furthers an individual's reputation as an expert qualified to advise a government delegation. Bill Potter noted that through his long-term advisory role to the government of Kyrgyzstan on NPT delegations, he suspects he is "no longer seen primarily as an NGO rep by most of the other delegates".<sup>153</sup> One researcher noted that unlike in the first years of the project, affiliation with Landmine Monitor literally opens

doors for field researchers today. Landmine Monitor has an unparalleled reputation among similar NGO projects and many initiatives have sought to emulate its approach.

Landmine Monitor's professional monitoring approach has made it a model for NGOs in other arms control areas. The BioWeapons Prevention Project was founded in November 2002 by a network of NGOs with expertise in biotechnology following the failed negotiations over a protocol to strengthen the BTWC's weak compliance and verification scheme. The project seeks to "reduce the threat of bioweapons by monitoring and reporting throughout the world."<sup>154</sup> Using a project design not unlike Landmine Monitor, the BWPP monitors relevant developments among governments and the private sector; reports on these through the BioWeapons Monitor, and networks global partners in the collection and analysis of data.<sup>155</sup> The so called "Red Book" published by the Biting the Bullet initiative of International Alert, Saferworld and the University of Bradford together with IANSA tracks progress towards implementation of the UN PoA. The report was issued to coincide with biennial meetings of states on the PoA in 2003, 2005 and the Review Conference in 2006. Like Landmine Monitor, the research was conducted by a network of researchers covering 180 countries.<sup>156</sup> Professional and independent NGO treaty monitoring is now seen in several disarmament and security sectors, based on the success of Landmine Monitor.

The concept of professionalism used here describes the means by which the three cases exhibit characteristics that emphasize quality and reliability in their work. Skill and expertise is highlighted with polished approaches and an image of professionalism. Fundamentally, a reputation for reliability and utility is required to ensure continued support from institutional actors, including both political and financial support.<sup>157</sup> To

engage with UN staff and government officials – whether at major events or in capitals – as an NGO representative, tactical decisions about approach, language and even dress code are made, as demonstrated throughout this research.<sup>158</sup> Professional approaches and reliability over time support reputations that in turn, sustain the functional role of the initiative. But even while adopting professional approaches to pursue transparency and therefore accountability among states, there is an outstanding question about the very political legitimacy of NGOs as non-state actors in the multilateral political process.

### **Legal and Political Legitimacy**

The dramatic growth in the number and level of participation of NGOs at the international level in the 1990's fed a dialogue about the UN's interaction with NGOs, the results of which were seen in the various reports of the Secretary General discussed previously. A parallel debate, however, questioned the legal status of NGOs and claims that they are 'representative'. Many of the same complaints leveled by NGOs at states about lack of transparency and accountability are echoed by critics of NGOs. It is not the purpose of this paper to address the full debate about NGO legitimacy, but in summary, it concerns both the legal standing and the political function of NGOs in the multilateral system. Legally speaking, the debate questions the involvement of NGOs in international politics given that they are not recognized as persons in international law, and thus have only limited rights of participation pursuant to Article 71 of the UN Charter and specific treaty instruments.<sup>159</sup> The political debate rests on the claim that NGOs are undemocratic in that they do not represent the 'grassroots' as is widely assumed and that they often lack accountability to their own constituency, much less the general public.<sup>160</sup> Concern about

the legitimacy of NGOs as actors in international politics must be considered in light of the highly integrated activities observed here. How is it that NGOs, as ‘undemocratic’ non-state actors and non-persons in international law, can play the central roles observed in the three case studies?

The legitimacy question is primarily a result of the imbalance between the pace at which the role of NGOs has grown in comparison with the theoretical and legal framework. NGOs “continued to burrow into the nooks and crannies of world politics” (DeMars op cit) without a defined place such that it is now impossible to ignore their contributions. States contract NGOs to deliver humanitarian aid and implement development programs; fund NGO advocacy campaigns; and partner with them in public education and awareness-raising. And perhaps most relevant to the cases seen here, states rely on NGOs to provide services for them, including Treaty monitoring, documentation and expert advice. One argument for the legitimacy of NGOs is that they are implicitly acknowledged by states in policy and explicitly supported with resources. The body of international law also recognizes NGOs: UN resolutions and reports have addressed the UN-NGO relationship since the adoption of the Charter in 1945 and references to non-governmental organizations appear in a range of treaty documents, including both the Mine Ban Treaty and UN PoA.<sup>161</sup> The formal procedures codified for ECOSOC’s relationship with NGOs, namely the provisions for accreditation, further legitimize NGOs in the UN context.<sup>162</sup>

Critics expect of NGOs reflect the standards of legitimacy that are expected of states – adherence to democratic principles is equated with political legitimacy. The validity of this assumption is, however, contestable. Using Gordenker and Weiss’

definition of NGOs as “private citizens’ organizations, separate from government but active on social issues, not profit making, and with transnational scope”, the first parameter is that NGOs are private entities. It therefore stands to reason that they are not subject to the same expectations of a public institution, although they should be encouraged to maintain transparent and democratic governance with financial accountability.<sup>163</sup> But such expectations should not exclude small organizations, with relevant interest or expertise on an issue but with simple governance structures or no significant constituency, from participating in the political process as private NGOs. Arguably in the security and disarmament sector this is even more relevant where technical expertise is valued and the constituency is largely western. NGOs have political motivations that subject them to criticism about accountability, but as is clear in the cases studied here, they are often service-providers, driven by principled positions and institutional survival.

NGOs functioning in direct service of institutional and state objectives challenge the political legitimacy debate. The Ottawa Process that resulted in adoption of the Mine Ban Treaty was unique in that it involved NGOs, through the ICBL, as critical actors throughout the negotiations, an observer role that was ultimately codified in the meeting provisions of the Treaty in Article 11.4. As a continuation of the government-NGO partnership of the Ottawa Process, and with strong state support, Landmine Monitor shares this recognition as a legitimate actor in the Treaty context. By contrast, RCW is part of the wider community of disarmament NGOs that have struggled for increased access and participation in the nuclear sector. However, ECOSOC accreditation legitimizes its participation as an observer in standing bodies. Individual experts are

accredited members of an official delegation, with political legitimacy established through their affiliation with the representative government. The debate over the political legitimacy of NGOs will undoubtedly remain unresolved until such a time as the international system grapples with definitions and roles, however in the interim, NGOs will continue to find ways and means to participate in international politics in complementary ways.

### **The Limitations of NGOs as Service Providers**

When the globalization debate was nearing its height at the end of the 1990's, Jessica Mathews' (1997: 50) made the triumphant claim that the "steady concentration of power in the hands of states that began in 1648 with the Peace of Westphalia is over, at least for a while" and that the authority of states was "dissolving", giving way to civil society and corporations. A decade later, a more restrained perspective accepts that there are limitations on NGO contributions to international politics. While I have demonstrated how NGOs can provide complementary, indeed necessary, services to states in the international system, it must be acknowledged that the state-dominated multilateral process itself is largely unchanged. In spite of the evidence that NGOs utilize multilateral mechanisms to engage with states at a high level in the provision of technical services, it is clear that they pose little challenge to state dominance in the official procedures of the UN's institutions and Treaties. The provisions of the Charter that established sovereign states as the members of the UN remain unchanged. Among the decisions for which states are responsible are those related to the accommodation of civil society participants in the rules of procedure for UN organs and treaties. NGOs continue to be subject to the



authority of states with regard to their involvement in the multilateral process and while they are now widely accepted as observers in official proceedings, there is little expectation that they will be endowed with enhanced participation rights. The limitations on NGO engagement in the multilateral system are therefore a notable constraint worth consideration.

The primary enabler of NGO activity is financial: only with sufficient resources can NGOs sustain their operations and undertake highly professional activities. This requires that NGOs fundraise constantly and pursue new channels of funding as resources dry up. NGO initiatives are therefore limited by the reliability of financial support, and while the cases here have sustainable sources of funding, even these projects are continually adapted to match available resources. NGOs are often accused of chasing funding, or tailoring projects to the interests of donors, which is extremely difficult in the case of long-term projects. Because of funding challenges, they also regularly make-do with less than ideal resource levels, which has the affect of limiting activities. This was shown in the case studies where Landmine Monitor's network meetings have been curtailed by resource limitations and RCW has struggled to retain staff because of its modest compensation. The pressure to find financial support for their work makes NGO initiative inherently vulnerable.

Government funding is often seen as more dependable, but it has its own limitations. As was discussed above, this funding is susceptible to changing government priorities with new policies and ruling parties. Reliance on government support – political and financial – can have negative implications for NGO independence, a threat to the project's neutrality, whether perceived or real. Landmine Monitor has struggled with this

throughout its existence because of its close partnership with the core group of state supporters. Its entire budget is currently funded by government donors, and while it has sought to widen this group, the majority includes like-minded supporters of the Ottawa process. Early in the project's existence, Trevor Findlay observed that Landmine Monitor's role "would be protected if funding...were derived from independent sources rather than, as at present, a select group of western states parties which, although strong supporters of the convention, may at some point not be in full compliance with the treaty themselves" (1999: 54). The legacy of its work has been to maintain objective and credible reporting in spite of the delicate relationship with its key funders and supporters.

Credibility is a concern even when an NGO project is not predominantly funded by governments. Independent NGOs, driven by principled goals and policy objectives that are not necessarily consistent with government priorities, will always face ideological differences with states. Chayes and Handler Chayes (1995: 251) observe the challenges of NGOs assuming central roles in regime management:

They define their own objectives, generate resources, and make commitments through their own internal processes. They have their own vision of compliance that may or may not coincide with that of the parties. They remain free to critique or attack the regime managers, national or international. It is therefore not surprising that they are not always appreciated by the states and international organizations that have official responsibility for managing the regime.

RCW is part of a grassroots peace and women's organization determined to see the abolition of nuclear weapons and opposed to nuclear energy. Its work is used and appreciated by a cross-section of NGO, official and government users because of its practicality, but its policy positions are often contentious. Even among the NGO community, not all would agree with RCW's positions. Therefore, its credibility as a service to the community is in the value of the product to all actors, not necessarily the

political views of the organization. NGOs tread a careful line in seeking to balance credibility in the eyes of states with their principled positions.

A final limitation of NGO initiatives is a practical one related to access: NGOs are very limited in their ability to access information. They must rely on open-source information and public sources to monitor compliance or provide analysis on a policy issue, as they are not privy to intelligence or classified information. Landmine Monitor's research is reliant entirely on open-source material, which could be seen as a limitation to its monitoring role. The access challenge also affects the ability of NGO representatives to attend meetings as closed sessions at multilateral will always prohibit external observers, regardless of the essential service an NGO might provide. This is further evidence to the unique position held by individual experts on official delegations, where they gain access to those closed meetings.

The limitations NGOs face in the multilateral system are not insignificant, and in spite of these, they continue to find innovative ways to integrate their activities with official processes at a very high level. While this study is focused on the conditions that enable NGOs to engage in the state-based multilateral system, the obvious question is, 'To what end?' Is Landmine Monitor encouraging state compliance with obligations under the Mine Ban Treaty? What is the impact of RCW's effort to document disarmament proceedings? How are individual experts affecting decision-making on government delegations? Though it is premature to suggest direct impacts of the case studies here on performance in the various treaty regimes, some observations can be made which suggest that NGO efforts are contributing to modest change in the security and disarmament sector.

A review of the Executive Summary of the 2007 Landmine Monitor Report provides some insight into the performance of the Mine Ban Treaty since the establishment of the NGO monitoring effort. Today 155 states are party to the Mine Ban Treaty, four of which acceded in 2007 (Montenegro, Indonesia, Kuwait and Iraq). Landmine Monitor has reported the continued decline in use of antipersonnel mines since the Treaty's entry into force, reporting that only two states (Myanmar and Russia – not a member state) laid new AP mines in 2007.<sup>164</sup> It is estimated that states party have destroyed approximately 41.8 million AP mines since 1997; 80 states party have completed the destruction of their stockpiled landmines, and another sixty have declared that they never possessed AP mines.<sup>165</sup> At publication in 2007, Landmine Monitor reported (Executive Summary, 2008: 15-16) ten states in the process of destroying stockpiled mines, although unfortunately it is anticipated that of these, Afghanistan, Belarus, and the Ukraine will not meet their deadlines for complete destruction. Performance on mine action is not as positive, with several badly affected states proceeding slowly on mine clearance and thus seeking extensions to the 10-year deadline for compliance with Article 5 obligations to destroy existing mines.<sup>166</sup> Existing landmines continue to have their destructive effects: in 2006 there were a total of 5,751 documented casualties caused by mines and related items in 68 states.<sup>167</sup> The performance of state party to the Mine Ban Treaty is encouraging on many fronts, although there are still serious concerns about non-states party that continue to produce, stockpile and use landmines.

