The Role of Civil Society in the International Negotiations on the Arms Trade Treaty

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Abstract
This article provides a detailed examination of the dynamics of the international negotiations on the Arms Trade Treaty (ATT), adopted 2 April 2013, focusing on the role played by civil society. Control Arms – the primary international coalition of civil society organisations on this issue – entered the negotiating process with a comprehensive ‘vision’ of a robust ATT. In a detailed case study of the key areas of civil society engagement during the diplomatic conferences of July 2012 and March 2013, this article examines the coalition’s ability to shape the debate on priority campaign issues and impact important aspects of the final treaty text. Its success depended on the development of close collaboration with ‘like-minded states’ and intergovernmental organizations, careful management of information flows and the strategic use of global advocacy networks. As such, the ATT experience offers many potential lessons for civil society campaigners seeking to influence and shape United Nations diplomatic processes.

Policy Implications
• Civil society networks are playing a greater role in disarmament diplomacy, shaping the dynamics and outcomes of negotiation processes.
• Through the formation of international advocacy networks, and close collaboration with sympathetic states and intergovernmental organisations, civil society is shaping the evolution of humanitarian norms.
• Civil society ‘network diplomacy’ is multidimensional; it involves many actors, and the employment of multiple mechanisms and strategies.
• These networks are most effective in engaging with negotiation processes when they forge strong alliances with like-minded states; carefully manage information flows; and adopt integrated and targeted advocacy and campaign activities.

Many states have publicly acknowledged the cooperation between states and civil society in the negotiation process as key to the adoption of a robust ATT in 2013. The group of ‘co-authors’ (the seven states that introduced the initial ATT United Nations (UN) General Assembly Resolution, October 2006, to launch talks) acknowledged their ‘great debt’ to civil society activists, ‘who played an active role throughout the ATT process helping and pushing us in finding solutions to various issues’ (Co-author statement, 25 September 2013). Switzerland went further, saying that ‘the success of the ATT could not have been achieved without the strong support of civil society’ (Switzerland Statement, 3 June 2013).

It is well established that civil society organisations are increasingly inserting themselves into and impacting international decision-making processes (Florini, 2000). Over the past two decades, the processes of globalisation have facilitated the emergence of a ‘new diplomacy’ (McRae and Hubert, 2001), providing civil society with greater power and influence in diplomatic processes, once the preserve of states. Many believe the involvement of civil society in international negotiations is having the effect of ‘democratising foreign policy’ (Axworthy, 1998). Complex international networks of nonstate actors have emerged, supplementing conventional state-centric diplomacy by interacting with states and international and intergovernmental organisations to influence world politics. Such networks are variously described as ‘transnational advocacy networks’ (Keck and Sikkink, 1999) or ‘horizontal transnational global networks’ (Kaldor, 2007). They include large international nongovernmental organisations (NGOs), community-based grass-roots organisations, social movements...
and global issue-based coalitions and are characterised by ‘the centrality of principled ideas or values in motivating their formation’ (Keck and Sikkink, 1999, p. 90). These new activist networks are bringing ‘new ideas, norms and discourses’ into policy debates (Keck and Sikkink, 1999, p. 90).

In the last decade, these transnational advocacy networks have been particularly influential in the field of human security, shaping global policy on key issues of international concern (United Nations Development Programme, 1994; Kaldor, 2007; Beebe and Kaldor, 2010; see also Bolton and James’ paper in this special section). Previously however, there was very little effective civil society activism in the ‘high politics’ of security issues as most actors focused on human rights advocacy or environmental challenges (Krause, 2014, p. 229).

These informal ‘border-crossing coalitions of civil society organisations and associations’ (Florini, 2000) find considerable overlap in their humanitarian campaign objectives with intergovernmental organisations, such as the International Committee of the Red Cross (ICRC), as well as sympathetic governments. Two of the most well-known transnational advocacy networks in the area of disarmament, contributing to the adoption of the 1997 Convention banning landmines and the 2008 Convention on cluster munitions, were characterised by civil society organisations, intergovernmental organisations and ‘Middle Power’ states (Bolton and Nash, 2010) joining forces in powerful coalitions to shape global policy (Moyes and Nash, 2011). These campaigns may be a part of the broader peace movement, but as Alcalde explains, they are ‘more sophisticated’ than their predecessors and use ‘a variety of strategies and resources’ while focusing on specific security issues (Alcalde, 2014, p. 235).

