

CIVIL SOCIETY AND  
DISARMAMENT  
2014



THE IMPORTANCE OF CIVIL SOCIETY  
IN UNITED NATIONS AND  
INTERGOVERNMENTAL PROCESSES:  
VIEWS FROM FOUR DELEGATES  
TO THE UNITED NATIONS

**UNODA**

United Nations Office for  
Disarmament Affairs

---

UNODA

United Nations Office for  
Disarmament Affairs

---

CIVIL SOCIETY AND DISARMAMENT  
2014

THE IMPORTANCE OF CIVIL  
SOCIETY IN UNITED NATIONS AND  
INTERGOVERNMENTAL PROCESSES:  
VIEWS FROM FOUR DELEGATES  
TO THE UNITED NATIONS

---



United Nations

### **Note**

The Office for Disarmament Affairs is publishing this material within the context of General Assembly resolution 69/71 on the United Nations Disarmament Information Programme in order to further an informed debate on topical issues of arms limitation, disarmament and security.

The material appearing in this publication, in unedited form, are the views of the authors and do not necessarily reflect those of the United Nations or its Member States.

Symbols of United Nations documents are composed of capital letters combined with figures. These documents are available in the official languages of the United Nations at <http://ods.un.org>. Specific disarmament-related documents can also be accessed through the disarmament reference collection at <http://www.un.org/disarmament/HomePage/library.shtml>.

This publication is available at

**[www.un.org/disarmament](http://www.un.org/disarmament)**

UNITED NATIONS PUBLICATION

Sales No. E.15.IX.2

ISBN 978-92-1-142303-7

eISBN 978-92-1-057239-2

Copyright © United Nations, 2015

All rights reserved

Printed in the United Nations, New York

# Contents

Preface .....	v
Introduction	
<i>Denise Garcia</i> .....	1
The impact of civil society on global efforts to advance the Arms Trade Treaty: the perspective of a Costa Rican diplomat	
<i>Maritza Chan</i> .....	3
Collaboration between Governments and civil society on disarmament and non-proliferation education	
<i>Tomoaki Ishigaki</i> .....	13
The Arms Trade Treaty: a twenty-first century treaty	
<i>Rodrigo Pintado</i> .....	23
The role of civil society in promoting disarmament education and advancing the Arms Trade Treaty and the small arms and light weapons agenda	
<i>Emily Street</i> .....	33



## Preface

This is the fourth annual edition of Civil Society and Disarmament. In the previous editions of this publication, the contents were either articles written by civil society representatives or statements delivered by non-governmental organizations at disarmament forums.

The Office for Disarmament Affairs decided to take a different approach with this edition, encouraging a select group of official delegates posted to their United Nations missions in New York to consider the ever more important role played by civil society groups in disarmament-related intergovernmental processes.

In reading these essays, it is clear that the authors appreciated the technical expertise and knowledge, dedication, enthusiasm and impact that civil society groups bring to the disarmament debate.

We are indebted to Ms. Maritza Chan (Costa Rica), Mr. Tomoaki Ishigaki (Japan), Mr. Rodrigo Pintado (Mexico), and Ms. Emily Street (Australia) for their essays. We are also very grateful that Dr. Denise Garcia of Northeastern University has provided a thoughtful introduction to the publication.

Finally, publications take some time to go from concept to finished product. In the intervening period from when the essays were first delivered, the Arms Trade Treaty had not yet entered into force, but did subsequently, on 24 December 2014. We ask the reader's indulgence if one comes across statements that may seem a bit dated.

*John Ennis  
Chief, Information and Outreach Branch  
Office for Disarmament Affairs  
United Nations*



# Introduction

*Denise Garcia<sup>1</sup>*  
*Northeastern University*

This anthology presents an opportune collection of expert texts from seasoned practitioners in the disarmament capitals of the United Nations system on some of the most dynamic disarmament and arms control processes to date. Such processes inaugurate new internationally recognized norms about transparency in weapons transfers and use, non-use, victim assistance and education for future generations. The cases examined epitomize a new and creative form of diplomacy for this century in which civil society plays a predominantly engaged role along with key champion States. This partnership is essential to mobilize the necessary momentum for action and change. One such process examined is the Arms Trade Treaty (ATT) and the role civil society members had in breathing its life and what role they will have in the implementation phase.

Former President of Costa Rica and Nobel Peace Prize Laureate Oscar Arias once said that an ATT “would make legal ties out of the moral ties by which we already know we must abide”. At the time of that seminal writing, we did not yet have legally binding global norms on arms. With his usual vision, Arias anticipated what is now a reality, one that his country was pivotal to help bring to fruition: the first ever legal instrument to bring robust transparent rules to the arms trade based upon two branches of international law: human rights and international humanitarian law (IHL). Civil society was prominent in generating two important forces giving rise to this extraordinary

---

<sup>1</sup> Dr. Garcia is a Sadeleer Research Faculty Member and Associate Professor at the Political Science and the International Affairs program at Northeastern University in Boston. She is a member of the International Committee for Robot Arms Control, the Academic Council of the United Nations, and the Arms Control Association.



negotiation process: first was to show that creating a legal structure was necessary to advance such existing moral ties, and second, to work along with States to demonstrate that the moral ties already existed in human rights law and IHL, and all States needed to recognize this and apply them to their conventional arms transfers. Therefore the Treaty is the first to embrace such branches of international law to its core.

The efforts to create an ATT arose out of the years of equally enthusiastic civil society advocacy for small arms and light weapons (SALW) control, since the mid-1990s. It is partly this previously existing normative framework created by the SALW community that enabled the successful negotiations towards an ATT. The inclusion of SALW was a priority for Mexico, along with most Latin American and African countries, the heaviest affected by the abundant availability of arms and ensuing violence. Civil society presence brings the realities of the field and the human suffering caused by the misuse of weapons vivid and clear. As compelling spokespersons, civil society advocates remind States, with authoritative evidence, that action and change are urgent to end human suffering. As Susan Walker, experienced mine-ban activist, always tells me: “civil society brings humanity to the halls of diplomacy”. These words resonate in these new extraordinary humanitarian-based disarmament and arms control processes that embody novel human-centred norms of behaviour for States and non-State actors alike, in war and peace.

# **The impact of civil society on global efforts to advance the Arms Trade Treaty: the perspective of a Costa Rican diplomat**

*Maritza Chan<sup>1</sup>*

*Minister Counsellor*

*Permanent Mission of Costa Rica to the United Nations*

## **Introduction**

The road to the adoption of the Arms Trade Treaty was not only paved with compromises among Member States, but also with the active support and collaboration of many different stakeholders, including civil society organizations (CSOs). As delegates and representatives struggled with the balance between ideals and reality, peace and national interest, as well as dream and deed,<sup>2</sup> so too did global CSOs. As inferred from the words of the poet Antonio Machado, a road is shaped by the trails marked by its travellers.<sup>3</sup> The travellers of the road that led to the adoption of this Treaty included not only the national delegates, but also those who stood as partners in the journey.

---

<sup>1</sup> The author has served as Minister Counsellor at the Permanent Mission of Costa Rica to the United Nations in New York from 2010. She is an expert on the First Committee (Disarmament, Peace and International Security) and, in this capacity, served as the lead negotiator for Costa Rica on the Arms Trade Treaty. Views expressed in this article are her own and do not necessarily reflect those of the Costa Rican Government.

<sup>2</sup> Former President of Costa Rica Oscar Arias-Sanchez, “Effective Arms Trade Treaty for Development and Human Security: Reconciling Ambition and Implementability”, 14 February 2012, ATT Preparatory Committee, United Nations Headquarters, New York.

<sup>3</sup> Poet Antonio Machado is referenced by Former President of Costa Rica Oscar Arias-Sanchez in his statement on 14 February 2012, ATT Preparatory Committee, United Nations Headquarters, New York.

As we reflect on the trails that shaped the road to 2 April 2013 when the adoption of the Arms Trade Treaty (ATT) was announced in the General Assembly Hall, the continued support of civil society groups comes to mind. Their unwavering commitment to the Treaty was evident that day as their energetic applause erupted from the General Assembly gallery and echoed throughout the room. Now, as we look forward to achieving entry-into-force with 50 ratifications, as well as full implementation and universality, it is without a doubt that CSOs will continue to make strong and reliable contributions.

The role of CSOs in the disarmament processes is crucial to the success of multilateral disarmament and arms control initiatives. From conventional arms control to nuclear disarmament, from the First Committee of the United Nations General Assembly to the ATT negotiations and the United Nations Programme of Action on Small Arms, civil society plays an important role in providing capacity support, trusted expertise and a continued source of momentum in what can sometimes be long and difficult deliberative processes.

When I first came to New York as a First Committee delegate from Costa Rica, the depth and substance of disarmament and security discussions at the United Nations Headquarters fascinated me. In my time and experience at the United Nations, engaging with CSOs has helped to maximize different positions, strategize on the dynamics of the room and address some of the challenges inherent in the diplomatic process. Additionally, CSOs often play a significant role as the driving force that proposes and propels issues that are politically challenging yet important for the United Nations, peace and international security and mankind.

In this paper I highlight my perspective and my experience with diverse civil society groups in various formations at the United Nations. While the Government of Costa Rica has engaged with civil society in a variety of relevant contexts including nuclear disarmament, I will focus primarily on the context of the ATT negotiations, during which I was honoured to represent my country. I will briefly discuss Costa Rica's role in the ATT as a co-author but I will mostly concentrate on my engagement with CSOs throughout the ATT negotiation process, from the Preparatory Committees starting in 2010 to the Final Conference on the Arms Trade Treaty (hereinafter

“Final Conference”) in March 2013. I will conclude by reflecting on the contributions of CSOs to the ATT and providing some thoughts on the importance of their contributions for broader disarmament processes.