Another consideration with regard to impact of these NGO initiatives is the degree of transparency in the various bodies. At minimum, Landmine Monitor has played

an important role in sustaining attention on the continued landmine problem, highlighting successes and ‘shaming’ cases of non-compliance. Several examples cited previously demonstrate that states read and react to the annual report and these communications are posted on the Landmine Monitor website. States are required to submit annual reports under Article 7 and in 2007 there were mixed results on this transparency mechanism: 96 percent of states required to do so submitted initial reports, however 70 states parties failed to submit their required annual update in 2006. Notably, Morocco, Poland and Sri Lanka submitted voluntary reports as non-states party (Executive Summary, 2008: 18-18). In the nuclear context, the scope of RCW’s reporting and documentation suggests a clear increase in access to information about the performance of states party since the 2000 NPT RevCon. But since RCW began collecting documents on its website, the UN has also increased the accessibility of disarmament documentation, creating designated websites for the various NPT meetings and operating a live webcast during the 2005 RevCon.

### **Areas for Further Research**

A complete assessment of the impact of NGO action on state behaviour is a much larger study that carries with it great subjectivity and questions of causality. And yet, that research is necessary for a full picture of NGO participation in the multilateral system. While there are a wide range of studies exploring NGO activity in the environmental, human rights and development sector, the security and disarmament sector has received comparatively less attention.<sup>168</sup> A decade of NGO monitoring through the Landmine Monitor and comparative cases in the small arms and light weapons and biological

weapons contexts could enable a more thorough analysis of the impact of NGO monitoring on state compliance. Similarly, the range of cases of individual experts sitting on government delegations across the disarmament and security sector warrants attention.

The cases examined here are service-based: the NGOs provide their monitoring and documentary services or personal expertise to UN member states and the broader public. Other cases exist where NGOs are virtually seizing the reins from government to negotiate Treaties, acting as norm entrepreneurs. This was seen during the Ottawa Process, as well as the Kimberley Certification Process for Rough Diamonds and to some degree the Arms Trade Treaty process that is in its infancy. How do these activities differ from the service-oriented functions? What conditions are in place and how do they differ from those seen in this study? It would also be interesting to examine other sectors to compare how NGOs approach multilateral cooperation differently in other fora. Is the security and disarmament context, and its history as the center of 'high politics', unique in fostering this level of NGO engagement?

By their sheer numbers, NGOs challenge the logistical and procedural operations of the UN system – accreditation procedures, security measures, and meeting room accommodations are all strained by large groups of NGO observers in attendance at UN meetings. Rules of procedure and official protocols are unlikely to change significantly to change the status of non-state actors in the UN system, yet there are measures that could be taken to maximize the benefits of NGO contributions to the process and minimize the limitations. The existence, and predicted growth, of NGOs in the multilateral operations of the security and disarmament sector points to areas where further research is required to guide the development of mechanisms for UN-NGO cooperation.

## **Conclusion**

Landmine Monitor, Reaching Critical Will, and the examples of non-governmental experts participating on official delegations demonstrate the degree to which NGOs are integrating their activities into the state-centric UN system. When the political opportunity was present, the NGOs had the appropriate human, technical and financial resources, and institutional relationships were fostered to ensure the necessary external support, the initiatives grew to play important roles in the respective regimes. By these means, the NGOs engage directly with states in the provision of essential services, while retaining their identity as independent non-governmental organizations. Although the theoretical and legal foundations regarding the position of NGOs in the multilateral system are not fully developed, they continue to find new and innovative ways to participate in the political process without the rights of states. Motivated by the pursuit of transparency and state accountability, NGOs are demonstrating increasingly professional and strategic tactics to implement their activities with novel use of electronic tools, international networks, and personal expertise. NGOs are establishing that they are legitimate political actors through the services they provide, in spite of the ambiguity that remains about their definition.

## NOTES

<sup>1</sup> The Global Civil Society Programme at the London School of Economics – founded in 1999 under the direction of Mary Kaldor – together with the Centre for Civil Society at UCLA under Helmut Anheier has been a major source of research on these themes. The programme produces the Global Civil Society Yearbook and is a major source of empirical research tracing the development of global civil society. Yearbook available online: <http://www.lse.ac.uk/Depts/global/researchgcspub.htm> Transnational civil society has been discussed by Matthew Evangelista, *Unarmed Forces: The Transnational Movement to End the Cold War* (Ithaca, NY: Cornell University Press, 1999); Ann Florini, ed. *The Third Force: The Rise of Transnational Civil Society* (Tokyo and Washington: Japan Center for International Change and Carnegie Endowment for International Peace, 1999); and Sanjeev Khagram, James V. Riker, and Kathryn Sikkink, eds. *Restructuring World Politics: Transnational Social Movement, Networks, and Norms* (Minneapolis: University of Minnesota Press, 2002).

<sup>2</sup> Major actors in the landmine campaign all contributed to an edited volume on the problem, the international response and the evolution of the Landmines Campaign. See Maxwell A. Cameron, Robert J. Lawson and Brian W. Tomlin, eds, *To Walk Without Fear: The Global Movement to Ban Landmines*, (Toronto: Oxford University Press) 1998.

<sup>3</sup> Jody Williams (ICBL Co-ordinator) and Stephen Goose (Human Rights Watch) assessed the ICBL's ability to "cut across disciplines to bring together a diverse array of NGOs to work towards a single goal" one of the campaign's major attributes. Jody Williams and Stephen Goose, "The International Campaign to Ban Landmines" in Cameron et al, op. cit., 22.

<sup>4</sup> Efforts to address the landmines issue within the context of the UN Convention on Certain Conventional Weapons had met with obstacles. In October 1996, at an international conference on landmines held in Ottawa, then Canadian Foreign Minister Lloyd Axworthy initiated the Ottawa Process when he called on the entire international community to negotiate a ban on anti-personnel mines by the end of 1997. A group of like-minded states joined forces behind Canada's initiative, working with the ICBL and other international organizations through to the second Ottawa Conference in December 1997 when the Treaty text was finally signed. See Robert J. Lawson, et al "The Ottawa Process and the International Movement to Ban Anti-Personnel Mines" in Cameron et al., op. cit., 160-184.

<sup>5</sup> The internet was only in its developmental stage in the early years of the campaign, and staff argue that it was the fax machine that was the most important tool in the years. Cameron et al., op. cit., 24.

<sup>6</sup> See Don Hubert, *The Landmine Ban: A Case Study in Humanitarian Advocacy*, Occasional Paper #42 (Providence RI: Thomas J. Watson Jr. Institute for International Studies, 2000).

<sup>7</sup> My personal experience is primarily with the nuclear disarmament regime as an NGO participant at two PrepComs (including as an NGO rep on the 2003 Canadian delegation) and at one RevCon. I was also involved in both the project management and implementation of a monitoring project modeled after Landmine Monitor, called the Space Security Index.

<sup>8</sup> See Christian Reus-Smit, "Changing Patterns of Governance: From Absolutism to Global Multilateralism" in Albert J. Paolini et al, eds, *Between Sovereignty and Global Governance: The United Nations, the State and Civil Society* (London: MacMillan Press, 1998) 3-28.

<sup>9</sup> Vienna Convention on the Law of Treaties, Done at Vienna on 23 May 1969. Online: [http://untreaty.un.org/ilc/texts/instruments/english/conventions/1\\_1\\_1969.pdf](http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf)

<sup>6</sup> See Srilatha Batliwala and L. David Brown, eds., *Transnational Civil Society: An Introduction* (Bloomfield, CT: Kumarian Press) 2006; David Chandler, *Constructing Global Civil Society: Morality and Power in International Relations* (Houndmills, UK: Palgrave MacMillan) 2004; the Global Civil Society project at the London School of Economics, including Mary Kaldor et al, eds., *Global Civil Society 2006/7* (London: SAGE publications Ltd) 2007; and John Keane, *Global Civil Society?* (Cambridge, UK: Cambridge University Press) 2003.

<sup>11</sup> The nomenclature and approach I have adopted is, according to critics, a particularly western-northern interpretation of civil society as being internationally-focused. Mary Kaldor is critical of the 'NGOization' of public space, arguing that "those NGOs who are northern and therefore close to the centers of power and funding, whose emphasis is service provision, who are solidaristic rather than mutual benefit, and whose organization tends to be more formal and hierarchical, have come to dominate the NGO scene...which has



eroded traditional mutual benefit organizations as well as the kind of local community ties which help to foster GROs and CBOs.” *Global Civil Society: An Answer to War* (Cambridge, UK: Polity Press, 2003) 93.

<sup>12</sup> Resolution 1996/31 “Consultative relationship between the United Nations and non-governmental organizations”, adopted at the 49<sup>th</sup> plenary meeting of the Economic and Social Council, 25 July 1996.

<sup>13</sup> Peter Willets notes that international federations of political parties and non-profit lobbying organizations for industry provide indirect linkage to the UN for political parties and businesses. “The Rules of the Game: The United Nations and Civil Society” in John W. Foster and Anita Anand, eds., *Whose World is it Anyway? Civil Society, the United Nations, and the multilateral future* (1999) 252.

<sup>14</sup> There are certainly academics that participate in the policy process of the UN as experts – seen particularly in the case of non-governmental representatives on official delegations – in their capacity as members of a university or research institute. These individuals will not be described as representatives of an NGO, although they are certainly non-governmental members of civil society.

<sup>15</sup> See Robert H. Jackson, *Quasi-States: Sovereignty, International Relations and the Third World* (Cambridge, UK: Cambridge University Press, 1990).

<sup>16</sup> Toni Erskine, “Assigning Responsibilities to Institutional Moral Agents” *Ethics and International Relations*, 15:2 (2001) 67-85.

<sup>17</sup> Bill Seary discusses the role of US NGO representatives and the international labour movement in the San Francisco conference. Foster and Anand, op. cit., 25-27.

<sup>18</sup> Information about the DPI/NGO section and NGO association with the UN through the Department of Public Information online: <http://www.un.org/dpi/ngosection/about-ngo-assoc.asp> The website lists 124 NGOs associated with DPI under the Peace and Security theme.

<sup>19</sup> Information about the UN Non-Governmental Liaison Service online: [http://www.un-ngls.org/site/article.php3?id\\_article=24](http://www.un-ngls.org/site/article.php3?id_article=24)

<sup>20</sup> UN Conference on Environment and Development 1992 from UN Briefing Note Series General Information at: <http://www.un.org/geninfo/bp/enviro.html> Other figures suggest that 1400 NGOs were accredited for the conference itself and 650 attended. (Willets, 1996: 55)

<sup>21</sup> The annual ECOSOC report for 2007 lists 136 organizations as being in general consultative status, 1955 in special consultative status and 960 on the roster. Online: <http://esa.un.org/coordination/ngo/new/INF2007.pdf>

<sup>22</sup> This figure is drawn from Table 1b of the 2007/8 report, and includes all nongovernmental organizations listed in Clusters I-V (international bodies, dependent bodies, organizational substitutes, and national bodies, including dead, inactive and unconfirmed bodies). The total number of this type for the four clusters in 2007 was 53,815. The Union of International Associations has an established methodology and defines international organizations according to a broad range of criteria. See pages 2997-3000 for more information.

<sup>23</sup> Since 27 February 2003, the CDs membership has included Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Finland, France, Germany, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Malaysia, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Viet Nam, Zimbabwe. Annex 1, Rules of Procedure of the Conference on Disarmament, CD/8/Rev.9, 19 December 2003.

<sup>24</sup> See James Paul, “NGOs and the Security Council” (New York: Global Policy Forum, 2004). Online: <http://www.globalpolicy.org/security/ngowkgrp/gpfpaper.htm>

<sup>25</sup> A statement written by WILPF on the occasion of annual International Woman’s Day is read to the CD plenary on behalf of the NGO community by a UN official or the CD delegate. In 2008, rotating CD President Ahmet Üzümcü read the International Women’s Day Disarmament statement. Online: <http://www.wilpf.int.ch/statements/IWD2008.html>

<sup>26</sup> The neo-realist strain in international relations theory is exemplified in the writings of Susan Strange, *The Retreat of the State: the Diffusion of Power in the World Economy* (Cambridge, CU Press, 1997) and John Mearscheimer, *The Tragedy of Great Power Politics*. (New York: W.W. Norton and Company, 2001).