There is a growing body of academic literature on ‘humanitarian advocacy’ (Hubert, 2000); examining the role of civil society organisations in forging networks, mobilising public opinion, agenda setting, and influencing state positions and behaviour toward the achievement of humanitarian objectives. But much of this literature focuses on the campaigning period (Short, 1999; Florini, 2000; Rutherford, 2000; Bolton and Nash, 2010). Less understood is the role of civil society organisations during diplomatic negotiations. Similarly, an emerging body of literature explores civil society’s role in getting the ATT on the international political agenda (Garcia, 2011; Erickson, 2007; Spies, 2009; Mack and Wood, 2010; Kytomaki, 2011; Ray et al., 2012; Kirkham, 2012; Amnesty International, 2013), focusing on how the Control Arms coalition shaped debate and framed discussions. But there is little on how the campaign network was able to influence the nature and outcome of the diplomatic conferences in 2012 and 2013, ensuring that their vision of an ATT was reflected in the final treaty document (Green et al., 2013; Callixtus, 2013; Valenti et al., 2014).

As a result, this article focuses on questions of what civil society organisations do in the context of treaty negotiations. How much influence do they have on states once the negotiations begin? What is their engagement with states on a day-to-day basis? What methods of persuasion and kinds of tactics do civil society organisations use to gain leverage over the negotiation process? There has been some examination of how civil society networks operate during diplomatic negotiations outside of the UN process, for example during the ‘Ottawa Process’ on landmines (Hubert 2000; Short, 1999), and the ‘Oslo Process’ on cluster munitions (2008) (Bolton and Nash, 2010), but how civil society functions within the UN system is less well known.

Using the UN ATT diplomatic conferences of July 2012 and March 2013 as a case study, this article examines how civil society campaigners were involved in the negotiation process and the mechanisms and strategies they used to achieve their policy goals (for more details on the ATT negotiation process, see Bolton and James’ paper in this special section). As such, this article provides a close analysis of the everyday practise of civil society organisations in disarmament diplomacy.

Our research is based upon participant observation and taps the perspectives and the insights of government diplomats, representatives of the ICRC and key civil society informants. It is informed by our close involvement in the Control Arms campaign and participation at both diplomatic conferences. One of us was the campaign manager for Control Arms, and the other was with Oxfam GB’s Arms Control team, with responsibility for managing the ATT negotiation mapping database (www.armstreaty.org).

An overview of the campaign to regulate the arms trade, including the establishment of the Control Arms coalition, can be found in the introductory (See Bolton, Whall, Pytlak, Guerra and James’ paper in this special section). We pick up the story again here, by providing an overview of the coalition’s ‘vision’ of an ATT. Using ‘thick description’, we examine three key areas of civil society engagement during the diplomatic conferences, focusing on the tools and tactics adopted by Control Arms members and its partners to influence the dynamics of the negotiation process and final treaty text. The article concludes by examining lessons from the ATT experience for civil society campaigners seeking to influence and shape other UN diplomatic processes.

1. Control Arms’ vision of an ATT

Early in the coalition’s existence, Control Arms developed clear expectations of what it wanted from a global ATT, building on a set of ‘golden rules’, a concept developed earlier by coalition member Amnesty International (Amnesty International, 2008). The four golden rules, while
not having the consensus of everyone in the Control Arms coalition, represented a major position within the coalition. They stated that the future ATT should:

1. be specific and have clearly worded provisions that could translate into domestic law and be implemented through the regular practice of national licensing authorities;
2. be consistent with existing obligations of states, such as those that were already contained in relevant principles of international law;
3. require states to assess whether an arms transfer would be used in serious violations of international human rights law or international humanitarian law (IHL) (this requirement became known more publicly and in popular campaigning as the single ‘golden rule’);
4. recognise states’ responsibilities to foster sustainable development and protect citizens from organised crime, terrorist attacks and other armed violence.

Building on these golden rules, a 2009 Control Arms position paper developed a set of ‘golden principles’ that outlined the coalition’s vision for the ATT’s parameters (Control Arms, 2009). These principles outlined, in clear language and with detail, what a strong and effective treaty would need to include and acted as a compass to guide the advocacy that was being undertaken by an increasingly large number of organisations and individuals with an ever wider range of governments. The result of considerable internal debate, the final document enabled consistent messaging and acted as a unifying force for the coalition.

Principle 1: responsibility of states
States with jurisdiction over any part of an international transfer of conventional arms or ammunition would have responsibility to ensure its legality under domestic and international law (Control Arms, 2009, p. 1). If there was substantial risk that the arms or ammunition will be diverted from the specifically authorised legal end use or end user, the states would be responsible for denying the transfer.