### **Costa Rica’s role in the Arms Trade Treaty and contributions of civil society organizations**

The ATT was adopted by a General Assembly vote on 2 April 2013. The General Assembly adopted the Treaty with 154 votes in favour, 3 against and 23 abstentions.<sup>4</sup> As followers of the ATT witnessed during the Final Conference, three Member States broke consensus in the late hours of 28 March 2013.

The ATT is the first binding instrument to regulate international transfers of a wide range of conventional arms from battle tanks to small arms and light weapons, ammunition, parts and components. A landmark treaty, the ATT serves as a testament to the successful normative work of the United Nations and evidence of what the international community and CSOs can achieve when united together.

The Ministry of Foreign Affairs of Costa Rica was, for a long time, committed to, and actively engaged in, the journey that led to its adoption. The Minister of Foreign Affairs of Costa Rica, H.E. Enrique Castillo-Barrantes, was personally invested in the process, as was the Costa Rica’s Foreign Policy Department, United Nations Disarmament, Peace and International Security Unit, led by Ms. Marcela Zamora and Mr. Carlos Cordero.

Costa Rica’s engagement had also included working with partners to facilitate meetings that paved the road to the Treaty as we know it; serving as a co-author, along with Argentina, Australia, Finland, Japan, Kenya and the United Kingdom, of the main resolutions that laid the foundation for the ATT conferences; and pushing for the essential issues and elements to make this Treaty as effective and robust as possible in hopes of truly addressing the challenges posed by the illicit and irresponsible transfer of conventional arms.

---

<sup>4</sup> See “The Arms Trade Treaty”, United Nations Office of Disarmament Affairs, available at <http://www.un.org/disarmament/ATT/>.

To increase awareness and momentum, Costa Rica partnered with many CSOs and co-sponsored numerous side events on the margins of the four Preparatory Committees that were held from 2010 to 2013 at the United Nations Headquarters in New York.

One of the most important of these events took place when the ATT Fourth Preparatory Committee met from 13 to 17 February 2012 in New York. On 14 February 2012, the Permanent Mission of Costa Rica hosted a side event with the Arias Foundation for Peace and Human Progress and Amnesty International, featuring Costa Rica's former President and Nobel Laureate, Dr. Oscar Arias-Sanchez, who addressed the delegates, civil society groups and other relevant stakeholders on "Effective Arms Trade Treaty for Development and Human Security: Reconciling Ambition and Implementability".

We were reminded of the crucial role that Nobel Laureates and civil society groups like Amnesty International played in unveiling the International Code of Conduct for Arms Transfers in 1997.<sup>5</sup> In the fifteen years that followed, numerous challenges were overcome and successes were secured, culminating in the year 2006, when Costa Rica with six other Member States co-authored General Assembly resolution 61/89, entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms", thereby laying the foundation for the negotiating conferences that took place in July 2012 and March 2013.<sup>6</sup>

However, these diverse stakeholders did not work alone. As Costa Rica expressed in a joint statement on behalf of the seven co-authors of General Assembly resolution 61/89 after the adoption of the Treaty in April 2013, countless people—victims, survivors,

---

<sup>5</sup> Former President of Costa Rica Oscar Arias-Sanchez, 14 February 2012, ATT Preparatory Committee, United Nations Headquarters, New York.

<sup>6</sup> See "Arms Trade Treaty", Reaching Critical Will, available at <http://www.reachingcriticalwill.org/disarmament-fora/att>. See also United Nations General Assembly resolution 61/89 of 18 December 2006, available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/61/89&Lang=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/61/89&Lang=E). See also H.E. Enrique Castillo-Barrantes, statement at the Final United Nations Conference on the Arms Trade Treaty, sixty-seventh session of the United Nations General Assembly, 18 March 2013, United Nations, New York, available at [http://www.un.org/disarmament/ATT/statements/docs/20130318/20130318\\_costa%20rica\\_E\\_S.pdf](http://www.un.org/disarmament/ATT/statements/docs/20130318/20130318_costa%20rica_E_S.pdf).

diplomats, politicians, campaigners and other stakeholders—who have devoted and dedicated years of efforts in pursuit of the Treaty deserve credit for all that was achieved.<sup>7</sup> “Their names may not be immortalized in newsprint or in the [meeting] minutes of the United Nations, but their hard work and belief in the importance of this effort made it possible” to reach adoption.<sup>8</sup> Likewise, the two Presidents of the ATT Diplomatic Conferences, Ambassador Roberto García Moritán of Argentina, and Ambassador Peter Woolcott of Australia, and their talented team of experts deserve special recognition.

For Costa Rica, the objective of the ATT process was to create a fully implementable instrument, with legally binding criteria, comprehensive scope and standards.<sup>9</sup> As Minister of Foreign Affairs of Costa Rica, H.E. Enrique Castillo-Barrantes noted, “[o]ur goal is to ultimately stop transfers of conventional weapons that fuel conflict, poverty, and serious violations of human rights and international humanitarian law”.<sup>10</sup> From a human security perspective, Costa Rica’s policy and approach focused on “the prevention of those arms transfers that threaten human rights, gravely undermine social and economic development, or facilitate armed conflict, organized crime and terrorist acts” so as to truly “mak[e] a meaningful difference in people’s lives”.<sup>11</sup> Moreover, the ATT truly reflected a national responsibility to ensure that people—their lives and surroundings—were protected from the horrific impact of illicit arms transfers, as Mr. Castillo-Barrantes has reinforced.<sup>12</sup> As such, we were committed to presenting the international community with an instrument and a

---

<sup>7</sup> H.E. Eduardo Ulibarri, Final United Nations Conference on the Arms Trade Treaty, sixty-seventh session of the United Nations General Assembly, 2 April 2013, United Nations, New York.

<sup>8</sup> *Ibid.*

<sup>9</sup> H.E. Enrique Castillo-Barrantes, statement of Costa Rica at the High Level Segment: Arms Trade Treaty Diplomatic Conference, sixty-sixth session of the United Nations General Assembly, 2 July 2012, United Nations, New York, available at [http://www.un.org/disarmament/ATT/statements/docs/20120705/Member%20States/2012.0705\\_Costa%20Rica\\_SE.pdf](http://www.un.org/disarmament/ATT/statements/docs/20120705/Member%20States/2012.0705_Costa%20Rica_SE.pdf).

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Castillo-Barrantes, sixty-seventh session of the General Assembly, 18 March 2013.

treaty that would promote development, human rights and peace— “a treaty that will rise to answer the calls for peace”.<sup>13</sup>

Thus, from my perspective, the continued contributions and support of CSOs in this process are best captured in the word “partner”. These CSOs include but are not limited to the Arias Foundation for Peace and Human Progress—who was with us from the very beginning to the very end and led by Mr. Luis Alberto Cordero with the outstanding support of experts Ms. Emily Hedin and Ms. Kirsten Harmon—Saferworld, Global Action to Prevent War, the International Committee of the Red Cross (ICRC), the International Action Network on Small Arms, Oxfam International, Reaching Critical Will, Transparency International, Control Arms Coalition and ATT Legal.

They were partners in the process by helping to capitalize on principled positions of other stakeholders; by helping promote objectives and initiatives; by holding seminars, workshops, panels and expert meetings throughout the world and in New York to enrich the quality of the negotiation process and of the Treaty itself; by helping to strategize; by helping to keep the momentum amidst divided, contentious and sometimes low-energy discussions; and by gathering the support necessary from other stakeholders so as to present joint language and enable us to navigate collectively rough challenges and pushback.

### **Proposals of Costa Rica during the Final Conference**

This partnership is best reflected in the efforts to include small arms and light weapons (SALW) within the scope of the Treaty. This issue was not only important for Costa Rica but for the greater Central American region. As we have noted in several occasions, 42 per cent of homicides in Latin America are caused by firearms, and the United Nations Development Programme estimates that Latin America and the Caribbean dedicates 14 per cent of its Gross Domestic Product to cover exclusively the economic cost of armed violence.<sup>14</sup>

---

<sup>13</sup> Castillo-Barrantes, sixty-sixth session of the General Assembly, 2 July 2012.

<sup>14</sup> Maritza Chan, Thematic Debate on Conventional Arms, First Committee, sixty-fifth session of the United Nations General Assembly, 19 October 2010,

The impact of the illicit flow of SALW on human lives, development and armed conflict is further highlighted when one considers that most of these arms are manufactured in countries that are economically developed and have strong democratic institutions.<sup>15</sup> In the words of Mr. Castillo-Barrantes during the inauguration of the ATT July Conference of 2012, “generations of young people are growing up without opportunities to work, but with abundant opportunities to kill and die operating guns manufactured elsewhere and illegally introduced into the region. An ATT that excludes small arms, light weapons and ammunitions will fail to protect these young people. Moreover, it will fall short of addressing an ominous threat to peace, stability and development.”<sup>16</sup> The triumph of including SALW within the scope of the Treaty cannot go unnoticed, especially given the challenges around its inclusion.

Furthermore, regarding the humanitarian dimensions in the Treaty, Costa Rica joined the voices of the Caribbean Community, Denmark, Finland, France, Germany, Italy, Liberia, Mexico, the Netherlands, New Zealand, Norway, Sweden and Togo in calling for explicit reference to international humanitarian law (IHL) and international human rights law (IHRL).<sup>17</sup> Costa Rica added its voice to that of Switzerland, other Member States and the ICRC to limit authorization of arms transfers when there would be substantial risk that IHL and IHRL would be violated.<sup>18</sup>

My country also joined Japan and Lithuania in championing the call for public reporting within the Treaty.<sup>19</sup> Three delegates,

---

available at [http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com10/statements/19Oct\\_CostaRica.pdf](http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com10/statements/19Oct_CostaRica.pdf).

<sup>15</sup> Ambassador Eduardo Ulibarri, Disarmament and International Security, First Committee, sixty-sixth session of the United Nations General Assembly, 11 October 2011 available at [http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com11/statements/11Oct\\_CostaRica.pdf](http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com11/statements/11Oct_CostaRica.pdf).