<sup>27</sup> There is extensive debate between neo-realists and neo-liberals about their respective positions on the state. See Robert O. Keohane (ed), *Neorealism and Its Critics* (NY: Columbia University Press, 1986).

<sup>28</sup> Neo-liberalism addresses state cooperation at the international level, including with institutionalist and regime theories. See Robert Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: PU Press, 1984) and Oran R. Young, "Regime dynamics: the rise and fall of international regimes", *International Organization* 36:2 (1982) 277-297.

<sup>29</sup> See Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change", *International Organization* 52:4 (1998) 887-917.

<sup>30</sup> Haas does not restrict this concept to natural scientists like others have, but compares it to the sociological notion of a 'thought collective' or a group with a common style of thinking, which could be extended to a group of like-minded NGOs. See Peter M. Haas, "Introduction: epistemic communities and international policy coordination", *International Organization* 46:1 (1992) 1-35.

<sup>31</sup> Haas acknowledges that an epistemic community may consist of professionals from a variety of disciplines and backgrounds with: "(1) a shared set of normative and principled beliefs, which provide a value-based rationale for the social action of community members; (2) shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes; (3) shared notions of validity – that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise; and (4) a common policy enterprise – that is, a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare will be enhanced as a consequence." Op. cit., 3.

<sup>32</sup> Further development in this area led to theories about how this impact was felt, including the notion of a 'boomerang pattern' to explain how NGOs operating in networks circumvent domestic politics by working at the international level to affect policy change, which can subsequently impact domestic policy. Further still, the 'spiral pattern' conceived suggests a more step-by-step approach to policy change.

<sup>33</sup> The rules of procedure, including instructions for NGO participation, are negotiated at the first preparatory committee of each five-year review cycle for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Specific arrangements determining whether a meeting is held in closed session, where NGOs are seated, and what allowance there is for oral interventions are not necessarily defined by the rules of procedure and can vary at the behest of the Chair.

<sup>34</sup> See Taylor Owen's analysis of "Human security defined: philosophic roots to a new definition" in his "Challenges and opportunities for defining and measuring human security", *Disarmament Forum* 3 (2004) 15-24.

<sup>35</sup> Among the theorists who have adopted this approach are Don Hubert, Robert McRae, Keith Krause, Paul Evans, Andrew Mack and the non-Canadian, S. Neil MacFarlane.

<sup>36</sup> P.H. Liotta has observed that the imprecision of the concept has made it "an attractive mandate in the conduct of foreign policy for 'middle power' governments – and far less popular principle-in-practice for so-called major powers." Liotta, "A Concept in Search of Relevance", *Security Dialogue* 35:3 (2004) 363.

<sup>37</sup> "The Establishment of the Commission". Online: <http://www.humansecurity-chs.org/about/Establishment.html>

<sup>38</sup> The Human Security Network now includes Austria, Canada, Chile, Costa Rica, Greece (President), Ireland, Jordan, Mali, Norway, Slovenia, South Africa (observer), Switzerland and Thailand. Online: <http://www.humansecuritynetwork.org/menu-e.php>

<sup>39</sup> Glyn Berry Program thematic priorities for 2007-8 include: democratic transitions, legal and physical protection of civilians, human rights and minorities, children and armed conflict, responsibility to protect (or humanitarian intervention), small arms and light weapons, war economies, business and human rights, mediation capacity building, conflict prevention policy, security system reform and the rule of law, the International Criminal Court and accountability campaign, women, peace and security, public safety and emerging human security policy as outlined on the program's website for the interest of potential applicants. Online: <http://geo.international.gc.ca/cip-pip/cip-pip/gbpythematicfocus-en.asp>

<sup>40</sup> The achievement of the Treaty is commonly referred to as the Ottawa Process, because it was at a meeting called by Canada and held in Ottawa in December 1997 that 122 states joined to sign the Convention on the Prohibition of the Use Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction. The term is interpreted as a process outside the official negotiating fora that leads to a treaty, therefore including both the pre-negotiations and final adoption.

<sup>41</sup> For a complete analysis of the Ottawa Convention's verification scheme, see "Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?", *Disarmament Forum* 4 (1999) 45-55.

<sup>42</sup> Chayes and Handler Chayes examine the links between transparency and compliance with treaty obligations, noting that information, through reporting and data collection, then verification and monitoring, are required to manage regime compliance. Acknowledging the pervasive use of self-reporting, the authors argue that this is only the beginning of the data-gathering process, which can include NGO reporting and other informal means. Abram Chayes and Antonia Handler Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Cambridge, MA, Harvard University Press: 1995) 162.

<sup>43</sup> Findlay notes that this 'cooperative' approach is reminiscent of human rights agreements and even the Kyoto Protocol. "Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?", *Disarmament Forum* 4 (1999) 51.

<sup>44</sup> Latham referenced his policy paper and support for civil society monitoring under the heading of "Enhancing Transparency Measures" in his paper, "The light Weapons Problem: Causes, Consequences and Policy Options" in Andrew Latham, ed. *Multilateral Approaches to Non-Proliferation*, Proceedings of the 4<sup>th</sup> Canadian Non-Proliferation Workshop (Toronto: York University) 1996.

<sup>45</sup> Mary Wareham recently published an insider account of the Landmine Monitor's first six years. She credits Bob Lawson and Steve Goose of Human Rights Watch as the two individuals behind the establishment of Landmine Monitor. Wareham, "Origins of the Landmine Monitor", *What if No One's Watching? Landmine Monitor: 1999-2005* (Oslo: Fafo, 2006) 21.

<sup>46</sup> Telephone interview with Bob Lawson, 20 February 2008.

<sup>47</sup> Telephone interview with Bob Lawson, 20 February 2008.

<sup>48</sup> There was not universal support for the Landmine Monitor idea as it had taken shape: at least one competing proposal was submitted at the Oslo meeting and even Jody Williams expressed concern about the capacity among the network to do research. Wareham, op. cit., 24-26.

<sup>49</sup> This language appears in the "About Landmine Monitor" section in each Executive Summary from 1999-2007.

<sup>50</sup> Jody Williams was the founding coordinator for the ICBL from 1992-1998. See:

[http://nobelprize.org/nobel\\_prizes/peace/laureates/1997/williams-cv.html](http://nobelprize.org/nobel_prizes/peace/laureates/1997/williams-cv.html)

<sup>51</sup> Telephone interview with Bob Lawson, 20 February 2008.

<sup>52</sup> From "About Reaching Critical Will" online <http://www.reachingcriticalwill.org/about/aboutindex.html>

<sup>53</sup> The NPT required that states agree to extend it after 25 years of it being in force. This agreement was reached at the 5<sup>th</sup> Review Conference in 1995 as part of a package deal that also included a decision on the "Principles and Objectives of Nuclear Non-Proliferation and Disarmament", another on a "Strengthening of the Review Process of the Treaty" and a Resolution on the Middle East. For background on the 1995 Review Conference, see Tariq Rauf and Rebecca Johnson, "After the NPT's Indefinite Extension: The Future of the Global Nonproliferation Regime", *The Non-Proliferation Review*, Fall/Winter (1995) 28-42 and *Multilateral Diplomacy and the NPT: An Insider's Account*, Jayantha Dhanapala with Randy Rydell, (Geneva, UNIDIR: 2005).

<sup>54</sup> Of the 195 NGO groups who participated in the Review and Extension Conference, 60 signed the Abolition declaration, which became the basis for the Abolition 2000 NGO network. The Abolition Caucus was opposed to the indefinite extension of the treaty. See Rebecca Johnson, "Indefinite Extension of the Non-Proliferation Treaty: Risks and Reckonings", ACRONYM Report No. 7, September 1995 (London: ACRONYM Institute). Online: <http://www.acronym.org.uk/acrorep/a07ext.htm>

<sup>55</sup> For example, Greenpeace is known for its publicity stunts at NPT meetings, while Arms Control Today and Global Security Initiative regularly hold seminars with respected political figures and policy experts.

<sup>56</sup> At the First Committee of the 60th General Assembly in 2006, NGOs were for the first time granted an opportunity to present to delegates to the First Committee in a three-hour session of prepared presentations. RCW facilitated the coordinated presentation in cooperation with the International Action Network on Small Arms. In 2007, the presentation slot was reduced to one hour, with presentations on nuclear weapons and the law, space security, and small arms and light weapons.

<sup>57</sup> The NPT rules of procedure can be adapted by the Chair's interpretation for a particular meeting unless a member state objects. At the 2004 PrepCom, South Africa raised a point of order questioning why substantive thematic discussions were held in closed session and proposed opening them to the non-governmental representatives present at the meeting. In the second week of the PrepCom, the chair agreed

to allow NGOs in the hall and subsequent meetings have retained this practice. See RCW report of the PrepCom in "A Point of Order", *News in Review*, 3 May 2004. Online: <http://www.reachingcriticalwill.org/legal/npt/NIR2004/day6.pdf>

<sup>58</sup> The ODS pilot project began in 1992 to put all documents on a searchable online database and each UN centre is responsible for posting all of its respective documents. The database is now extensive and historical documents are being added. Online: <http://www.un.org/Depts/dhl/resguide/itp.htm#ods>

<sup>59</sup> A website for the Conference on Disarmament has existed since 2004, including a collection of official documents and records of proceedings. For the first time in 2005, the Department of Disarmament Affairs launched a website for the NPT RevCon featuring live webcasts, video streaming of government interventions and all statements, online: <http://www.un.org/events/npt2005/> However, the ODA resources are not as comprehensive as RCW's site, lacking both the historical record and the oral, unofficial interventions.

<sup>60</sup> Email interview with Felicity Hill, Reaching Critical Will founder, 3 January 2008.

<sup>61</sup> The initial project budget called for \$30,000 to launch a website, produce a video, prepare introductory materials and distribute hard copies to 500 NGOs, hire a full-time staff person on a 6 month contract and a part time staff person for 3 months, publish a daily newsletter, and hold 4 reception and 8 press conferences during the RevCon.

<sup>62</sup> Mitchell develops the discussion of transparency by differentiating between different kinds of reporting employed for compliance-oriented and effectiveness-oriented regimes. He develops a framework within which further empirical study can be done to test the widely held assumption that transparency contributes to regime success. Ronald B. Mitchell, "Sources of Transparency: Information Systems in International Regimes", *International Studies Quarterly* 42 (1998) 109-130.

<sup>63</sup> Grigorescu distinguishes between the flow of information to governments, the member states of international organizations, and societal actors, including NGOs. The second flow is described as 'external' transparency. But while acknowledging that both governments and NGOs in turn seek to inform the public, he is careful also to consider the direct flow of information from IOs to the general public. Alexandru Grigorescu, "Transparency of Intergovernmental Organizations: The Roles of Member States, International Bureaucracies and Nongovernmental Organizations", *International Studies Quarterly* 51 (2007) 627.

<sup>64</sup> Keohane is critical of how NGOs make normative claims for accountability in international organizations. He argues that these institutions are subject to accountability claims from all actors, and typically are accountable to member states, when in fact it is powerful states, multinational corporations, religious organizations and terrorist networks that are not accountable to any actor. Robert O. Keohane, "Global Governance and Democratic Accountability" in *Taming Globalization: Frontiers of Governance*. David Held and Mathias Koenig-Archibugi, eds. (Cambridge: Polity, 2003) 130-159.

<sup>65</sup> Scholte argues that transparency and public accountability are among the key factors that enhance democracy in global governance, and therefore legitimacy. But he is cautious that NGOs are ill-placed to promote democracy in global governance when they lack transparency and public accountability themselves. "Civil Society and Democracy in Global Governance", *Global Governance* 8 (2002) 299.

<sup>66</sup> In 2000, New Zealand's Cabinet agreed a set of "Procedures for Including Non-Official Representatives on Official Delegations to International Meetings", outlined in Cabinet Office Circular CO (00) 14 of 12 December 2000. The document provides standard procedures with regard to selection, approvals, and funding for the inclusion of non-governmental representatives on delegations to international meetings. See Appendix 3, original provided by Angela Woodward.

<sup>67</sup> Michael Schechter notes that at least 14 non-governmental delegates participated on national delegations to the Rio Conference on the Environment, and at the Cairo Conference on Population, NGO representatives "constituted a large part of many official delegations – half in the case of the US delegation." "Making meaningful UN-sponsored world conferences of the 1990s: NGOs to the rescue?" in *United Nations-sponsored World Conferences: Focus on Impact and Follow-up*, Michael Schechter, ed. (Tokyo: United Nations University Press, 2001) 215, note 73 citing JoAnn Fagot Aviel, "NGOs and International Affairs: A New Dimension of Diplomacy," in *Multilateral Diplomacy and the United Nations Today*, James P Muldoon et al, eds (Boulder, CO: Westview Press, 1999) 160, note 27.