<sup>16</sup> Castillo-Barrantes, sixty-sixth session of the General Assembly, 2 July 2012.

<sup>17</sup> Ray Acheson, “Editorial: At the heart of it all”, *ATT Monitor*, 10 July 2012, vol. 6, no. 12, p. 1, available at <http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/monitor/ATTMonitor5.12.pdf>.

<sup>18</sup> Ray Acheson, “Editorial: Rule of law or rule of ‘interests’”, *ATT Monitor*, 20 July 2012, vol. 5, no. 13, p. 1, available at <http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/monitor/ATTMonitor5.13.pdf>.

<sup>19</sup> See Costa Rica statement in support of joint proposal made by Lithuania on public reporting in articles 10, paragraphs 4 and 5, 20 March 2013.



Tomoaki Ishigaki, Dovydas Spokauskas and I, sat down together and drafted a revised text to emphasize the importance of creating a robust mechanism for national reporting within the Treaty to foster transparency and confidence-building measures among Member States and/or civil society, and together we gathered the support of 37 Member States to include the text.

Moreover, in collaboration with the Dominican Republic, Germany, Hungary, Iceland, Ireland, Liechtenstein, the Netherlands, Norway, Paraguay and Spain, Costa Rica took the floor again to propose language that would allow the future ATT secretariat to be allocated more responsibilities, at the discretion of the Conference of States Parties, as stated under current article 18(3)(e).<sup>20</sup>

The impact of illicit arms transfers on socioeconomic development was one of the most important issues for Costa Rica. With the support of 40 Member States, we proposed language to address the existing inadequacies of article 4.6 (e), replacing it with: “seriously undermining the socio-economic development of the importing State, taking into account its legitimate domestic security and defense needs”.<sup>21</sup> This proposal was significant for Costa Rica as the reference to socio-economic development highlighted the impact that arms transfers can have on development, while the reference calling for “... legitimate domestic security and defense needs” captures the actual political and security realities on the ground in importing countries and enables importers to address threats to peace and security that often undermine socio-economic development.<sup>22</sup>

Gathering the support of Member States on a single issue, identifying which proposals to support while communicating with

---

<sup>20</sup> See “Proposal on the Draft Arms Trade Treaty (CRP1) relating to Article 12”, Secretariat, 20 March 2013. See also Ray Acheson, “News in Brief”, *ATT Monitor*, no. 6.4, March 2013, p. 5, available at <http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/monitor/ATTMonitor6.4.pdf>. See also Final United Nations Conference on the Arms Trade Treaty, “Draft Decision: Submitted by the President of the Final Conference”, A/CONF.217/2013/L.3, 27 March 2013, available at <http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference-ii/documents/L3.pdf>.

<sup>21</sup> See “Proposal on Article 3: Prohibited Transfers and Socio-Economic Development”.

<sup>22</sup> *Ibid.*

our capitals on national positions, negotiating bilaterally to resolve contentious issues, all during a very tense and long negotiation process with deliberations going into the late hours of the night, would have been much more challenging if not for our trusted CSO partners.

Their contributions were as complicated as policy analysis and as simple as a friendly smile and words of encouragement. CSO partners contributed by monitoring mutually reinforcing positions; by promoting alignment on principled positions; by analysing the necessary political will and leverage; and by providing a continued source of motivation, energy and momentum to persevere. Their presence in the conference room even served as a reminder of the objectives of the Treaty, the stakes involved, and its contributions to local communities and populations across the globe.

As these actions demonstrate, their commitment to this process was never-ending, as they oftentimes worked alongside the delegates around the clock, into the night, into the weekends and always being available for consultations and guidance. They were the face of tenacity.

It is this support and this commitment to the ATT that I believe will be a major driving force behind universal ratification and implementation of the instrument that the framers and all those involved envisioned.

## **Reflections and concluding thoughts**

Civil society played an integral role in ensuring that the ATT would be a balanced and robust document and will be essential in paving the way for an effective and transparent implementation.

What could have been a difficult journey was instead enriched with the support of trusted partners and friends who were working with the same goal—trying to create an instrument that would hold true to the desired objectives and make a contribution to international peace and security. As the road to implementation and universal ratification is shaped, the trail will be guided by the support and voices of civil society to ensure that the objectives, as envisioned by the framers, the Member States involved in the negotiation processes and the organizations that influenced the process, become a reality.

Reflecting on the case of the ATT and CSO engagement, it is worth highlighting that the Treaty process serves as a good case study of how CSOs can contribute to broader disarmament and arms control processes. They are a great source of expertise, transparency, motivating energy and strategic guidance on how existing issues can be discussed comprehensively and new agenda items can be introduced as appropriate and necessary.

The First Committee discussions, the forums related to nuclear disarmament and conventional arms processes provide an excellent forum for CSO contributions. Engagements with CSOs have proven beneficial and productive, and I truly believe they will continue to be such in future processes.

The adoption of the ATT made us all proud—proud of what we achieved that day, proud for playing our part in realizing a dream. As my CSO partners proudly say: we made history. Once again, the United Nations reminded us that together and united, we can confront the most dire and complex of problems. With the adoption of an ATT, this great institution has shown that it continues to be indispensable to achieving peace and security in the twenty-first century.<sup>23</sup>

---

<sup>23</sup> Ulibarri, sixty-seventh session of the General Assembly, 2 April 2013.

# **Collaboration between Governments and civil society on disarmament and non-proliferation education**

*Tomoaki Ishigaki<sup>1</sup>*

*Permanent Mission of Japan to the United Nations*

## **1. Introduction**

Disarmament and non-proliferation education encompasses two critical objectives: to pass on the personal accounts of survivors for the future generation and to provide a factual and critical perspective to both policy practitioners and the general public. While the promotion of disarmament and non-proliferation has enjoyed overall support, these two objectives are not always recognized by either policy practitioners or civil society members involved. Furthermore, effective collaboration between Governments and civil society in this field are also not fully recognized, due, in part, to the presumption that there could be potential conflicts of interest between the two. This article outlines some recent developments in this arena and observes how these two key objectives have been achieved thus far by the synergies produced by both Governments and civil society. It also identifies challenges faced by the disarmament and non-proliferation community regarding compartmentalization and over-specialization of issues and the need to find ways to address cross-cutting issues in this field.

---

<sup>1</sup> The author was in charge of sanctions, non-proliferation and disarmament affairs at the Japanese Mission to the United Nations from 2010 to 2013. He currently serves as Counsellor at the Cabinet Legislation Bureau of the Government of Japan. Views expressed in this article are his own and do not necessarily reflect the view of the Government.

## **2. Disarmament and non-proliferation education**

One of the major efforts undertaken by both Governments and civil society in disarmament and non-proliferation education is the collection and dissemination of the testimonies of war survivors and those who have first-hand experience of conflicts.<sup>2</sup> One of the most notable examples of such efforts is that of the cities of Hiroshima and Nagasaki, which share the testimonies of atomic bomb survivors (Hibakusha) either at each city's memorial museum or online.<sup>3</sup> The Government of Japan also appointed "Special Communicators for a World without Nuclear Weapons"<sup>4</sup> and facilitated Hibakusha in sharing their experiences around the world. The United Nations joined forces in these efforts by providing online material to disseminate the testimonies of the atomic bomb survivors.<sup>5</sup> Many non-governmental organizations (NGOs) have undertaken similar activities. For example, Hibakusha Stories, a New York-based organization, has invited many atomic bomb survivors to speak in the United States. It also worked with the United Nations Office for Disarmament Affairs (UNODA)<sup>6</sup> in the organization of an event at the United Nations Headquarters.<sup>6</sup> Besides Japan and the United Nations, the Permanent Mission of

---

<sup>2</sup> Survivors are not limited to victims or soldiers but are also those who were affected by or mobilized in conflicts. For example, factory workers, doctors, nurses, students and children have provided compelling accounts of conflicts that influenced their lives.

<sup>3</sup> See the overviews provided by the cities of Hiroshima and Nagasaki regarding the programme of public speeches made by atomic bomb survivors: <http://www.city.hiroshima.lg.jp/shimin/heiwa/experience.html> (Hiroshima); <http://www.city.nagasaki.lg.jp/peace/english/survivors/> (Nagasaki) (accessed 5 November 2013).

<sup>4</sup> For details, see the Japanese Foreign Ministry's website at [http://www.mofa.go.jp/policy/un/disarmament/arms/special\\_communicators\\_1009.html](http://www.mofa.go.jp/policy/un/disarmament/arms/special_communicators_1009.html) (accessed 5 November 2013).

<sup>5</sup> See the UNODA website, which outlines the experience of Hibakusha at <http://www.un.org/disarmament/content/slideshow/hibakusha/> (accessed 5 November 2013). See also an event organized by the Permanent Mission of Japan to the United Nations and UNODA entitled "Poetry for Peace", held on 25 October 2011. It featured the testimonies of Hibakusha and the poetry inspired by them (for more information, see [http://www.un.org/disarmament/special/meetings/dis\\_week/](http://www.un.org/disarmament/special/meetings/dis_week/) (accessed 5 November 2013)).

<sup>6</sup> For the information regarding the collaboration between Hibakusha Stories and UNODA, see <http://www.un.org/disarmament/update/20130510/> (accessed 5 November 2013).

Mexico to the United Nations also sponsored an event featuring the testimonies of survivors of the nuclear bombings in Hiroshima and Nagasaki.<sup>7</sup> The event was held on the margins of the 2012 meetings of the First Committee of the United Nations General Assembly.