<sup>68</sup> There is some evidence of NGO participation on delegations to meetings of the Convention on Certain Conventional Weapons (CCW) drawing from the landmine community. Several additional individuals were contacted, all representatives on government delegations in the small arms process. Because of

---

communication barriers, including language, I was not able to engage with all of those who filled this role for their respective countries.

<sup>69</sup> For the 2007 NPT PrepCom, the Canadian delegation did not request a nomination, but chose the candidate from a pool of known experts.

<sup>70</sup> As a government-funded research institute affiliated with the University of Frankfurt, PRIF's experts are well respected in Germany. PRIF is not an NGO however its researchers are independent academics and therefore non-governmental representatives.

<sup>71</sup> In 2007, Ernie Regehr's name was proposed by officials as an NGO advisor for the Canadian NPT PrepCom delegation; however his participation was not approved at the ministerial level.

<sup>72</sup> While technically speaking, these academics do not represent an NGO in the direct sense, they are non-governmental representatives and work at institutes with extensive programming on the non-proliferation and disarmament file. In the NPT context, research institutes and non-academically affiliated NGOs have the same credentials: non-governmental observers with no rights to intervene.

<sup>73</sup> Interview with Prof. John Simpson, 22 February 2008. Prof. Simpson has attended every NPT meeting since 1985 and therefore can provide the historical precedent to the UK government delegation, on which he has been a delegate since 1998.

<sup>74</sup> As a staff member and participant on the delegation of the World Council of Churches to the 2001 UN Conference on SALW, I attended several NGO caucus meetings in which NGO members on government delegations provided briefings about the closed-door proceedings.

<sup>75</sup> Bev Delong, in her role as NGO Liaison to the Canadian delegation at the 2005 NPT RevCon and 2007 PrepCom mentioned sending regular progress reports to Canadian NGOs, as well as reports highlighting items they might wish to act on in Canada during the conference. Email interview, 21 February 2008.

<sup>76</sup> At the 2003 NPT PrepCom, Canada submitted a Working Paper outlining its position on NGO access, entitled: "NGO participation in the NPT review process" NPT/CONF.2005/PC.II/WP.16. The paper was based on research by Ernie Regehr, then Executive Director of Project Ploughshares and NGO Advisor on the Canadian delegation. Online:

<http://daccessdds.un.org/doc/UNDOC/GEN/G03/614/21/PDF/G0361421.pdf?OpenElement> For the 2005 RevCon, this theme was part of a Working Paper entitled "Achieving permanence with accountability", NPT/CONF.2005/WP.39 online: <http://www.reachingcriticalwill.org/legal/npt/RevCon05/wp/WP39.pdf>

<sup>77</sup> Prof. John Simpson noted that until the 1998 NPT PrepCom, there was opposition to inviting NGO participation on the UK delegation, however out of the need for procedural expertise and institutional memory, he was engaged.

<sup>78</sup> US resistance to NGO engagement in state-level processes has been observed in the nuclear arena, although it often holds briefings with NGOs at NPT meetings. Consultation with the private sector in the chemical weapons context and the small arms process is also common. I know of no recent cases in the security and disarmament sector where the US has had non-governmental representatives as part of formal delegations.

<sup>79</sup> Email interview with Bev Delong, 21 February 2008.

<sup>80</sup> Interview with Ernie Regehr, 20 February 2008.

<sup>81</sup> This argument does not seek to assess whether the role of NGOs in international development has been successful or not. Certainly there are many who would argue it has not been, see

<sup>82</sup> The norm is not universally accepted and a number of countries have never engaged NGO experts on official delegations. The US has had limited NGO cooperation, and there are very few examples from Middle-Eastern, Eastern European, or Asian countries, namely China which has expressed reservation toward NGO participation in security fora in the past.

<sup>83</sup> Jody Williams and Steve Goose noted: "A major strength of the ICBL was its ability to cut across disciplines to bring together a diverse array of NGOs to work towards a single goal." See "The International Campaign to Ban Landmines" in Cameron et al, op. cit., 22.

<sup>84</sup> The Kenya Coalition Against Landmines was an original member of the Core Group, which in 2005 was renamed an Editorial Board when Mines Action Canada assumed the role of lead agency, which Human Rights Watch had held since 1999. *Landmine Monitor Report 2005: Toward a Mine-Free World*, Executive Summary, 2.

<sup>85</sup> Maintenance of the online database has subsequently stopped. Steve Goose and Mary Wareham of Human Rights Watch (then publisher of the Landmine Monitor) provided an overview of the 1999 report,

---

*Landmine Monitor Report 1999: Toward a Mine-Free World*, based on its Executive Summary, in "Landmine Monitor: Citizens Verification in Action" in *Disarmament Forum* 4 (1999) 33-43.

<sup>86</sup> "Landmine Monitor Researcher" job posting from [www.reliefweb.int](http://www.reliefweb.int) Reference Code RW\_6HKL57-19 closed as of 14 November 2005.

<sup>87</sup> Initially, Landmine Monitor relied almost exclusively on researchers from within the ICBL network, but it was not always true that a good campaigner made a good researcher. In order to ensure consistent and high-caliber research, professional researchers were engaged to work on the annual report where necessary. The network now consists of both professional researchers, and network representatives.

<sup>88</sup> Data from "About Landmine Monitor" and "Acknowledgements" sections of successive issues of the Landmine Monitor Report Executive Summary (1999-2007). Online: [www.icbl.org/lm](http://www.icbl.org/lm). 2008 figures with the list of current researchers online: [http://www.icbl.org/lm/contacts/research\\_network](http://www.icbl.org/lm/contacts/research_network)

<sup>89</sup> Each issue of the report, in the "About Landmine Monitor" section of the front matter, includes some version of the following caveat: "Landmine Monitor acknowledges that this ambitious report has its shortcomings. It is to be viewed as a work in progress, a system that will be continuously updated, corrected and improved. We welcome comments, clarifications, and corrections from governments and others, in the spirit of dialogue and in the search for accurate and reliable information on a difficult subject."

<sup>90</sup> The exact timeline has varied slightly over the years, depending whether the Meeting of States Parties was held in September or November. The first report was produced on a very compressed schedule in order to meet the deadline of the First Meeting of States Parties, held in Maputo, Mozambique in May 1999. The editors acknowledged that strict time constraints "did not allow for full synthesis and analysis of the wealth of information gathered." In "About Landmine Monitor", *Landmine Monitor Report 1999: Toward a Mine-Free World*, 2.

<sup>91</sup> Burma is, for example, a country for which a particular research methodology has been developed to overcome the limitations on information access the result from a secretive military regime and general incapacity in the country's institutions. Absolute measures are therefore impossible, but indicators have been developed based on interviews with humanitarian aid staff and landmine victims at the border refugee camps to approximate landmine-affected regions and their markings, and to track incidents. Telephone interview with Yeshua Mosher-Puangsuwan, Burma country researcher, 21 March 2008.

<sup>92</sup> The About Landmine Monitor section of every report reiterates this pledge stating: "Landmine Monitor is not designed to send researchers into harm's way and does not include hot war-zone reporting." *Landmine Monitor Report 2007: Toward a Mine-Free World*, Executive Summary, V.

<sup>93</sup> The UN Mine Action Centre provides its mine action resources (a database, links, and newsletter) online: <http://www.mineaction.org/>. The Geneva International Centre for Humanitarian Demining, a Swiss-government funded NGO, maintains its website online: <http://www.gichd.org/>. Research resources include a major database of mine-related evaluations organized by country, subject, commissioning organization, evaluated organization and date.

<sup>94</sup> Each of the four editorial board member organizations appoints one of the Thematic Research Coordinators and pays their salary.

<sup>95</sup> Different formations of the consultation process have been used in the past, including two full network meetings, a series of regional meetings and a full network meeting, and more recently a focused preliminary consultation with the Thematic Research Coordinators with a full network meeting near the end of the process. Unfortunately, the costs of holding the international meeting are prohibitive and in 2008, no full network meeting will be held.

<sup>96</sup> The Landmine Monitor 2008 Research Orientation Guide, a 48 page document for the use of all researchers, is on the ICBL website at: [http://www.icbl.org/lm/content/download/29671/474135/file/LM08\\_Research\\_Orientation\\_Guide.pdf](http://www.icbl.org/lm/content/download/29671/474135/file/LM08_Research_Orientation_Guide.pdf)

<sup>97</sup> "Ban Policy Guidelines" for Landmine Monitor Report 2008, 3. Online: [http://www.icbl.org/lm/content/download/28843/468697/file/2008\\_Ban\\_Guide.pdf](http://www.icbl.org/lm/content/download/28843/468697/file/2008_Ban_Guide.pdf)

<sup>98</sup> See Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines", *International Organization* 52:3, 1998: 613-644.

<sup>99</sup> Emily Schroeder, Rhianna Tyson and Ray Acheson were all WILPF interns before being hired as Program Associate. Edith Ballantyne has been engaged on disarmament themes for some 40 years and is still active as an advisor. Suzi Snyder, current Secretary General, has worked with WILPF for five years, previously at the UN office and now at the International Secretariat offices in Geneva.

---

<sup>100</sup> Email from Randy Rydell, 18 March 2008.

<sup>101</sup> Rhianna Tyson noted that improvements in scanning technology, and the availability of a portable scanner and laptop, have enabled RCW to make documents available almost immediately after the staff acquire a hard copy.

<sup>102</sup> In 2008, RCW launched its new website which has a more sophisticated graphical style, but retains the simple format and orderliness of the first design.

<sup>103</sup> Warkentin is interested in the role the internet plays in enabling NGOs to contribute to international politics as part of 'global civil society'. His analysis explores dynamism, exhibited by flexibility and adaptability, inclusiveness, exhibited by networking and participation, and cognizance, exhibited by informed activism in eight case studies from the environmental and development sectors, and several online resource networks. *Reshaping World Politics: NGOs, the Internet and Global Civil Society* (Lanham, MD: Rowman & Littlefield Publishers, 2001).

<sup>104</sup> Although transparency is frequently referenced in the multi-lateral context it remains ill-defined and there is no agreed way of measuring transparency. Ann Florini examines these challenges in her article, "Does the Invisible Hand Need a Transparent Glove? The Politics of Transparency" Paper prepared for the Annual World Bank Conference on Development Economics, Washington, D.C., April 28-30, 1999.

Online: <http://siteresources.worldbank.org/INTWBIGOVANTCOR/Resources/florini.pdf>

<sup>105</sup> Dr. Potter's support for the Kyrgyz delegation extends from his involvement in a Monterrey Institute for International Studies program in the early 1990's to train young diplomats from the NIS on non-proliferation and related themes and his personal connections with a former Soviet diplomat who was in residence at MIIS during that time. Email interview with Dr. Potter, 22 February 2008.

<sup>106</sup> I know of no cases where individuals from particularly activist organizations have served as official delegation members. Some organizations, Amnesty International for example, have policies against aligning too closely with governments for risk of appearing compromised and would therefore likely refuse an invitation to join a government delegation. Invited to join the New Zealand delegation to the 2000 NPT RevCon, Alyn Ware of International Lawyers Against Nuclear Arms refused the opportunity in order to maintain his independence as an NGO activist.

<sup>107</sup> Haas does not limit this to scientific communities, but rather states: "what bonds members of an epistemic community is their shared belief or faith in the verity and the applicability of particular forms of knowledge or specific truths." "Introduction: epistemic communities and international policy coordination", *International Organization* 42:1 (1992) 3, note 4.

<sup>108</sup> Though much more technical in nature, the provisional secretariat for the Comprehensive Test Ban Treaty and its International Monitoring Network for example, operates on an annual budget split between \$56.58 million US plus 43.57 million Euro for 2008. "The United States pays US \$23.8 million to the CTBTO" (Vienna, CTBTO Press Release: 26 February 2008). Online: [http://www.ctbto.org/press\\_centre/press\\_release.dhtml?item=313](http://www.ctbto.org/press_centre/press_release.dhtml?item=313)

<sup>109</sup> In the early years of RCW there were in fact complaints from other NGOs that felt RCW was undervaluing its work and therefore making it hard for other NGOs to justify their project budgets. However, the nature and focus of its work has never made RCW a particularly 'fundable' project and its budget remains very constrained.

<sup>110</sup> It was observed by at least one NGO representative that bearing the upfront costs of attending a multi-week meeting in New York or Geneva is prohibitive and therefore could limit the pool of potential participants. The same individual is an unpaid NGO worker, but whose travel expenses were paid for by the government she represented.

<sup>111</sup> For example, Götz Neuneck funded his own participation on the 2005 German NPT delegation; Angela Woodward received support from the New Zealand Peace and Disarmament Education Trust for participation in the BWC delegation; and IANSA assisted Florella Hazeley in her attendance to the UN PoA RevCon on the delegation of Sierra Leone.

<sup>112</sup> This observation is based on personal experience in seeking funding for a space security monitoring project that was initiated, and funded, by the Canadian government. The government funder planned to decrease its funding for the project after the second year while other private foundations encouraged the project manager to pursue 'sustainable' government funding.

<sup>113</sup> Paul Hannon described his experience in fundraising and the perpetual struggle to ensure funds for the Landmine Monitor from year to year.

<sup>114</sup> In 2008 no international Landmine Monitor conference will be held because of insufficient funding.

<sup>115</sup> Rhianna Tyson, RCW Project Manager from 2003 to 2005, observed that the events of 9/11 instigated a shift in the funding priorities of US foundations, the dominant source of RCW project funding. Even among more sympathetic funders, interest shifted to domestic issues away from the multilateral sector, and to the terrorism agenda away from traditional disarmament themes, affecting RCW's ability to finance its budget.

<sup>116</sup> Data from "Acknowledgements" sections of respective issues of the *Landmine Monitor Report*, Executive Summary (1999-2007) Online: [www.icbl.org/lm](http://www.icbl.org/lm).

<sup>117</sup> Theoretically, a single incident of quasi-state activity might be possible, however, the cases demonstrate that political openness, programmatic tools including financial resources, and institutional support over the long-term enable this level of engagement with states in the multilateral context.

<sup>118</sup> As mentioned above, several countries including Burma, the DPRK and Iran, refuse to cooperate with Landmine Monitor however the vast majority do.

<sup>119</sup> A database of all government correspondence is included on the Landmine Monitor website, and can be sorted by country or date. Online: <http://www.icbl.org/lm/comments/>

<sup>120</sup> It must be acknowledged that civil society has long played an active role in monitoring human rights around the world under the leadership of Amnesty International and Human Rights Watch among others.

<sup>121</sup> Paul Hannon noted that each of the core group of states that drove the Ottawa Process and funded the Monitor were unhappy with how they were reflected in the first issue of the report. Mary Wareham cites Canadian Foreign Affairs Minister Lloyd Axworthy's displeasure with the following reference from the 1999 Annual Report:

*"Canada appended the following "understanding" to its ratification instrument:*

*'It is the understanding of the Government of Canada that, in the context of operations, exercises or other military activity sanctioned by the United Nations or otherwise conducted in accordance with the international law, the mere participation by the Canadian Forces, or individual Canadians, in operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not, by itself, be considered to be assistance, encouragement or inducement in accordance with the meaning of those terms in Article 1, paragraph 1(c).'*<sup>1</sup>[2]

*This understanding seems clearly aimed at permitting Canadian forces to fight side-by-side with the United States in a war in which U.S. forces use antipersonnel mines."*

"Canada Country Report" *Landmine Monitor 1999: Toward a Mine-Free World*. Online: <http://www.icbl.org/lm/1999/canada.html>

<sup>122</sup> Paul Hannon of Mines Action Canada, the current editorial lead agency, noted that the Democratic People's Republic of Korea, Burma (Myanmar), and increasingly Iran are not cooperative with researchers while Russia and China have never been forthcoming with information. Interview, 1 April 2008.

<sup>123</sup> In 2002, the US discontinued its own semi-annual report on landmine production, stockpiles and use because the Landmine Monitor was doing the same work better and at a lower cost.

<sup>124</sup> Letter from Richard Maude, Assistant Secretary, Arms Control and Disarmament Branch, Ministry of Foreign Affairs and Trade, to Mary Wareham, Landmine Monitor, 7 September 2000. Online: [http://www.icbl.org/lm/comments/\(sort\)/country](http://www.icbl.org/lm/comments/(sort)/country)

<sup>125</sup> Meetings of States Parties have been held in Maputo, Mozambique (1999) Managua, Nicaragua (2001) Bangkok, Thailand (2003) Nairobi, Kenya (RevCon – 2004), Zagreb, Croatia (2005) and The Dead Sea, Jordan (2007) and in Geneva during alternating years. Four Intersessional Standing Committees meet annually in Geneva as well.

<sup>126</sup> An account of field-based mine action projects supported by UNDO, UNICEF and UN Mine Action Service (DPKO) is published annually. *Portfolio of Mine Action Projects 2007*, tenth edition by Mine Action Service (DPKO), UNDP, UNICEF (New York 2007: UN)

<sup>127</sup> United Nations Inter-Agency Mine-Action Strategy: 2006-2011. Online: [http://www.undp.org/cpr/documents/mine\\_action/role\\_undp/UN\\_IAMAS\\_online.pdf](http://www.undp.org/cpr/documents/mine_action/role_undp/UN_IAMAS_online.pdf)

<sup>128</sup> April 4, 2008 Message from the UN Secretary General on the International Day for Mine Awareness and Assistance in Mine Action online: <http://www.mineaction.org/overview.asp?o=2166&>

<sup>129</sup> Some in the wider NGO community are concerned about possible compromise when an initiative is so closely connected with states.

<sup>130</sup> Of course this access must conform to the rules of procedure for the respective bodies, dependent on whether a session is open or closed, or other restrictions of the chairperson.



<sup>131</sup> For major conferences such as meetings of the NPT Review Cycle, all NGOs are required to be accredited specifically for that event, so the grounds pass is less important.

<sup>132</sup> Stephanie Fraser was tasked with developing the first RCW website and collected key NPT documents including treaty texts, agenda, and official conference documents from the UN library, copied them to disk, and posted them online for NGOs to use in preparation for the RevCon. She noted that the US State Department linked its website to the RCW site for access to the documents for the 2000 RevCon. During the conference, the British American Security and Information Council (BASIC) scanned and posted key conference statements and interventions, which RCW linked to. After 2000, RCW took on this role entirely.

<sup>133</sup> One former staff person (2003-4) recalled occasional difficulty in tracking down documents from then-DDA, but overall the relationship was described as productive and reciprocal.

<sup>134</sup> There is of course regularly opposition to the more contentious content of the newsletter. Some diplomats, however, have told RCW staff that they use the newsletter to report back to their capital during a busy conference and others from smaller delegations rely on the newsletter to follow the proceedings when they cannot attend all meetings.

<sup>135</sup> For example, the 2008 Norwegian statement on Negative Security Assurances was shared with RCW and is posted online, but it was not disseminated in the meeting hall. Online:

[http://www.reachingcriticalwill.org/legal/npt/prepcom08/statements/May02Norway\\_ND&NSA.pdf](http://www.reachingcriticalwill.org/legal/npt/prepcom08/statements/May02Norway_ND&NSA.pdf)

<sup>136</sup> UN security badges are colour-coded depending on the kind of accreditation the individual carries. NGO badges are generally brown, while government badges are red, and the heads of delegations wear a yellow badge.

<sup>137</sup> In cases where the non-governmental expert's costs are not covered by the government this is less common.

<sup>138</sup> Online: <http://daccessdds.un.org/doc/UNDOC/GEN/N91/289/95/PDF/N9128995.pdf?OpenElement>

<sup>139</sup> Describing his instructions from DFAIT, Regehr noted he was told to push as far as possible for a strong mechanism without breaking consensus among the Group. Interview 20 February 2008.

<sup>140</sup> See the Conventional Arms Register online: <http://disarmament.un.org/cab/register.html>

<sup>141</sup> Regehr recounted that on one occasion in the negotiations a US delegate questioned whether a comment he made "was the position of the Canadian government". Interview 20 February 2008.

<sup>142</sup> There was reportedly some apprehension to Regehr's participation among the officials in International Trade who implement export control policy, although Foreign Affairs had the lead on the portfolio and were responsible for appointing the representative.

<sup>143</sup> The Verification Research, Training and Information Centre (VERTIC) is accredited with ECOSOC as a member of the Roster pursuant to Council Resolution 1996/302. E/2007/INF/4 "List of non-governmental organizations in consultative status with the Economic and Social Council as of October 17, 2007". Online: <http://esa.un.org/coordination/ngo/new/INF2007.pdf>

<sup>144</sup> Of course that is not to say these individuals do not cultivate relationships with donors: the NGO representatives have programmatic funding needs unrelated to participation on delegations and most of the academics are also engaged in seeking funds for research. Those that did require funds to participate in the delegation made use of existing academic and foundation contacts. For example, Angela Woodward's travel was funded by a scholarship program for peace and disarmament research and IANSA supported travel for small arms representatives from developing countries.

<sup>145</sup> Since 1007, the Canadian Landmine Fund has funded landmine-related programming in affected countries totaling \$172 million however the funding runs out in 2008. Online:

[http://www.international.gc.ca/foreign\\_policy/mines/iv/menu-en.asp](http://www.international.gc.ca/foreign_policy/mines/iv/menu-en.asp)

<sup>146</sup> This is an observation partly from personal experience of attending events with diplomats from these states parties. Further, Ambassadors from several of these have been interviewed for the News in Review, and Mexico has repeatedly welcomed NGO involvement in the NPT in its official statements. Notably, at the 2007 PrepCom, Costa Rica submitted a working paper on a Model Nuclear Weapons Convention, based on the work of several NGOs. Online:

<http://www.reachingcriticalwill.org/legal/npt/prepcom07/workingpapers/17.pdf>

<sup>147</sup> UN A/53/150 – "Arrangements and practices for the interaction of non-governmental organizations in all activities of the United Nations system", Report of the Secretary-General. 10 July 1998. Online:

<http://www.un.org/documents/ga/docs/53/plenary/a53-170.htm>

<sup>148</sup> Online: <http://daccessdds.un.org/doc/UNDOC/GEN/N04/376/41/PDF/N0437641.pdf?OpenElement>

<sup>149</sup> Peter Willetts gave a scathing review of the Cardoso Report, criticizing the unqualified panel membership; incoherent theoretical assumptions; and impractical recommendations. He observed that “The Cardoso Report was poorly received by all significant political actors: by governments from both the North and the South, by most NGOs, and by the UN Secretary-General.” “The Cardoso Report on the UN and Civil Society: Functionalism, Global Corporatism, or Global Democracy?”, *Global Governance* 12:3 (2006) 308. Among the NGO community, the Global Policy Forum – a New York-based NGO with expertise in UN-NGO relations – responded to the report with criticism of the ‘multistakeholder approach’, which it views as a sub-text for increasing business partnerships. Among its greatest criticisms was the proposal to merge the NGO Liaison Service with several other bodies serving non-state constituencies. Jens Martens and James Paul, “Comments on the Report of the Cardoso Panel (New York: Global Policy Forum) August 2004. Online: <http://www.globalpolicy.org/reform/initiatives/panels/cardoso/08gpf.pdf>. The Secretary General responded to the report in: UN A/59/354 – Report of the Secretary-General in response to the report of the Panel of Eminent Persons on United Nations-Civil Society Relations. 13 September 2004. Online: <http://www.un-ngls.org/edited%20advance%20report%20of%20SG%20on%20Cardoso.pdf>

<sup>150</sup> This statement is repeated annually in the “About Landmine Monitor” section of *Toward a Mine-Free World*.

<sup>151</sup> While professionalism may be perceived as an attribute when it increases effectiveness, the disarmament community has experienced division between organizations perceived to be professional and others with a grassroots base. In other sectors, including human rights and development, professionalism is equated with elitism, particularly in the developing world. See Rana Lehr-Lehnardt, “NGO Legitimacy: Reassessing Democracy, Accountability and Transparency”, *Cornell Law School LL.M. Papers Series* 6 (2005) 22.

<sup>152</sup> Quoted from email correspondence with Randy Rydell, Senior Political Advisor, Office of Disarmament Affairs, 18 March 2008.

<sup>153</sup> Quoted from email correspondence with Dr. Bill Potter, 22 February 2008.

<sup>154</sup> See “About the BioWeapons Prevention Project” online: <http://www.bwpp.org/about.html>

<sup>155</sup> While BWPP planned to publish an annual analysis of developments with regard to the BTWC, it only published one copy of the BioWeapons Report, in 2004, online: [http://www.bwpp.org/documents/2004BWRFinal\\_000.pdf](http://www.bwpp.org/documents/2004BWRFinal_000.pdf)

<sup>156</sup> The Bite the Bullet project maintained final editorial responsibility for the content of the report and acknowledges limitations because of lack of transparency in some countries, the wide scope of the PoA and the gap between publication (May 2006) and the July 2006 Review Conference. See, Mike Bourne et al, *Reviewing Action on Small Arms 2006: Assessing the First Five Years of the UN Programme of Action. Arms* (Biting the Bullet, 2006). Online: [http://www.international-alert.org/pdfs/red\\_book\\_2006.pdf](http://www.international-alert.org/pdfs/red_book_2006.pdf)

<sup>157</sup> I have, however, stated above that this support is never guaranteed, as policy developments and new government priorities will always affect the ability to raise funds in particular.