Similarly, the sharing of testimonies on conventional armed conflict has proven to be an effective and powerful way of reaching out to a larger audience. During the negotiations on the Arms Trade Treaty (ATT), Control Arms, a worldwide coalition of NGOs, invited Ishmael Beah, a survivor of armed conflict and a former child soldier, to come to New York to share his experience with delegations at the ATT conference.<sup>8</sup> His testimony was included in a short documentary film entitled *Short Film about Guns*, which premiered during the ATT negotiations. War survivor testimonies like Beah's are often seen as a powerful means of raising awareness and appealing to the emotions of audiences. They also play an equally essential role in preserving a historical and accurate account of what happens during armed conflict.

One of challenges of transferring war survivor testimonies on to succeeding generations is the ageing of the survivor population. To ensure that the passion of the older generation will not be lost to succeeding generations, the Government of Japan introduced the "Youth Communicator for a World without Nuclear Weapons" initiative on 28 June 2013.<sup>9</sup> This initiative encourages the younger generation to become more actively involved in disarmament and non-proliferation education, the promotion of which is not the sole responsibility of Governments. Civil society and the younger generation should also play a more prominent and effective role in reaching out to their peers, as well as to a broader audience.

---

<sup>7</sup> Mexico also successfully advocated in 2012 for the inclusion of the reference to Hibakusha in General Assembly resolution 67/47 on the United Nations study on disarmament and non-proliferation education.

<sup>8</sup> For more details, see <http://www.oxfam.org/en/pressroom/pressrelease/2013-03-12/short-film-about-guns-2013-tribeca-film-festival> (accessed 5 November 2013).

<sup>9</sup> The Youth Communicators initiative was introduced by Foreign Minister Fumio Kishida at his press conference on 28 June 2013 (see the transcript for the outline of the initiative at [http://www.mofa.go.jp/press/kaiken/kaiken22e\\_000006.html](http://www.mofa.go.jp/press/kaiken/kaiken22e_000006.html) (accessed 5 November 2013)). The first 15 Youth Communicators were appointed on 29 July, 2013 (see Minister Kishida's speech announcing the appointment at [http://www.mofa.go.jp/policy/page3e\\_000068.html](http://www.mofa.go.jp/policy/page3e_000068.html) (accessed 5 November 2013)).

### **3. Importance of promoting critical thinking and fact-based analysis**

It is a fallacy to assume that outreach efforts should be targeted exclusively to a general audience. Such perspectives should be shared not only with the general public but also, or more importantly, with policy planners and practitioners. This point connects directly to the second key objective of disarmament and non-proliferation education, which is to provide fact-based perspectives that enable critical thinking of the status quo of world affairs.

One of the most successful programmes in this area is the annual United Nations Programme of Fellowship on Disarmament.<sup>10</sup> Over 700 diplomats, military officers and policy practitioners have participated in this programme for more than 30 years. The Japanese Government has supported this programme since its inception and has organized visits to Tokyo, Hiroshima and Nagasaki in order to provide opportunities for interaction not only with government officials, but also with a number of non-governmental representatives, including Hibakusha.<sup>11</sup> Many government officials acquire solid facts on which to build their views for future disarmament and non-proliferation negotiations.

Social media platforms such as Twitter and Facebook are extremely useful outreach tools especially for raising awareness among the younger generation and, at the same time, for making the issue an interesting and compelling one for non-specialists. However, in order to promote critical thinking and to question the status quo, passion and enthusiasm will not be sufficient.<sup>12</sup> Social media provides more means for both Government and civil society members to

---

<sup>10</sup> For details, see <http://www.un.org/disarmament/fellowship/> (accessed 5 November 2013).

<sup>11</sup> The summary of Japan's contribution to the Fellowship is available from [http://www.disarm.emb-japan.go.jp/UNDFP\\_info.html](http://www.disarm.emb-japan.go.jp/UNDFP_info.html) (accessed 5 November 2013).

<sup>12</sup> The practical challenge to move beyond the stage of awareness-raising and the role of social media was extensively discussed at an event organized by the Japanese Mission to the United Nations and UNODA held on the margins of the 2012 meetings of the First Committee. The summary of the event is available from <http://www.un.emb-japan.go.jp/events/102512.html> (accessed 5 November 2013).

reach out to a larger audience, but the characteristics and potential limitations of such media need to be appreciated. Most importantly, sober recognition of the current state of world affairs, based on the balance of power among States and backed by theories of international relations and military doctrine, will be required. Students and the general public also need to be “armed” with knowledge and a vision that reaches beyond the emotional level of policy practitioners. They can achieve this enhanced level of awareness by gaining information through increased interaction on social media platforms.

Think tanks and academia in general are essential vehicles for fostering critical perspectives among government officials and in general audiences. Data and analyses provided by scholars and researchers are often considered neutral and impartial and, as such, they can facilitate active discussions among Governments and with civil society. The yearbook published by the Stockholm International Peace Research Institute (SIPRI) and its annual report on worldwide military expenditure are good examples of how such analytical data stimulates a more holistic debate.<sup>13</sup> Even though United Nations Member States have a system for reporting their arms transfers and military expenditures under the United Nations framework, these analyses complement such a mechanism. In fact, due to the voluntary nature of reporting under the United Nations Register of Conventional Arms and the United Nations Report on Military Expenditures, combined with incomplete data worldwide, the independent research conducted by SIPRI and other think tanks are sometimes considered the most comprehensive reporting available. This research and analysis often provides a basis for government officials to better understand the current state of arms transfer and, potentially, the grounds for policy planning and implementation.<sup>14</sup>

---

<sup>13</sup> The Permanent Mission of Japan sponsored an event, timed with the release of SIPRI’s annual report on military expenditure, on the margins of 2012 meetings of the United Nations Disarmament Commission. For more details, see <http://www.un.emb-japan.go.jp/events/041513.html> (accessed 5 November 2013) and <http://www.un.org/disarmament/update/20130416/> (accessed 5 November 2013).

<sup>14</sup> One example would be to see the growth of regional military expenditure and arms transfers as an indication for the need to promote better dialogue and confidence-building measures in that region.



Civil society also has a considerable impact in shaping the views of Governments. The critical role of civil society in promoting the Anti-personnel Mine Ban Convention (Ottawa Convention) is a case in point that has challenged the perception of diplomats, the military and political leaders about what can and cannot be changed. Governments do make the final decision on what will be included in international law, however, active and substantial contributions made by non-governmental and international institutions are of significant value. The input of the International Committee of the Red Cross during the Arms Trade Treaty negotiations, especially in 2012 and 2013, is a prime example of how Governments have benefited from the input of non-governmental organizations.<sup>15</sup>

The interaction between Governments, NGOs and think tanks is not exclusively one-sided. Governments also provide feedback on the views and proposals of NGOs on wide-ranging issues related to disarmament and non-proliferation as they have the primary responsibility for interpreting and implementing policies and laws. Additionally, during the course of treaty negotiations, Governments often explain why some of the ideas promoted by NGOs and other interested parties are unattainable. This interaction enables NGOs to reformulate their views and to provide alternative proposals that will have a better chance of being reflected in the rules, legislation and treaties.<sup>16</sup> While these may not be the best examples of the traditional understanding of education, such interaction represents a vital process for advancing critical thinking and pragmatism in pursuing the disarmament and non-proliferation agenda.

---

<sup>15</sup> For example, see the analysis provided by the International Committee of the Red Cross on key provisions of the draft Arms Trade Treaty during the negotiations between July 2012 and March 2013 (available from <http://www.icrc.org/eng/resources/documents/statement/2013/03-012-icrc-analysis-arms-trade-treaty.htm> (accessed 5 November 2013)).

<sup>16</sup> Numerous examples can be found during the ATT negotiations where NGOs have promoted solutions to gender-based violence, corruption and social development, as well as promoted the mandatory and public reporting of arms transfers.

#### **4. Challenges to overcome compartmentalization and excessive specialization**

One of the most difficult challenges faced by both Government and civil society in advancing the goals of disarmament and non-proliferation is the highly technical and specialized nature of the subject matter. Due to rather substantial and rapid advances in technology recently, the discussion of disarmament and non-proliferation issues has become increasingly difficult, even for specialists in the fields of weapons of mass destruction (WMD) and conventional arms proliferation. In order to address such cross-cutting issues in a holistic fashion, NGOs have branched out to more effectively address the technical peculiarities of individual issues. For example, NGOs on conventional weapons rarely cover nuclear disarmament. Although the export control and border control measures applied to WMD and small arms are similar, there is little crossover of ideas in the debate between the organizations specializing in WMD on the one hand and in small arms on the other. There is a similar disconnect within governmental agencies that can be found in any given United Nations Member State. This has also made education more difficult. For example, great emphasis has been placed on nuclear disarmament, especially since the 1980s, but little public attention has been given to WMD non-proliferation. This has been largely determined by the rather narrow political interests of some States, which has led to the separation of the two issues at the United Nations and contributed to limiting a more comprehensive exchange of ideas in the policy debate in these areas. A number of States have in fact tried to characterize nuclear disarmament as a prerequisite for States to engage in strengthening rules on the global arms trade or non-proliferation.

In order to address this artificial divide, some Governments and civil society have sought to promote the interaction of experts, scholars and activists with some encouraging results in recent years. One such initiative was the Nagasaki Global Forum, organized in August 2012 by the United Nations University and the Government of Japan. The Forum was the first of its kind to focus exclusively on disarmament and non-proliferation education. It covered all aspects of disarmament and non-proliferation, including the vision towards

a world without nuclear weapons, an international conference on a Middle East zone free of WMD and effective approaches for reaching out to different audiences in order to promote disarmament and non-proliferation.<sup>17</sup>

Another initiative was the United Nations Conference on Disarmament Issues, organized in 1989 by the United Nations Regional Centre for Peace and Disarmament in the Asia-Pacific. The conference was supported by the Japanese Government and local municipalities in Japan. Since 1989, there have been 24 such conferences, the most recent of which was convened in Shizuoka City in January 2012. The latter covered nuclear disarmament and the Arms Trade Treaty negotiations.<sup>18</sup> Such a broad approach has provided many opportunities for scholars, NGOs and students to learn about disarmament and non-proliferation beyond their original areas of interest. While Japanese students and the media have traditionally focused more on nuclear disarmament issues, this conference allowed them to also acquire first-hand knowledge of the ongoing negotiations on the global arms trade.