<sup>158</sup> The unwritten diplomatic dress code calls for business attire at all official meetings. NGOs attending multilateral meetings regularly adapt their dress accordingly, which is essentially a requirement for non-governmental experts.

<sup>159</sup> Bosire Maragia states: “NGOs are not international legal persons, and by extrapolation, are not therefore subjects of international law with rights and duties thereunder. Adhering to the letter of the law, NGOs do not generally have official rights of participation save those narrowly defined under specific international instruments such as Article 71 of the United Nations.” “Almost there: Another way of conceptualizing and explaining NGOs quest for legitimacy in global politics”, *Non-State Actors and International Law* 2 (2002) 304.

<sup>160</sup> There is a large body of literature, particularly in the development sector, that expands upon these arguments. See Claire Mercer, *op. cit.*, for a review of the literature.

<sup>161</sup> The Mine Ban Treaty has provisions for NGO observers at meetings of State Party, identified in Article 11.4. The UN PoA references civil society contributions to the small arms issue in Preambular Paragraph 16 and in Section IV, Paragraph 2 (c). Maragia notes that NGOs are given prominent place in the UN human rights framework and environmental law, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on the Protection of the Ozone Layer, the Convention on Wetlands of International Importance, and the Convention on the Protection of the World Cultural and Natural Heritage. Maragia, *Op. cit.*, 329-330.

<sup>162</sup> Rana Lehr-Lehnardt notes that ECOSOC encourages accountability and democratic process in the NGO statute, with international NGOs only considered for accreditation if they are “of a representative character

---

and of recognized international standing”. “NGO Legitimacy: Reassessing Democracy, Accountability and Transparency”, *Cornell Law School LL.M Papers Series* 6 (2005) 36.

<sup>163</sup> For various reasons, including compliance with charitable laws or the ECOSOC statute, many NGOs are required to maintain such standards.

<sup>164</sup> Use by non-state armed groups was reported in at least eight states in 2007. See *Landmine Monitor Report 2007: Toward a Mine-Free World*, Executive Summary, 11.

<sup>165</sup> A further five states parties have not formally declared whether or not they have AP mines but are not believed to. Executive Summary, 15.

<sup>166</sup> Among those unlikely to meet the deadline are Cambodia, Chad, Croatia, Mozambique, Niger, Peru, Senegal, Tajikistan, Thailand, Venezuela, Yemen, Zimbabwe and Falkland Islands, for which Argentina and the UK are responsible for mine clearance. Executive Summary, 25-6.

<sup>167</sup> This total includes victims – death and injury – of mines, explosive remnants of war and victim-activated improvised explosive devices. The actual total of mine casualties is likely much higher due to the inadequacy of casualty reporting in many affected countries: the report notes that “data collection is inadequate or non-existent in 64 of 68 countries with recorded casualties.” Executive Summary, 39.

<sup>168</sup> The UN Institute for Disarmament Research did some useful work on NGO engagement in the security and disarmament section, but there is room to build on this. See “NGOs as Partners: Assessing the Impact, Recognizing the Potential” Issue, *Disarmament Forum* 1 (2002). The Verification Research, Training and Information Centre (VERTIC) focused particularly on NGO monitoring. Online:

<http://www.vertic.org/publications.asp>

## **Appendix 1 – Interviewees**

### **Landmine Monitor**

Robin Collins, Board Member, Mines Action Canada

Paul Hannon, Executive Director, Mines Action Canada

Jacqueline Hansen, Managing Editor, Landmine Monitor

Robert (Bob) Lawson, Department of Foreign Affairs and International Trade (Canada)

Yeshua Moser-Puangsuwan, Mine Ban Policy Research Coordinator, Landmine Monitor

### **Reaching Critical Will**

Ray Acheson, Project Associate

Stephanie Fraser, Contractor, 1999-2000

Dimity Hawkins, Contractor, 2000-2001

Felicity Hill, Project Founder, former Manager, WILPF UN Office

Jennifer Nordstrom, Project Associate 2005-2007

Randy Rydell, Senior Political Affairs Office, Office of the High Representative, UN Office for Disarmament Affairs

Emily Schroeder, Project Associate 2002-3

Susi Snyder, Secretary General, Women's International League for Peace and Freedom, former Manager, WILPF UN Office

Rhianna Tyson, Project Associate 2003-5

### **Non-Governmental Experts**

Ochieng Adala, Africa Peace Forum

Una Becker, Peace Research Institute Frankfurt

Bev Delong, Canadian Network to Abolish Nuclear Weapons

Florella Hazeley, Sierra Leone Action Network on Small Arms

Götz Neuneck, Peace Research Institute Frankfurt

William Potter, Monterrey Institute for International Affairs

Ernie Regehr, Senior Advisor, Project Ploughshares

John Simpson, University of Southampton

Stein Villumstad, World Conference on Religions for Peace (formerly with Norwegian Church Aid)

Angela Woodward, VERTIC

## **Appendix 2 – Article 7 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction**

### **Article 7**

#### **Transparency Measures**

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
  - a) The national implementation measures referred to in Article 9;
  - b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
  - c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;
  - d) The types, quantities, and if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;
  - e) The status of programs for the conversion or de-commissioning of anti-personnel mines production facilities;
  - f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
  - g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4;

- h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and
  - i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.
2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

# Appendix 3 – New Zealand Policy on NGO Experts

## CABINET OFFICE CIRCULAR

CO (00) 14

12 December 2000

***Officers for Enquiries:***

Director, UN and Commonwealth

Division,

All Ministers  
Parliamentary Under-Secretary  
All Chief Executives  
All Senior Private Secretaries

### **Procedures for Including Non-Official Representatives On Official Delegations to International Meetings**

#### **Key Points**

- Cabinet has agreed to standardise procedures for including non-official representatives on official New Zealand delegations to international meetings.
- Decisions about including non-official representatives in official delegations should be made in accordance with the guidelines attached to this circular and must be cleared in writing with the Minister of Foreign Affairs and Trade.
- Ministers should seek approval from Cabinet to include Members of Parliament in official delegations and should advise Cabinet about the inclusion of any non-official representatives in official delegations at the same time as recommendations on Ministerial and official participation are put to Cabinet.

#### **Introduction**

- 1 From time to time the government receives requests to include non-official representatives in official New Zealand delegations to international meetings, or invites non-official representatives (e.g. scientific or business experts) to join delegations because of the special expertise they can offer. Among non-official representatives who have joined New Zealand delegations in the past have been Members of Parliament, members of Crown entities and state-owned enterprises, representatives of non-governmental organisations (NGOs), industry groups, and representatives of Maori interests.

- 2 The inclusion of non-official representatives in official delegations contributes breadth and specialist knowledge to the delegation, and can generate a better understanding of the government's objectives in the parent organisations of non-official representatives. Departments should consider the value that can be added to a New Zealand delegation by the inclusion of appropriate non-official representatives.
- 3 Cabinet has agreed to a standard set of guidelines and procedures for including non-official representatives in official New Zealand delegations to international meetings. This circular sets out those guidelines and outlines how departments should implement them.

### **Guidelines Governing Inclusion of Non-Official Representatives in Official Delegations**

- 4 The guidelines have been developed from existing practice and guidelines in relation to the inclusion of NGO officials in official delegations. Cabinet has amended these guidelines and agreed to extend them to all non-official representatives being considered for inclusion in official delegations. A copy of the guidelines is attached as Annex I.
- 5 A key to ensuring the effective operation of official delegations is to examine the balance of the delegation in determining whether, or what proportion of, non-official representatives should be included. To avoid claims of official bias when there are competing requests for representation from similar NGOs, and where the size of the delegation is limited, the bodies may be asked to agree on one or more representative acceptable to them all.
- 6 It is generally expected that travel and accommodation costs of non-official members of official delegations will be met by the members or their sponsoring organisations. Where their inclusion is at the request of the government because of the special expertise they may bring to the delegation, however, the government may consider meeting costs officially.
- 7 Non-official representatives included in official New Zealand delegations to international meetings must be either New Zealand permanent residents or New Zealand citizens.

### **Conditions Applying to Participation**

- 8 For non-official representatives to be effective, it is desirable that they be able to participate fully in the delegation's activities and be treated as full members of the team. All members of official delegations are bound by conditions of confidentiality and take their instructions from the head of the delegation, and these conditions must apply equally to non-official representatives.
- 9 Representatives of NGOs, other non-official bodies, and civil society groups are required to sign a standard undertaking governing members of official delegations. A copy of the undertaking is attached as Annex II. A different procedure applies to Members of Parliament (see paragraphs 15-16 below).



## **Procedures**

- 10 Proposals to include non-official representatives in official delegations to international meetings must be cleared in advance in writing by the Minister of Foreign Affairs and Trade.
- 11 The lead agency managing New Zealand's participation in an international meeting should seek approval for the inclusion of non-official representatives under the terms of the agreed guidelines. The lead agency is also responsible for ensuring that non-official representatives sign the required undertaking in respect of conditions for participation in official delegations.
- 12 Where an agency other than the Ministry of Foreign Affairs and Trade has the lead, that approval should be sought in a submission to the Minister concerned, which should be referred to the Minister of Foreign Affairs and Trade for agreement.
- 13 In cases where there is a well established and agreed practice of including non-official representatives in delegations to regular meetings, such as for example the annual ILO Conference, it is not necessary to seek approval on every occasion.
- 14 Cabinet should be advised of any non-official representatives in official delegations at the same time as recommendations are made to Cabinet on Ministerial and official participation.

## **Participation by Members of Parliament**

- 15 The Minister of Foreign Affairs and Trade will generally formalise the inclusion of any Members of Parliament joining official delegations through the signature of a credentials document. It is not appropriate to request Members of Parliament to sign the same undertaking as other non-official representatives. Instead the Minister of Foreign Affairs and Trade or, where appropriate, the Minister leading the delegation, will write to Members of Parliament prior to the meeting drawing their attention to the conditions governing members of official delegations.
- 16 The Minister leading the delegation and the Minister of Foreign Affairs and Trade, in consultation with the Prime Minister and other interested Ministers, should seek approval from Cabinet to include Members of Parliament in official delegations. This should, if appropriate, occur at the same time as recommendations are made to Cabinet on Ministerial and official participation.

## **Further Information**

- 17 Further information is available from the United Nations and Commonwealth Division of the Ministry of Foreign Affairs and Trade, telephone 494 8324.

Marie Shroff  
Secretary of the Cabinet

## **Annex I**

### **Guidelines Governing Inclusion Of Non-Official Representatives On Official Delegations**

Decisions about the inclusion of non-official representatives on official delegations should be taken by the Ministers concerned, who should be provided, where possible, with information on the following points:

- Whether the representative can obtain observer status at the conference in his or her own right, through their parent body or through an NGO association. If this is possible, that should be the preferred option.
- The general objectives of the representative and their sponsoring organisation and their particular objectives for the conference under consideration.
- Points of similarity and difference between the government's policy and objectives and those of the representative and their sponsoring organisation.
- Advantages to the government in including the representative on the delegation, for example because of specialised knowledge and expertise.
- The general balance of the delegation, taking into account its overall size. The smaller the delegation, the less appropriate it is to include non-official representation.
- Whether the meeting is one where non-official representatives are perceived as acceptable to other governments, especially the host government.
- Assurance that the particular person nominated has the support of the sponsoring organisation in question, is a New Zealand citizen or permanent resident and - on the basis of known information - is a person acceptable to the government.

Should a selection have to be made amongst more than one qualified non-official representative, the organisations concerned should reach agreement on one nomination for the government to consider.

Participation by non-official representatives will be subject to acceptance in writing by the person nominated of the conditions as set out in Annex II.

In principle, non-official representatives on official delegations should meet their own costs. However, financial assistance may be considered when non-official attendance directly advances the government's objectives.

Requests for assistance with travel costs for other than participation in official delegations should be considered on a case by case basis. Such assistance will only be recommended if it directly advances the government's objectives.