A third initiative was the joint effort made by the Permanent Missions of Japan, Poland and Turkey to the United Nations, in cooperation with the Stimson Center, a Washington-based civil society organization. The three co-hosts have held a series of events entitled “Turtle Bay Security Roundtables”<sup>19</sup> since 2011 encompassing not only disarmament and non-proliferation issues but also the effective implementation of relevant United Nations resolutions in the area. The most notable include the United Nations Security Council sanctions against the Islamic Republic of Iran and the Democratic People’s Republic of Korea on nuclear technology and WMD-related goods, as well as the export control and border security measure requirements

---

<sup>17</sup> The outcome of the conference was issued as the Nagasaki Declaration on Disarmament and Non-Proliferation Education (available from <http://www.isp.unu.edu/news/2012/files/nagasaki-declaration-0811.pdf> (accessed 5 November 2013)).

<sup>18</sup> See overview of the United Nations Conference on Disarmament Issues at the UNODA website. [http://www.unrcpd.org.np/disarmament\\_issues.html](http://www.unrcpd.org.np/disarmament_issues.html) (accessed 9 November 2013).

<sup>19</sup> Summaries of the Turtle Bay Security Roundtable are available from <http://www.un.emb-japan.go.jp/events/2013/061013.html> (accessed 5 November 2013).

of United Nations Security Council resolution 1540 (2004). The active participation of United Nations diplomats, civil society, think tanks and scholars, has greatly stimulated the dialogue among various experts and major stakeholders, such as relevant industries and the financial and service sectors, to find common ground to promote these critical issues within the United Nations framework.

## **5. Conclusion**

Disarmament and non-proliferation education is mainly seen as an awareness-raising initiative and a public speaking event for survivors of war. While these initiatives certainly make an impact, public education initiatives in the field of disarmament are more comprehensive and encompass a variety of methods. The impact of disarmament and non-proliferation education on the promotion of critical thinking among Governments, non-governmental organizations and the public should be fully understood and recognized. Civil society, including NGOs, think tanks and academia, play a vital role in providing a basis for such critical analysis and in questioning the validity of the status quo. In order to harness the potential of interaction among these key stakeholders fully and effectively and provide for meaningful discussion, critical thinking must break through the traditional boundaries that separate disarmament from non-proliferation. The challenges to achieving nuclear disarmament, WMD non-proliferation and the prevention of the indiscriminate transfer of conventional arms do not exist in isolation. When many Governments and disarmament-related organizations are faced with resource constraints and the need to effectively implement their policy priorities, synergies and collaboration methods taken in these areas should be actively sought. Education that provides a foundation to address these challenges effectively is no exception.



# The Arms Trade Treaty: a twenty-first century treaty

Rodrigo Pintado<sup>1</sup>

*Permanent Mission of Mexico to the United Nations*

The Arms Trade Treaty (ATT), adopted by a vote at the United Nations General Assembly on 2 April 2013, is a symbol of twenty-first century diplomacy. The ATT negotiation and adoption was not the traditional intergovernmental negotiation that exclusively involved government representatives. It also included the active participation of civil society representatives, who played a significant role prior and throughout both ATT diplomatic conferences. This essay reviews, from a Mexican representative's point of view, the role that civil society played in the negotiation and adoption of the ATT, thus establishing a new standard for diplomatic negotiations at the United Nations.

## I. The road to the ATT

It is no secret that civil society organizations such as Amnesty International played a pivotal role in crafting the idea of regulating the international trade in arms to avoid human rights violations and the humanitarian impact of armed violence. At the end of the 1990s, Amnesty International, along with Dr. Oscar Arias and other Nobel Peace Prize laureates, launched an international call for a legally binding international code of conduct on arms transfers, which

---

<sup>1</sup> Senior Advisor to Mexico's Vice-Minister for Multilateral Affairs and Human Rights; member of Mexico's negotiating delegation for the Arms Trade Treaty from 2012 to 2013; member of the Permanent Mission of Mexico to the United Nations from 2008 to 2013 in charge of political and disarmament affairs. Views expressed in this article are his own and do not necessarily reflect those of the Mexican Government.

triggered the adoption of similar codes of conduct by the European Union and later by the United States, restricting or limiting arms transfers to countries that did not observe certain fundamental human rights.

This initiative of a legally binding international code of conduct was then taken to the United Nations with the intention of adopting a “Framework Convention on International Arms Transfers”, with limited initial results. It was only in late 2003 when the mobilization of international civil society took a more coordinated turn, with the launch of the Control Arms campaign for a global arms trade treaty, coordinated by Amnesty International, Oxfam and the International Action Network on Small Arms. This campaign had a significant impact within the disarmament and arms controls community, raising awareness over the need for an ATT, particularly in countries affected by armed violence, and building international support for a legally binding instrument in the United Nations to regulate the international trade in arms.

Between 2003 and 2006, the combined effort of supportive Governments and civil society organizations over the need for an ATT gradually built the momentum that led to the adoption of General Assembly resolution 61/89 on 6 December 2006. A key element in this global campaign was the “Million Faces” petition delivered to United Nations Secretary-General Kofi Annan in June 2006, calling on leaders to back the ATT to establish stricter controls on the international arms trade.

In resolution 61/89, the General Assembly recognized for the first time the “growing support across all regions for concluding a legally binding instrument negotiated on a non-discriminatory, transparent and multilateral basis, to establish common international standards for the import, export and transfer of conventional arms”, and requested the Secretary-General “to seek the views of Member States on the feasibility, scope and draft parameters” of such an instrument.<sup>2</sup> The Assembly also recognized “the role played by non-governmental organizations and civil society ... to enhance cooperation, improve information exchange and transparency and implement confidence-building measures in the field of responsible

---

<sup>2</sup> General Assembly resolution 61/89, operative paragraph 1.

arms trade”, acknowledging the importance of civil society’s campaign to promote the Treaty.

The activism of civil society was maintained throughout the following years, leading to the adoption of resolution 64/48 in 2009, which marked the beginning of the ATT negotiating process. In this resolution, the General Assembly called for the convening of a United Nations diplomatic conference in 2012 “to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms”.<sup>3</sup> It also stated that the United Nations Conference on the ATT “will be undertaken in an open and transparent manner, on the basis of consensus, to achieve a strong and robust treaty”.<sup>4</sup>

Mexico strongly pushed to keep the reference to having an “open and transparent” Conference in resolution 64/48, against the opinion of several delegations who argued that openness was not conducive to consensus over such a sensitive topic. Contrary to this view, for Mexico it was essential that negotiations be held openly and transparently, to avoid back-room agreements that would be detrimental to the core purpose of the Treaty. In Mexico’s view, with this provision, civil society organizations, which were essential in promoting the need for an ATT, would then be able to hold delegations accountable to their objectives by scrutinizing their positions throughout the negotiations. This could only be achieved if Conference meetings were public.

During the last session, held in February 2012, of the Preparatory Committee to the ATT Conference, Mexico, along with a group of like-minded delegations, pressed to establish in the Rules of Procedure of the Conference that the meetings be held in public, as a general principle. Based on the mandate of resolution 64/48 to have an “open and transparent” Conference, this group of countries succeeded in convincing the Committee to adopt Rule 57, which stated that “the plenary meetings of the Conference and its Main Committees shall be held in public, unless the body concerned decides otherwise”.<sup>5</sup> Since the Rules of Procedure also provided for a wide participation of civil

---

<sup>3</sup> General Assembly resolution 64/48, operative paragraph 4.

<sup>4</sup> *Ibid.*, operative paragraph 5.

<sup>5</sup> A/CONF.217/L.1.



society representatives (Rule 63), this meant that negotiations would be open to all participants, including to those non-governmental organizations that promoted for years the need to achieve an ATT. This provision was particularly important for Mexico, since it shared with civil society representatives who were supportive of the ATT some common key elements that were determinant to achieving a strong and meaningful treaty.<sup>6</sup>

On the road to the 2012 negotiating conference, civil society organizations were particularly effective in promoting issues that were supported by countries affected by the illicit trafficking of arms and by armed violence, such as Mexico. One of Mexico's core objectives was to have a comprehensive scope for the Treaty, particularly one that would include small arms and light weapons (SALW), as well as their ammunition, parts and components, and not be limited to larger conventional weapons such as armoured vehicles, vessels, airplanes, etc. The inclusion of SALW and their ammunition was a priority for many African and Latin American countries affected by armed violence. This was rejected by some of the large arms producers and exporters who claimed that it was impossible to control such trade effectively. Civil society organizations teamed up with like-minded Governments to raise awareness about this issue, and to successfully pressure those countries that opposed such an important provision.

Similarly, non-governmental organizations insisted that the criteria to authorize an international arms transfer should be based on human rights and international humanitarian law assessments, an argument that was rejected by some of the large arms importers who feared that their acquisitions would be threatened by such criteria.

Finally, Mexico was widely supported by civil society organizations in opposing the idea of having the final Treaty adopted by consensus, noting that consensus should be an objective, but not a

---

<sup>6</sup> It is important to note that not all civil society representatives present at the ATT negotiations were favourable to the adoption of the Treaty. United States pro-gun organizations were very active throughout the process, pressuring the representatives of the United States to withdraw their support for the Treaty in order to protect their own interests in the United States. Fortunately, these civil society representatives constituted a minority in the non-governmental organization community surrounding the ATT.

rule of procedure for the Conference, since it would allow any country to de facto veto the result of the negotiation.

All these central issues were thoroughly discussed at the two ATT negotiating conferences in July 2012 and March 2013. Cooperation between civil society organizations and like-minded countries, such as Mexico, was determinant to achieving the meaningful Treaty we have today.

## **II. The interaction between civil society organizations and government delegations at the ATT conferences**

During the months prior to the first ATT negotiating Conference, supportive ATT like-minded countries, such as Mexico, and civil society organizations participated in several informal preparatory meetings to define a common strategy to ensure the adoption of a robust treaty. These meetings were not only critical to building support around core issues such as the scope and criteria of the Treaty, but also to motivating delegations that traditionally did not have the capacity to participate in international conferences to engage in the ATT negotiating process. Core donor countries supportive of the ATT helped to finance the participation of representatives of countries affected by armed violence to ensure that their voices would be heard at the Conference. Those delegates were also invited to strategic meetings organized with civil society in order to coordinate positions prior to the negotiation, thus ensuring a large base of support for certain critical issues.

Prior to and during the negotiations, Mexico actively participated in these informal preparatory meetings, frequently consulting with like-minded countries and with civil society representatives on the different technical and political hurdles that could threaten the adoption of a robust treaty—one that really would make a difference on the ground. Mexico also organized and funded meetings among a group of like-minded Latin American and Caribbean “friends of the ATT”,<sup>7</sup> who met regularly to deliver joint statements at the preparatory

---

<sup>7</sup> The Latin American and the Caribbean Group of Friends of the ATT was comprised of Bahamas, Chile, Colombia, El Salvador, Guatemala, Jamaica, Mexico, Peru, Trinidad and Tobago and Uruguay. It is important to note that,

meetings and conferences and to coordinate positions on the different aspects of the Treaty. The group of friends also met with civil society representatives, who voiced their concerns and ideas with the group to determine the best course of action when facing particular difficulties in the negotiations.

When the first Conference was opened in July 2012, Mexico took the initiative to include in its delegation a civil society representative, who could then be a part of closed intergovernmental consultations and attend meetings that may not be public. Other countries acted in a similar way, ensuring that non-governmental organizations were aware of closed negotiations and could relay information to mobilize support around certain issues. These “undercover” civil society representatives acted responsibly, being careful never to take the floor on behalf of Governments, avoiding meetings where their presence was not requested and wisely using their “privileges” for the benefit of the robust Treaty we all were striving for.

Cooperation and coordination between government and civil society representatives were also crucial when negotiations seemed to evolve in a direction that was not expected by supporters of a strong treaty. This was the case at the first Conference, when participants received the first draft of the ATT, which contained a number of unexpected elements that seemed to undermine the purpose of the Treaty. Faced with this situation, Mexico and a small number of like-minded countries and civil society representatives drafted a joint statement to signal to the President of the Conference our concerns on the draft treaty. The statement<sup>8</sup> was then circulated to all delegations sharing our views, and thanks to the active involvement of civil society representatives in the negotiation rooms, it received the support of 74 countries, delivering a strong message to the Conference about the need to adopt a robust ATT.

At the conclusion of the first Conference, when it was clear that there was no agreement on the draft text, Mexico delivered

---

during the ATT negotiations, Trinidad and Tobago acted as the Coordinator of the Caribbean Community, thus widening the representativeness of this group.

<sup>8</sup> Available from [http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/20July\\_groupof74.pdf](http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/20July_groupof74.pdf) (accessed 10 December 2014).

a joint statement<sup>9</sup> on behalf of 90 countries stating that we were “disappointed, but not discouraged” that the process could not come to a successful conclusion. This group of countries also stated that “in order to make this treaty a reality, additional work and efforts are needed”, calling on the President of the Conference to report to the General Assembly on the progress made, “so that we can finalize our work”.

This statement paved the way for the adoption in December 2012 of General Assembly resolution 67/234, in which the Assembly decided “to convene in New York, from 18 to 28 March 2013, the Final United Nations Conference on the Arms Trade Treaty ... in order to finalize the elaboration of the Arms Trade Treaty, in an open and transparent manner”.<sup>10</sup> More importantly, thanks to the insistence of Mexico and Norway with the co-authors of the draft resolution, the text included a provision wherein the General Assembly decided that it would “remain seized of the matter during its sixty-seventh session”, calling upon the President of the Final Conference “to report on the outcome of the Conference to the General Assembly at a meeting to be held as soon as possible after 28 March 2013”.<sup>11</sup>

This language proposal by Mexico and Norway proved to be critical by the end of the second or “Final” Conference, when consensus was not reached and a group of delegations decided to bring the text of the Treaty to a vote in the General Assembly. Without this language, for which Mexico and Norway were criticized at the beginning because it sent a “wrong message” on the ability of the Final Conference to reach consensus, it would have been much harder for the General Assembly to adopt the historic Treaty we have today. It is important to note that Mexico and Norway thoroughly discussed this language with civil society representatives, who shared our concern on the risk of failure of the Conference if the Treaty could only be adopted with the consensus of 193 Member States. Once more, cooperation between Governments and civil society bore fruit for the sake of the ATT.

---

<sup>9</sup> Available from [http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/27July\\_jointstatement.pdf](http://reachingcriticalwill.org/images/documents/Disarmament-fora/att/negotiating-conference/statements/27July_jointstatement.pdf) (accessed 10 December 2014).

<sup>10</sup> General Assembly resolution 67/234, operative paragraph 2.

<sup>11</sup> *Ibid.*, operative paragraph 7.

During the Final ATT Conference, civil society was particularly effective in mobilizing States around certain topics of concern to them, such as the full inclusion of ammunition, parts and components of conventional arms, the inclusion of gifts, leases and loans of weapons, and a strict adherence to avoiding transfers of arms when there was a risk that they could be used to commit serious violations of human rights or international humanitarian law. One of the topics where civil society was particularly successful was the inclusion of gender-based violence as part of the criteria to assess international arms transfers, which some delegations opposed, citing concerns about the vagueness of the concept. The effective campaign led by civil society and by delegations such as Iceland on this matter made it possible for article 7.4 of the ATT to state that “the Exporting State Party shall take into account the risk of the conventional arms ... being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children”,<sup>12</sup> striking a significant victory for this important cause.

In the end, it should be noted that the ATT was negotiated “on the basis of consensus”, in accordance with the Conference’s Rules of Procedure, and the text that was finally adopted by a vote was the result of significant bargains and compromises to make all delegations relatively comfortable with the end result. Only three countries<sup>13</sup> blocked the adoption of the Treaty at the Final Conference, prompting the vote in the General Assembly. As such, the ATT is not a perfect treaty, but it is significantly better than the draft circulated in July 2012 and it allows for a strong implementation of its provisions. This is why on 2 April 2013 Mexico, along with 154 countries, decided to vote in favour of the ATT resolution. This is also why civil society

---

<sup>12</sup> See the Arms Trade Treaty. Available from [https://unoda-web.s3.amazonaws.com/wp-content/uploads/2014/03/Ch\\_XXVI\\_08.pdf#page=22](https://unoda-web.s3.amazonaws.com/wp-content/uploads/2014/03/Ch_XXVI_08.pdf#page=22) (accessed 10 December 2014).

<sup>13</sup> The Democratic People’s Republic of Korea, the Islamic Republic of Iran and the Syrian Arab Republic blocked the adoption of the Treaty at the Final ATT Conference. Mexico challenged the ruling of the President, arguing that consensus was indeed reached as 3 delegations could not block the will of 190 States. In other words, Mexico advocated a wider conception of consensus that would avoid a de facto veto by any Member State. However, the President chose to rule that consensus was not reached and a number of delegations, including Mexico, decided to move for an adoption at the General Assembly.

actively supported its adoption, mobilizing important resources to convince delegations to support the Treaty, even though it was not adopted by consensus as it was originally intended.

### **III. The work ahead: entry into force and first Conference of States Parties**

After the historic adoption of the ATT at the General Assembly, civil society organizations and supportive Governments have continued to work together to ensure that the Treaty enters into force quickly and begins making a difference on the ground. This joint effort has proven rather successful considering the high number of States that have signed and ratified the ATT, only a short time after its adoption. As of 3 June 2014, one year after the opening for signature of the Treaty, 118 States have signed the ATT and 32 States have ratified. At this rate, it can be estimated that the ATT will reach the 50 required ratifications for its entry into force by September 2014, making it possible for this instrument to enter into force before the end of 2014, only a year and a half after its adoption.

Mexico has offered to host the first Conference of States Parties (CSP) of the ATT, confirming its strong commitment to the goal and purpose of the Treaty. Important decisions will have to be made at the first CSP, such as the adoption of the Rules of Procedure of the CSPs, the financing mechanism of the Treaty and the establishment of the ATT secretariat. These decisions will have an impact on the future implementation of the Treaty, and Mexico is working closely with signatories and ratifying States alike, in an open and transparent manner, to achieve a substantive outcome at the first CSP—one that will make it possible to have a strong and robust ATT, making a difference for countries and people affected by armed violence.

Towards this goal, Mexico has continued to work and engage actively with civil society representatives and like-minded States to ensure that these core objectives are met. The ATT has proven to be a historic treaty, not only because of its purpose, but because of the constructive cooperation it has promoted between Governments and civil society representatives.

Policy decisions, nowadays, cannot be isolated from the scrutiny and input of organized civil society. The ATT is the first treaty adopted at the United Nations with the active engagement and scrutiny of civil society. In this sense, the ATT is truly a twenty-first century treaty.

# **The role of civil society in promoting disarmament education and advancing the Arms Trade Treaty and small arms and light weapons agenda**

*Emily Street<sup>1</sup>*

*First Secretary*

*Permanent Mission of Australia to the United Nations*

## **Introduction**

As educators, campaigners, and advocates for change, civil society organizations (CSOs), including non-governmental organizations (NGOs), play an integral and crucial role in the United Nations disarmament infrastructure. In the politically sensitive and slow-moving field of disarmament, non-proliferation and arms control, where substantive outcomes can be hard fought and seldom won, the energy and dedication that CSOs bring to their work can help to stimulate debate and move the agenda forward. These organizations keep the spotlight on key and emerging issues, bring new ideas and creative solutions to the table, and, importantly, work to keep Governments honest.