## Annex II

### **Conditions Applying To Participants In New Zealand Delegations To International Meetings**

Participation on official New Zealand delegations will be subject to the following conditions:

- The participant will at all times be under the authority of the leader of the delegation or, in his/her absence, that of the deputy leader, and will comply with their instructions or with any instructions received from the New Zealand authorities.
- As a participant in an official delegation the participant will act consistently with the government's interests as identified in the brief or by the delegation leader. If required he/she will also assist in compilation of the delegation report.
- The confidentiality of information received through participation in the official delegation is to be maintained. This information includes government documents, restricted conference documents, delegation discussions and such international negotiations as are conducted in camera.
- This confidentiality shall particularly apply to any communications with the press.
- The participant may brief sponsoring organisations on developments and results in the negotiation but only on the basis that any information of a sensitive nature provided to sponsoring organisations will not be revealed publicly by them.
- Any articles written by the participant about the negotiations are subject to the clearance of the leader of the delegation or the appropriate government authorities.
- It is understood that inclusion in the delegation does not imply any obligation on behalf of the New Zealand government to meet costs of non-governmental participants.

*I agree to abide by the above conditions in respect of my inclusion on the New Zealand delegation to the .....*

Signature: .....

Name: .....

Date: .....

## Appendix 4 – Table of Non-Governmental Experts

Name	Professor John Simpson
Organizational Affiliation	Mountbatten Centre for International Studies, University of Southampton
Title on Delegation	Advisor
Country	United Kingdom
Event	Non-Proliferation Treaty – 1998, 1999, 2002, 2003, 2004 PrepComs; 2000 and 2005 RevCons
Tasks	Expert advisor, institutional memory
Input into policy positions	Not into written statements; participation in daily briefings and regular consultation with other delegation members
Compensation	Travel and expenses for attendance at meetings

Name	Ernie Regehr
Organizational Affiliation	Senior Advisor, Project Ploughshares
Title on Delegation	Various: NGO Advisor and Expert Advisor
Country	Canada
Event	2001 UN Conference on SALW; 1999, 2002, 2003, 2004 NPT PrepComs; 2000 and 2005 NPT Rev Cons
Tasks	Expert advice on policy positions, reporting to NGOs, specific research tasks at some NPT meetings
Input into policy positions	Commented on draft interventions, responded to discussion of positions at daily briefings, drafted working papers
Compensation	Travel and expenses for attendance at meetings

Name	Dr. Götz Neuneck
Organizational Affiliation	Senior Fellow, Institute for Peace Research and Security Policy, University of Hamburg
Title on Delegation	Technical Advisor
Country	Germany
Event	NPT
Tasks	Learning about the process, reporting and building contacts with NGOs
Input into policy positions	No
Compensation	None

Name	Bev Delong
Organizational Affiliation	Chairperson, Canadian Network to Abolish Nuclear Weapons
Title on Delegation	NPT Liaison
Country	Canada
Event	2005 NPT RevCon, 2007, 2008 PrepComs
Tasks	Attend NGO events and report to delegation; report to Canadian NGOs on conference developments; participate in delegation meetings and discussions
Input into policy positions	Opportunity to comment on statements and provide input in delegation meetings – confidentiality statement required
Compensation	Expenses and travel for participation in meetings

Name	Angela Woodward
Organizational Affiliation	Executive Director, VERTIC
Title on Delegation	Non-official representative
Country	New Zealand
Event	BWC Review Conference, December 2006
Tasks	Observe proceedings and side meetings, offer advice and comment on positions
Input into policy positions	Reviewed and commented on draft statements
Compensation	None, external support for travel expenses

Name	Stein Villumstad
Organizational Affiliation	Norwegian Church Aid and Norwegian Initiative on Small Arms Transfers (NISAT) Coalition
Title on Delegation	Advisor
Country	Norway
Event	2001 UN Conference on SALW and its PrepComs (3); two other regional SALW meetings; bilateral human security consultations with Canada
Tasks	Input into drafting of statements, bridge between delegation and NGO community
Input into policy positions	Directly involved in statement drafting
Compensation	Travel and expenses for attendance at meetings

Name	Dr. William (Bill) Potter
Organizational Affiliation	Monterey Institute for International Studies
Title on Delegation	Technical Advisor
Country	Kyrgyzstan
Event	NPT: 1995, 2000, 2005 RevCons and 1997, 1998, 1999, 2002, 2003, 2004 and 2007 PrepComs
Tasks	To provide technical counsel as needed, institutional memory
Input into policy positions	Regular input into statements
Compensation	None

Name	Una Becker
Organizational Affiliation	Peace Research Institute Frankfurt
Title on Delegation	Scientific Advisor
Country	Germany
Event	BWC RevCon 2002, 2005; PrepCom 2006; Meeting of States Parties 2004, 2005, 2007
Tasks	To report on side events and discussions to other delegation members; provide background information on states' positions; analyse draft documents and comment on general policy questions
Input into policy positions	Not involved in preparation of draft interventions, but did co-draft a Working Paper for the 2006 RevCon
Compensation	Expenses covered by institute in early years, since 2006 paid for by foreign ministry

Name	Florella Hazeley
Organizational Affiliation	Council of Churches in Sierra Leone
Title on Delegation	Civil Society member
Country	Sierra Leone
Event	2006 RevCon for the UN PoA (unable to attend 2005 PrepCom, but participated in preparation)
Tasks	Reporting to other NGOs on closed sessions, cooperation with Ambassador leading delegation, contributed to country statement and national report
Input into policy positions	Yes, direct input into government statements
Compensation	No support from government, some funding from IANSA for expenses

Name	Ochieng Adala
Organizational Affiliation	Executive Director, Africa Peace Forum
Title on Delegation	Advisor
Country	Kenya
Event	UN PoA BMS (2005) and RevCon (2006)
Tasks	Consultation on national positions, assistance in drafting interventions and position papers, participation in daily briefings
Input into policy positions	Yes, direct input into government statements
Compensation	No support from government, some funding from another NGO

## **Appendix 5 – List of Non-Governmental Experts in the Small Arms and Light Weapons Process**

**Civil society organisations accredited to government delegations for the UN small arms process since 2005**

### **BMS 2005:**

Argentina (Dario Kosovsky, INECIP)  
Australia (Stephanie Koorey, Australian National University)  
Burundi (Ilhan Berkol, GRIP)  
Canada (David Jackman, QUNO)  
Costa Rica (Luis Alberto Cordero, Arias Foundation for Peace and Human Progress)  
Côte d'Ivoire (Claudio Gramizzi, GRIP)  
Finland (Anne Palm, Civil Society Conflict Prevention Network, Sanna Rummakko, Peace Union of Finland)  
Germany (Simone Wisotzki, Peace Research Institute, Robert Lindner, Oxfam Deutschland)  
Guatemala (Carmen Rosa de León, and Mayda de León Wantland, IEPADES)  
Ireland (Tony d'Costa, Pax Christi)  
Kenya (Ochieng Adala, African Peace Forum, Peter Gunja, Jan Kamenju, Johnstone Kibor, Kenya Coalition Against Landmines, Roselyn Mungai, Oxfam GB)  
Mali (Mohammed Coulibaly, Oxfam GB, Abba Touré, WAANSA)  
Mexico (Mariana Fernández, CAENI)  
Netherlands (Undule Mwakasungara, CHRR)  
Norway (Nic Marsh, PRIO)  
New Zealand (Philip Alpers, IANSA Pacific, Damien Rogers, Australian National University)  
Nigeria (Dickson Orji, NANSA, but he couldn't come)  
Sierra Leone (Florella Hazeley, CCSL, but she couldn't come)  
Sri Lanka (Kingsley Rodrigo, SASA-Net Sri Lanka)  
Trinidad & Tobago (Folade Mutota, WINAD)  
UK (Paul Eavis, Saferworld)  
\*In addition, the delegation of Switzerland included Keith Krause and Eric Berman of the Small Arms Survey.

### **PrepCom 2006:**

Canada (Peggy Mason, Group of 78; Lynn Griffiths-Fulton, Ploughshares)  
Chile (Luis Alvarado, SerPaJ)  
Côte d'Ivoire (Claudio Gramizzi, GRIP)  
Finland (Anne Palm, Civil Society Conflict Prevention Network; Sanna Rummakko, Peace Union of Finland)



Germany (Robert Lindner, Oxfam Deutschland)  
 Guatemala (Carmen Rosa de León, and Mayda de León Wantland, IEPADES)  
 Ireland (Tony D'Costa, Pax Christi Ireland)  
 Kenya (Ochieng Adala, African Peace Forum; Roselyn Mungai, Oxfam GB)  
 Mexico (Roberto Dondisch, CAENI)  
 Netherlands (Johnstone Kibor, Kenya Coalition Against Landmines; Holger Anders, GRIP)  
 Norway (Nic Marsh, PRIO)  
 Senegal (Christiane Agboton Johnson, MALAO)  
 Uganda (Canon Joyce Nima, UJCC)  
 UK (Paul Eavis, Saferworld)  
 \*In addition, the delegation of Switzerland included Keith Krause and Eric Berman of the Small Arms Survey.

#### **RevCon 2006:**

Australia (Cate Buchanan, HD Centre, and Sam Lee Coalition for Gun Control)  
 Canada (Ken Epps, Project Ploughshares)  
 Côte d'Ivoire (Claudio Gramizzi, GRIP)  
 Finland (Anne Palm, Civil Society Conflict Prevention Network, and Laura Lodenius, Peace Union of Finland)  
 Germany (Robert Lindner, Oxfam Deutschland; Simone Wisotzki, Peace Research Institute Frankfurt)  
 Guatemala (Carmen Rosa de León, and Mayda de León Wantland, IEPADES)  
 Ireland (Tony D'Costa, Pax Christi Ireland)  
 Kenya (Ochieng Adala, African Peace Forum; Roselyn Mungai, Oxfam GB)  
 Lesotho (Kathleho Pefole, Transformation Resource Centre)  
 Mali (Mohammed Coulibaly, Oxfam GB)  
 Mexico (Roberto Dondisch, CAENI; Wendy Cukier, CGC)  
 New Zealand (Mary Wareham, Oxfam NZ, and Philip Alpers, IANSA Pacific)  
 Niger (Ilhan Berkol, GRIP)  
 Norway (Nic Marsh, PRIO)  
 Panama (Vicente Blake, ALUDEC)  
 Senegal (Christiane Agboton Johnson, MALAO)  
 Sierra Leone (Florella Hazeley, SLANSA)  
 Spain (Richard Magan, Oxfam Intermom)  
 Sri Lanka (Kingsley Rodrigo, PAFFREL)  
 Uganda (Canon Joyce Nima, UJCC; Richard Mugisha, People With Disabilities - Uganda)  
 UK (Paul Eavis, Saferworld)  
 \*In addition, the delegation of Switzerland included Keith Krause and Eric Berman of the Small Arms Survey.

(List Provided by Alun Howard of the International Action Network on Small Arms)

## References

- Albin, Cecilia. "Can NGOs Enhance the Effectiveness of International Negotiation?" *International Negotiation*. 4:3, 1999. 371-387.
- Alger, Chadwick. "The Emerging Roles of NGOs in the UN System: From Article 71 to a People's Millennium Assembly". *Global Governance* 8, 2002. 93-117.
- Anderson, Kenneth. "The Ottawa Convention Banning Landmines, the Role of International Non-governmental Organizations and the Idea of International Civil Society". *European Journal of International Law*. 11:1, 2000. 91-120.
- Anheier, Helmut K. "Reflections on the Concept and Measurement of Global Civil Society". *Voluntas*. 18. 1-15.
- Arts, Bas "Regimes, Non-State Actors and the State System: A 'Structurational' Regime Model". *European Journal of International Relations*. 6:4, 2000. 513-542.
- Arts, Bas, Math Noortmann and Bob Reinalda, eds. *Non-State Actors in International Relations*. Aldership, UK: Ashgate Publishing. 2001.
- Atwood, David. "Implementing Ottawa: Continuity and Change in the Roles of NGOs". *Disarmament Forum*. 4, 1999. 19-31.
- Axworthy, Lloyd. "Human Security and Global Governance: Putting People First". *Global Governance*. 7:1, 2001. 19-23.
- Beyer, Cornelia. "Non-Governmental Organizations as Motors of Change". *Government and Opposition*. 42:4, 2007. 513-535.
- Bull, Benedicte, Bøås, Morten and McNeill, Desmond. "Private Sector Influence in the Multilateral System: A Changing Structure of World Governance?" *Global Governance* 10, 481-498, 2004.
- Chandler, David. *Constructing Global Civil Society: Morality and Power in International Relations*. New York, NY: Palgrave MacMillan. 2004.
- Checkel, Jeffrey T. "The Constructivist Turn in International Relations Theory". *World Politics*. 50:2, 1998. 324-348.
- Clark, Ann Marie, Friedman, Elisabeth J. and Hochstetler, Kathryn. "The Sovereign Limits of Global Civil Society: A Comparison of NGO Participation in UN World Conferences on the Environment, Human Rights, and Women". *World Politics* 51: 1, 1998. 1-35.