With their experience, knowledge and expertise across the broad spectrum of disarmament, non-proliferation and arms control issues, CSOs can also be valuable repositories of information on what are often highly technical and specialized matters. They not only bring this experience to enrich and inform multilateral discussions, but translate it into effective educational tools for both the public and

---

<sup>1</sup> The author served as the First Committee expert of the Permanent Mission of Australia to the United Nations in 2013 and 2014. Views expressed in this article are her own and do not necessarily reflect those of the Australian Government.



Governments. Beyond raising awareness, CSOs also provide direct assistance to States to address the threats posed by the proliferation of illicit weapons within their territories, to help them better manage government stockpiles, and to comply with their international obligations under relevant instruments. In this way, CSOs have a real and sustained impact in those countries most affected by the scourge of illicit weapon flows.

This paper provides the author's personal perspective on some of the recent contributions made by civil society to disarmament education broadly, as well as to the specific area of conventional weapons, with a particular focus on the Arms Trade Treaty (ATT) and small arms and light weapons.

## **Civil society—awareness raisers and disarmament educators**

To the uninitiated, disarmament can be an opaque and complex field, encompassing a broad range of technical and political issues, and involving a myriad of different organizations, bodies and processes. This is why disarmament education is particularly important and why the United Nations and some Member States have invested—and should continue to invest—time, energy and resources into promoting it.<sup>2</sup>

NGOs, research and academic institutes, and think tanks play a key role in disarmament education, synthesizing large amounts of complex information into practical educational tools made available to the public. The disarmament fact sheets<sup>3</sup> of Reaching Critical Will, for example, provide a useful snapshot of key issues and instruments from a civil society perspective. The innovative use by CSO of social media has also proved effective in disseminating messages on important events and developments in disarmament, non-proliferation and arms control.

The services and products civil society provides also benefit Governments, and in particular, their diplomats working in

---

<sup>2</sup> See General Assembly resolution 69/65 for the latest United Nations resolution on this topic, adopted by the General Assembly during its sixty-ninth session.

<sup>3</sup> See <http://www.reachingcriticalwill.org/resources/fact-sheets>.

multilateral forums. User-friendly and accessible manuals, such as *The Diplomat's Guide to the UN Small Arms Process*<sup>4</sup> published by Small Arms Survey, are particularly useful resources for diplomats new to this area. These tools complement the work of the United Nations Office for Disarmament Affairs (UNODA), which plays a significant role in the promotion of disarmament education for both the public and Governments, including through the United Nations Disarmament Information Programme and United Nations Programme of Fellowships on Disarmament.<sup>5</sup>

Research institutes and think tanks also provide a valuable service to the disarmament community by compiling and aggregating data, which can be used by Governments and/or NGOs as the basis for making critical assessments on key issues. Recent examples include: the Arms Trade Treaty-Baseline Assessment Project developed by the Stimson Center and Coventry University, which compiles data received from States regarding ATT implementation into an online portal;<sup>6</sup> and the Report on Worldwide Military Expenditure, conducted annually by the Stockholm International Peace Research Institute.<sup>7</sup>

Issue-specific papers published by CSOs and academic and research institutes ahead of and during key disarmament meetings also assist in injecting intellectual rigour and detailed analysis into disarmament debates. These publications can highlight linkages and synergies across various multilateral processes (including in the United Nations General Assembly and Security Council) and between new and existing international instruments and processes (for example, between the ATT and the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA)).

While Governments may not always agree with their content, nor be able to realistically implement their recommendations, these materials serve as a useful barometer of civil society thinking and help generate discussion across the disarmament agenda. Similarly,

---

<sup>4</sup> See <http://www.smallarmssurvey.org/?diplomats-guide>.

<sup>5</sup> To access these resources go to <http://www.un.org/disarmament/education/> and <http://www.un.org/disarmament/factsheets/>.

<sup>6</sup> See <http://www.armstrade.info/>.

<sup>7</sup> See <http://www.sipri.org/research/armaments/milex>.

seminars and events organized by CSOs on the margins of major United Nations meetings also provide valuable opportunities for more informal exchanges with Member States, the United Nations and civil society stakeholders, where ideas on new or current issues can be shared and debated.

## **The Arms Trade Treaty—the role of civil society**

The historic adoption of the ATT by the United Nations General Assembly on 2 April 2013 was a major achievement for the United Nations and, more broadly, for the international community. After years of faltering progress across the disarmament agenda, the adoption of the ATT was a clear demonstration of the strength of international will to effect change and to reduce the flow of unregulated conventional arms across the world.

Although the Treaty was ultimately negotiated and adopted by United Nations Member States, civil society played a crucial role over many years in raising awareness about the need for such a treaty and in engaging actively with Governments on specific provisions during the ATT negotiations. A number of Member States, including Australia, not only consulted closely with CSOs ahead of the negotiations, but also included experienced civil society representatives in their national delegations. The fact that 219 representatives from 46 NGOs ultimately participated in the Final ATT negotiating conference, held in New York from 18 to 28 March 2013, demonstrates the level of civil society engagement and commitment to this process.

In his role as President of the Final ATT Conference, Ambassador Peter Woolcott (Australia) also consulted with civil society during an extensive programme of consultations in Geneva, New York and in key importing, exporting and affected States. Like the President of the July 2012 United Nations ATT Conference (Ambassador Roberto Garcia Moritan of Argentina) had done before him, Ambassador Woolcott also included on his team a leading civil society expert in the area of conventional arms (Ms. Rachel Stohl, Senior Advisor at the Stimson Center), whose substantive input and independent perspective contributed to the strong Treaty we have today.

Although consensus was ultimately not achieved on the final ATT text produced by the Final Conference (with the Democratic People's Republic of Korea, Islamic Republic of Iran and the Syrian Arab Republic blocking consensus on 28 March 2013), the Treaty was later taken to the General Assembly where it was adopted by an overwhelming majority of States (154). Leading this process were the seven original sponsors of the first (2006) United Nations General Assembly resolution on the ATT (the "ATT Co-authors": Argentina, Australia, Costa Rica, Finland, Japan, Kenya and the United Kingdom) as well as Mexico, New Zealand, Nigeria, Norway and the United States. However, civil society also played a key role, working alongside these States to conduct outreach to the broader United Nations membership in order to maximize support for the Treaty in the General Assembly on 2 April. The effective "Vote Yes" campaign led by the global NGO coalition Control Arms was an example of civil society's ability to coordinate and mobilize quickly, online and on the ground, across different regions and constituencies, in support of Member State objectives and a concrete and meaningful outcome.

Since then, civil society has continued its global effort to promote the Arms Trade Treaty and achieve its universalization, in close consultation with Member States. Following the Treaty's adoption in 2013, Australia worked with some of the Treaty's key supporters, UNODA and civil society to organize a high-level event at United Nations Headquarters marking the Treaty's opening for signature on 3 June 2013. As they had done ahead of the Treaty's adoption, NGOs across the world conducted an organized and effective campaign to encourage States from different regions to sign the Treaty on this day. This complemented outreach by the key organizers of the event (including Australia) in capitals, Geneva and New York. When the Treaty opened for signature on 3 June, a total of 67 States (including Australia) signed. With sustained outreach by States and civil society over the ensuing months, this number has increased to more than 120 by November 2014.

Since the Treaty's opening for signature, civil society has continued to support efforts by Australia and the other "ATT Co-authors" in New York to promote the Treaty's early into force, including at a ministerial event held on 25 September 2013 during the sixty-eighth session of the General Assembly, and through the

ATT resolution<sup>8</sup> adopted by the General Assembly First Committee on Disarmament and International Security later that year. As part of its dedicated “Race to 50” campaign to encourage States to ratify the ATT, Control Arms also worked with Australia, Trinidad and Tobago and others to organize a joint ATT ratification ceremony at the United Nations on 3 June 2014—exactly one year after the Treaty’s opening for signature. This and subsequent ratification events have assisted in keeping the spotlight on this important Treaty, and in maintaining momentum towards its early entry into force.

On 25 September 2014, the international community crossed the threshold of the 50 ratifications required to trigger the ATT’s entry into force. Significantly, this Treaty—that the international community has worked so hard to achieve—will enter into force and become legally binding on 24 December 2014. That this milestone was reached in such a short period of time is testament not only to Member States’ belief in and commitment to the Treaty, but also to the dedication of those CSOs that kept it at the forefront of government thinking. The role that civil society played in this regard was expressly acknowledged by the United Nations Secretary-General on 25 September 2014, at a ministerial event to mark the fiftieth ratification of the ATT hosted by the Permanent Mission of Saint Lucia, in remarks delivered by the High Representative for Disarmament Affairs, Ms. Angela Kane.<sup>9</sup>

Although the “Race to 50” advocacy campaign of Control Arms is now over, as it and others have recognized, it is now that the real work begins. The effective implementation of the Treaty will be of critical importance if it is to make a real difference on the ground and reduce human suffering. As the international community now moves to the implementation phase, civil society will again be an integral part of the process. Not only will it monitor States’ compliance with the Treaty and hold them to account, but it will also assist States to put the Treaty into practice where it is most needed, through activities focused on practical capacity-building and technical assistance.

In order to help civil society and other assistance providers to carry out this important work, in 2012 Australia and Germany initiated a multi-donor assistance fund—the United Nations Trust Facility

---

<sup>8</sup> General Assembly resolution 68/31.

<sup>9</sup> See <http://www.un.org/sg/statements/index.asp?nid=8048>.