Clark, Ann Marie. "Non-Governmental Organizations and their Influence on International Society". *Journal of International Affairs*. 48:2, 1995. 507-525.

Crowley, Michael and Persbo, Andreas. "The Role of Non-Governmental Organizations in the Monitoring and Verification of International Arms Control and Disarmament Agreements" in Borrie, John and Marin Randin, Vanessa. *Thinking Outside the Box in Multilateral Disarmament and Arms Control Negotiations*. Geneva: United Nations Institute for Disarmament Research. 2006. 225-252.

DeMars William E. *NGOs and Transnational Networks: Wild Cards in World Politics*. London: Pluto Press. 2005.

Dhanapala, Jayantha. *Multilateral Diplomacy and the NPT: An Insider's Account*. Geneva: United National Institute for Disarmament Research. 2005.

*Disarmament Forum*. Volume 1. "NGOs as Partners: Assessing the Impact, Recognizing the Potential". Geneva: UNIDIR. 2002

Edwards, Michael and Hulme, David. "Too Close for Comfort? The Impact of Official Aid on Nongovernmental Organizations". *World Development*. 24:6, 1996. 961-973.

Erskine, Toni. "Assigning Responsibilities to Institutional Moral Agents". *Ethics and International Relations*. 15:2, 2001. 67-85.

Findlay, Trevor. "Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?". *Disarmament Forum*. 4, 1999. 45-55.

Finnemore, Martha and Sikkink, Kathryn. "International Norm Dynamics and Political Change". *International Organization*. 52: 4, 1998., 887-917.

Florini, Ann. "Does the Invisible Hand need a Transparent Glove? The Politics of Transparency". Paper prepared for the Annual World Bank Conference on Development Economics, Washington, D.C., April 28-30, 1999.

Goose, Stephen D. and Mary Wareham. "Landmine Monitor: Citizens Verification in Action". *Disarmament Forum*. 4, 1999. 33-43.

Gordenker, Leon and Weiss, Thomas G. "NGO Participation in the international policy process". *Third World Quarterly*. 16:3, 1995. 543-554.

Grigorescu, Alexandru. "Transparency of Intergovernmental Organizations: The Roles of Member States, International Bureaucracies and Nongovernmental Organizations". *International Studies Quarterly*. 51:3, 2007. 625-648.

- Haas, Peter M. "Introduction: epistemic communities and international policy coordination". *International Organization*. 46:1, 1992. 1-35.
- Hajnal, Peter I., ed. *Civil Society in the Information Age*. Aldershot, UK: Ashgate Publishing. 2002.
- Hubert, Don. *The Landmine Ban: A Case Study in Humanitarian Advocacy*. Occasional Paper #42. Providence, RI: Thomas J. Watson Jr. Institute for International Studies. 2000
- Humphreys, David. "Redefining the Issues: NGO Influence on International Forest Negotiations". *Global Environmental Politics* 4: 2, 2004, 51-74.
- Hurd, Ian. "Legitimacy and Authority in International Politics". *International Organization* 53:2, 1999. 379-408.
- Jackson, Robert H. *Quasi-States: Sovereignty, International Relations and the Third World*. Cambridge: Cambridge University Press. 1990.
- Jensen, Mark N. "Concepts and Conceptions of Civil Society". *Journal of Civil Society*. 2:1, 2006. 39-56.
- Kaldor, Mary. "Civil Society and Accountability". *Journal of Human Development*. 4:1, 2003. 5-27.
- Kaldor, Mary. "The idea of global civil society". *International Affairs*. 79:3, 2003. 583-593.
- Keohane, Robert O. "Global Governance and Accountability". *Taming Globalization: Frontiers of Governance*. Held, David and Mathias Koenig-Archibugi, eds. Cambridge: Polity. 2003.
- Keohane, Robert O. and Martin, Lisa L. "The Promise of Institutional Theory". *International Security*. 20:1, 1995. 39-51.
- Keohane, Robert O. "International Institutions: Two Approaches" *International Studies Quarterly*. 32:4, 1988. 379-396.
- Keohane, Robert O., ed. *Neorealism and Its Critics*. New York: Columbia University Press. 1986.
- Khagram, Sanjeev, James V. Riker and Kathryn Sikkink, eds. *Restructuring World Politics: Transnational Social Movements, Networks, and Norms. Social Movements, Protest and Contention*, Vol 14. Minneapolis, MN: University of Minnesota Press. 2002.
- Kjellman, Kjell Erling. "Norms, persuasion and practice: *Landmine Monitor* and civil society". *Third World Quarterly*. 24:5, 2003. 955-965.

Lehr-Lehnardt, Rana. "NGO Legitimacy: Reassessing Democracy, Accountability and Transparency". *Cornell Law School LL.M. Papers Series*, Paper 6. 2005.

Lipschutz, Ronnie D. "Reconstructing World Politics: The Emergence of Global Civil Society". *Millennium: Journal of International Studies*. 21:3, 1992. 389-420.

Maragia, Bosire. "Almost there: Another way of conceptualizing and explaining NGOs' quest for legitimacy in global politics". *Non-State Actors and International Law*. 2:2, 2002. 301-332.

Martens, Kerstin. "Bypassing Obstacles to Access: How NGOs are Taken Piggy-Back to the UN". *Human Rights Review*, April-June 2004, 80-91.

Martens, Kerstin. *NGOs and the United Nations: institutionalization, professionalization, and adaption*. New York, NY: Palgrave MacMillan. 2005.

Matthews, Jessica T. "Power Shift". *Foreign Affairs*. 76:1, 1997. 50-66

Mearscheimer, John J. *The Tragedy of Great Power Politics*. New York: W.W. Norton and Company. 2001.

Mearsheimer, John J. "The False Promise of International Institutions". *International Security*. 19:3 (1994/95) 5-49.

Meier, Oliver and Tenner, Clare. "Non-governmental monitoring of international agreements". In Findlay, Trevor and Meier, Oliver, eds. *Verification Yearbook 2001*. London: VERTIC. 207-227.

Mercer, Claire. "NGOs, civil society and democratization: a critical review of the literature". *Progress in Development Studies*. 2:1, 2002. 5-22.

Mitchell, Ronald B. "Sources of Transparency: Information Systems in International Regimes". *International Studies Quarterly*. 42:1, 1998. 109-130.

Nadelmann, Ethan A. "Global prohibition regimes: the evolution of norms in international society". *International Organization*. 44:4, 1990. 479-528.

Owen, Taylor. "Human Security – Conflict, Critique and Consensus: Colloquium Remarks and a Proposal for a Threshold-Based Definition." *Security Dialogue* 35:3, 2004. 373-387.

Owen Taylor. "Challenges and opportunities for defining and measuring human security". *Disarmament Forum*. 3, 2004. 15-24.

Paolini, Albert J., Anthony P. Jarvis and Christian Reus-Smit, eds. *Between Sovereignty and Global Governance: The United Nations, the State and Civil Society*. New York, NY: St. Martin's Press. 1998.

Paris, Roland. "Human Security: Paradigm Shift or Hot Air". *International Security*. 26:2, 2001. 87-102.

Price, Richard. "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines". *International Organization*. 52:3, 1998. 613-644.

Price, Richard. "Transnational Civil Society and Advocacy in World Politics." *World Politics*. 55:4, 579-606.

Rauf, Tariq and Johnson, Rebecca. "After the NPT's Indefinite Extension: The future of the global non-proliferation regime". *Nonproliferation Review*. 3:1, 1995. 28-41.

Reimann, Kim D. "A View from the Top: International Politics, Norms and the Worldwide Growth of NGOs". *International Studies Quarterly*. 50:1, 2006. 45-67.

Risse-Kappen, Thomas, ed. *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Institutions*. Cambridge, UK: Cambridge University Press. 1995.

Ruggie, John Gerard. "Multilateralism: the anatomy of an institution". *International Organization*. 46:3, 1992. 561-598.

Rutherford, Kenneth. "A Theoretical Examination of Disarming States: NGOs and Anti-Personnel Landmines". *International Politics*. 37, 2000. 457-478.

Salamon, Lester M. "The Rise of the Nonprofit Sector". *Foreign Affairs*. 73:4, 1994. 109-122.

Scholte, Jan Aart. "Civil Society and Democracy in Global Governance". *Global Governance*. 8:3, 2002. 281-304.

Short, Nicola. "The Role of NGOs in the Ottawa Process to Ban Landmines". *International Negotiation*. 4, 1999. 481-500.

Smith, Jackie, Charles Chatfield and Ron Pagnucco, eds. *Transnational Social Movements and Global Politics: Solidarity Beyond the State*. Syracuse, NY: Syracuse University Press. 1997.

Strange, Susan. *The Retreat of the State: the Diffusion of Power in the World Economy*. Cambridge, UK: Cambridge University Press. 1997.

Van Rooy, Alison. "The Frontiers of Influence: NGO Lobbying at the 1974 World Food Conference, the 1992 Earth Summit and Beyond". *World Development* 25:1, 1997. 93-114.

Wareham, Mary. *What if No One's Watching? Landmine Monitor: 1999-2005*. New Security Programme Fafo Report 550. Oslo, Fafo. 2006.

Warkentin, Craig. *Reshaping World Politics: NGOs, the Internet and Global Civil Society*. Lanham, MA: Rowman & Littlefield Publishers. 2001.

Warkentin, Craig and Mingst, Karen. "International Institutions, the State, and Global Civil Society in the Age of the World Wide Web". *Global Governance*. 6:2, 2000. 237-257.

Weiss, Thomas G. and Leon Gordenker, eds. *NGOs, the UN, and Global Governance*. Boulder, CO: Lynne Rienner Publishers. 1996.

Wendt, Alexander. "Anarchy is what states make of it: the social construction of power politics". *International Organization*. 46:2, 1992. 391-424.

Wendt, Alexander. "Constructing International Politics". *International Security*. 20:1, 1995. 71-81.

Willetts, Peter, ed. *Pressure Groups in the Global System: The Transnational Relations of Issue-Orientated Non-Governmental Organizations*. London: Frances Pinter. 1982.

Willetts, Peter, ed. *"The conscience of the world": The influence of non-governmental organisations in the UN system*. Washington, D.C. The Brookings Institution. 1996.

Willetts, Peter. "The Cardoso Report on the UN and Civil Society: Functionalism, Global Corporatism, or Global Democracy?" *Global Governance*. 12:3, 2006. 305-324.

Woodward, Angela. "Verifying the Ottawa Convention". In Findlay, Trevor and Meier, Oliver, eds. *Verification Yearbook 2001*. London: VERTIC. 99-115.

Young, Oran R. "Regime dynamics: the rise and fall of international regimes". *International Organization*. 36:2, 1982. 277-297.

## Documents

Charter of the United Nations. 26 June 1945

CO (00) 14 – Procedures for Including Non-Official Representatives on Official Delegations to International Meetings. New Zealand Cabinet Office Circular. 12 December 2000.

CD/8/Rev.9 – Rules of Procedure of the Conference on Disarmament. 19 December 2003.

ECOSOC Resolution 1996/31 – Consultative relationship between the United Nations and non-governmental organizations. 25 July 1996.

“Human Security Now”. Report of the Commission on Human Security. New York. 2003.

Landmine Monitor Researcher Job Description – Reliefweb, RW\_6HKL57-19. 14 November 2005.

The Treaty on the Non-Proliferation of Nuclear Weapons. 1 July 1968.

UNDP Human Development Report 2004 – *New Dimensions of Human Security*. New York: Oxford University Press. 1994.

UN A/46/301 – “General and Complete Disarmament: International Arms Transfers”. Study on the ways and means of promoting transparency in international transfers of conventional arms. 9 September 1991.

UN A/53/150 – “Arrangements and practices for the interaction of non-governmental organizations in all activities of the United Nations system”. Report of the Secretary-General. 10 July 1998.

UN A/58/817 and Corr. 1 – “We the peoples: civil society, the UN and global governance”. Report of the Panel of Eminent Persons on United Nations–Civil Society Relations. 11 June 2004.

UN A/59/354 – “Report of the Secretary-General in response to the report of the Panel of Eminent Persons on United Nations–Civil Society Relations”. 13 September 2004.

UN A/CONF.192/15 – “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects”. 9-20 July 2001.