Supporting Cooperation on Arms Regulation (UNSCAR). This Facility, which was launched at the Treaty's opening for signature in 2013, and to which Australia has now contributed AUD 2 million, has already provided funding to a number of CSOs working to help States to ratify and implement the ATT and address the illicit trade in small arms through the UNPoA. A further 18 projects will be funded in 2014, including 11 to be implemented by NGOs, and 2 by academic and research institutes. A number of these projects will be carried out in-country, in those regions most affected by the unregulated trade in conventional arms (i.e. in Asia Pacific, Africa, Latin America and the Caribbean). Others, for example, the Stimson Center's Baseline Assessment Project, are global in application and will help to identify States' implementation gaps and needs, and thereby lay the foundations for facilitating assistance and capacity-building.<sup>10</sup>

In addition to assessing States' ATT ratification and implementation needs, providing technical and legal assistance, and monitoring States' progress in meeting their Treaty commitments, civil society has also been actively involved in discussions on the future architecture of the Treaty, including the rules governing the operation of the ATT and its secretariat. While these decisions will be ultimately made by States at the ATT First Conference of States Parties (which Mexico has offered to host in 2015), key NGOs will have the opportunity to express their views and seek to inform government thinking on these matters. In preparation for the Conference, some CSOs are also establishing groupings outside of Member State-driven processes, in which government, United Nations and civil society experts can have an informal exchange of ideas on the substantive issues. The "Expert Group on ATT Implementation", initiated by Saferworld, and the "ATT Network", convened by the Geneva Forum and the Geneva Centre for Security Policy (GCSP),<sup>11</sup> are two such groupings.

The ATT stands as a clear example of what can be achieved within the United Nations system when the power of collective will

---

<sup>10</sup> For more information on UNSCAR, see <http://www.un.org/disarmament/UNSCAR/>.

<sup>11</sup> See <http://www.gcsp.ch/Emerging-Security-Challenges/Programme-News/Geneva-Forum-and-GCSP-launch-Geneva-based-Arms-Trade-Treaty-ATT-Network>.

is effectively harnessed and directed towards the common purpose of saving lives. The dedication and perseverance demonstrated by civil society throughout the ATT history has been admirable, and has undoubtedly helped advance the Treaty to where it is today. When negotiations became difficult, protracted and at times stalled, the energy and commitment of key Member States and civil society helped to drive the process forward. In a crowded disarmament and international security agenda, these same players have maintained critical momentum towards the Treaty's entry into force, and will continue working tirelessly to ensure it is effectively implemented.

### **Small arms and light weapons—the role of civil society**

Civil society has also made a significant contribution to advancing the disarmament agenda in the specific area of small arms and light weapons, both in the General Assembly context and in the United Nations Security Council.

Throughout the ATT negotiations, civil society joined a large number of Member States in successfully advocating for the inclusion of small arms and light weapons (SALW) in the Treaty's scope. Given the strong resistance by some delegations to this proposal, the ultimate inclusion of this category of weapons in article 2 was a significant achievement, and one which will ultimately increase the impact of the Treaty in those regions most affected by unregulated flows of SALW.

Building on the renewed international focus on SALW following the adoption of the ATT, Australia convened a high-level meeting of the Security Council on the issue on 26 September 2013 during its Council presidency. This debate, which focussed on the impact of the illicit transfer, destabilizing accumulation and misuse of SALW, also allowed for a discussion of the Secretary-General's latest report on small arms.<sup>12</sup> Adopted at the meeting was United Nations Security Council resolution 2117 (2013)—the first Council resolution dedicated to SALW—which articulated practical steps to strengthen and give best effect to Council responses to SALW-related threats to international peace and security.

---

<sup>12</sup> S/2013/503.

Ahead of the resolution's adoption, Australia held a number of consultations with civil society at which they were able to convey their views on the draft text. This ultimately assisted in producing a text that civil society could fully endorse. In the words of Oxfam Australia, "taken together with the ATT, Resolution 2117 could signal the beginning of a new era of international cooperation on arms control".<sup>13</sup>

Notably, the final resolution text included an acknowledgment of the significant role played by civil society in supporting efforts by Member States and intergovernmental, regional and subregional organizations to address the threats posed by SALW to international peace and security.<sup>14</sup> Importantly, it also called for States and other relevant stakeholders to consult with civil society, including women's organizations, when planning for disarmament, demobilization and reintegration, as well as justice and security sector reform efforts, to ensure the particular needs of women and children are taken into account and that women have access to and can participate in these processes.<sup>15</sup>

In its capacity as Council President for September, Australia invited Christine Beerli, Vice-President of the International Committee of the Red Cross, to address the Council during the high-level meeting on 26 September. In her statement, she stressed that the proliferation of SALW prolonged conflicts, facilitated violations of international humanitarian law and human rights law, and put civilians at high risk of death or injury from weapons-related violence. She called on States to do much more to confront that, noting that the problem of SALW must be addressed in a holistic manner through the development of a comprehensive strategy, including reducing the vulnerability of people and communities at risk from small-arms violence, helping victims, providing training in international humanitarian law and human rights law for weapon bearers, and violence-prevention strategies specific to the context. Although the ultimate responsibility for implementing

---

<sup>13</sup> "On the Home Stretch: Why Australia must use its final months on the UN Security Council to advance the rights and safety of civilians", 15 April 2014, p. 10.

<sup>14</sup> Preambular paragraph 17.

<sup>15</sup> Operative paragraph 12.



such a strategy rests with States, Ms. Beerli acknowledged that it was for the entire international community to take action.<sup>16</sup>

Certainly, civil society organizations will play an important role in the years ahead in helping to ensure that Security Council resolution 2117 (2013) is adhered to and effectively implemented, just as they have worked to promote effective implementation of other small arms processes, particularly the UNPoA. Civil society has been a visible and vocal presence throughout this process since Member States adopted the Programme in 2001.

At the 2012 Review Conference on the UNPoA implementation, active input by civil society and engagement with Member States contributed to achieving a strong consensus outcome and forward-looking outcome documents.<sup>17</sup> Most recently, NGOs attending the Fifth Biennial Meeting of States on Small Arms and Light Weapons (BMS5) in New York (16 to 20 June 2014) again worked to highlight to Member States the importance of making progress across the SALW agenda, including through moving testimonies provided first-hand by the survivors of gun violence and their families.<sup>18</sup>

At BMS5, NGOs also supported efforts by Australia and others to seek a progressive outcome document that advanced the SALW agenda and reflected key developments, for example the adoption of the ATT and Security Council resolution 2117 (2013) on SALW, as well as the establishment of UNSCAR.

Consistent with past practice, Australia included key civil society representatives in its delegation and once again benefited from their valuable input and insights. At BMS5, Australia also worked closely with NGOs, specifically the Women's Network of the International Action Network on Small Arms (IANSA), to promote the active participation of women in disarmament and SALW processes. As a result of sustained advocacy by a key group of States during the negotiations—with the support of civil society—the final BMS5 document reflected some progress in this area, referring to Security

---

<sup>16</sup> See <https://www.icrc.org/eng/resources/documents/statement/2013/09-26-att-small-arms-beerli.htm>.

<sup>17</sup> A/CONF.192/2012/RC/4.

<sup>18</sup> See for example: <http://www.iansa.org/blurp/check-out-the-vimeo-of-david-wheeler-speaking-at-the-bms5>.

Council resolution 1325 (2000) on women, peace and security, and highlighting the need to ensure the participation of women in the implementation of the UNPoA.<sup>19</sup>

Unfortunately, a number of other key elements important to Australia and other States (including the ATT, Security Council resolution 2117 (2013) and UNSCAR) could ultimately not be agreed by consensus and included in the final document. However, civil society supported States throughout BMS5 in highlighting the importance of these major developments in the SALW sphere—keeping them in the spotlight and on the agenda for future discussions on SALW.

Given the significant role that civil society has played in the implementation of the UNPoA to date—both through sustained advocacy and the provision of technical and legal assistance to States—it is important that it remains engaged in the diplomatic SALW process. At a time when the United Nations Secretary-General has urged Member States to enhance cooperation with civil society to implement the UNPoA and the outcome documents of the second United Nations Review Conference,<sup>20</sup> it would be unfortunate if civil society were to now abandon the United Nations diplomatic SALW process, as has been recently suggested by some.<sup>21</sup>

While there is certainly merit in exploring alternative pathways and an increased focus on practical in-country initiatives, the United Nations diplomatic process remains the only forum in which all Member States can collectively seek to address the threat posed by the illicit trade in SALW. Despite its many frustrations and the distinct lack of progress in recent years, it was clear during the sixty-ninth session of United Nations General Assembly First Committee that the UNPoA process remains of critical importance to many States, particularly those most affected by the scourge of SALW proliferation. As demonstrated by the ATT, civil society has the ability to help reinvigorate and drive forward intergovernmental processes.

---

<sup>19</sup> A/CONF.192/BMS/2014/WP.1/Rev.1.

<sup>20</sup> S/2013/503, Recommendation 13.

<sup>21</sup> “Firing Blanks: The Growing Irrelevance of the UN Small Arms Process”, Daniel Mack and Guy Lamb, 21 August 2014.

Hopefully, in the years to come, States working together with civil society can also breathe new life into the small arms agenda.

## **Conclusion**

As partners of the United Nations since 1947,<sup>22</sup> NGOs have made a considerable contribution to international debate across the entire United Nations agenda. In many areas, they have demonstrated what it is possible to achieve with limited resources and serious determination. In the field of disarmament, civil society often pushes the boundaries—frequently far beyond where Governments are comfortable—but in so doing it broadens the parameters of the debates and, little by little, assists States to make progress. The disarmament history of the United Nations provides us with numerous examples of partnerships between Governments and civil society actors that have resulted in tangible outcomes and real breakthroughs. This is why their voices should continue to be heard and why their continued participation in United Nations diplomatic processes remains important. It is by working together that Member States and civil society can move the agenda forward to effect sustainable change and ultimately to save lives.

---

<sup>22</sup> Article 71 of the Charter of the United Nations provides that the Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence, and that such arrangements may be made with international organizations, and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

15-00038

ISBN 978-92-1-142303-7