Principles 2 and 3: clear criteria for arms transfer decisions
The second and third principles outline the criteria that states should apply to arms transfer decisions. The second principle states that governments should not authorise an international transfer of arms or ammunition that would violate their expressed obligations under international law. The third principle defined which specific legal obligations and global norms an arms transfer must not violate in order for it to be acceptable. This included considerations of whether or not the transfer would be used in serious violations of international human rights or humanitarian law; genocide or crimes against humanity; terrorism; violent crime or armed violence, including gender-based violence and organised crime. The list also included consideration of the impact of arms on poverty reduction and socioeconomic development, regional security, the accumulation of arms and the prospect of diversion.

Principle 4: a broad scope
Control Arms wanted the treaty to have a broad scope. The treaty should apply to a wide range of conventional weapons, including small arms and light weapons (SALW), as well as ammunition. Controlling the ammunition trade was a high priority because it is even less accountable and transparent than the trade in arms, and comparatively little is known about its scale. In addition to a broad range of weapons Control Arms also desired a treaty that would apply to a wide range of transactions – exports, imports, transit, trans-shipment, gifts, loans and leases, among others. Furthermore, this should apply to the actions of dealers and brokers.

Principle 5: transparency and strong implementation
Control Arms reinforced the importance of transparency and strong implementation mechanisms. The fifth principle calls for annual reports; regular meetings of states parties; a formal review mechanism; mechanisms for monitoring and verifying compliance and also for dispute settlement.

Principle 6: international cooperation and assistance
Finally, the sixth principle states that the ATT must include a comprehensive framework for international cooperation and support, within which states can request and receive assistance from other interested states and relevant international, regional, and sub-regional organisations in order to facilitate full implementation of their treaty obligations.

2. Civil society engagement with the ATT negotiation process
Civil society engagement with the ATT negotiation process was multidimensional, using a variety of mechanisms to persuade states to incorporate the golden principles into the final treaty text. Many actors were involved, including national and international NGOs, grass-roots based organisations and research associations coordinated by Control Arms, and individual experts,
journalists, and partners, such as the ICRC, employing multiple methods and strategies. Lacking the ‘hard power’ that states traditionally use to influence other states, civil society has to use ‘soft’ instruments of power such as ‘moral authority’ and the ‘power of persuasion’ (Florini, 2000) to get their priority issues prominently on the agenda. They have to use ‘the power of their information, ideas and strategies’ to try to effect state policy change (Keck and Sikkink, 1999, p. 95). Three ‘soft’ means of persuasion are identified here that in combination, help to explain the success of Control Arms and its partners in shaping the debate around key policy priorities:

1. Forging of strong alliances between Control Arms members and its partners and sympathetic states.
2. Careful management of information flows among Control Arms and its partners, between civil society and states, and between civil society and the media and general public.
3. Integrated and targeted advocacy and campaign activities delivering common messages to states, civil society, the wider public and the media.

These factors were intimately linked and complementary. The diversity and integrated nature of these different approaches gave civil society leverage over the negotiations. The following sections, however, examine each of these factors in more depth.

1. Forging strong alliances

Forging strong alliances with and between states that shared their vision of an ATT was key to Control Arms’ leverage over the diplomatic conferences. The coalition’s ability to create strong working relationships during the conferences was the result of intense networking and collaboration with states over the previous decade. This forging of ‘multiple actor partnerships’ (Garcia, 2011, p. 29) meant there were already deep levels of trust and confidence between governments and nongovernmental actors at the outset of the negotiations. Civil society’s ability to identify and work with the right partners in pushing for priority issues and providing the appropriate mix of tools to delegates was crucial to their success in influencing the direction of the talks. A key Control Arms tactic was to bring together ‘like-minded’ countries (Garcia, 2011, p. 15) to identify key priorities, discuss strategy, act cooperatively and ensure a common message. Garcia notes that the ‘formation of a like-minded state coalition among a few governments, led by the UK’ in the mid-2000s was one of the ‘constituent ingredients’ in bringing the ‘ATT to life’ (Garcia, 2011, pp. 14–15). According to one of the co-author states, ‘the level of close cooperation...was exceptionally high in comparison to many other multilateral negotiations’ (co-author, unpublished interview, February 2014).

Control Arms engaged most closely with states that shared its vision for the treaty. This strategy also took into account states where the coalition had a strong membership base or ability to make their voice heard. Civil society tended to gravitate towards these supportive countries, in particular the most progressive, to ensure that they felt supported and had the ‘political space to push the bar for high standards in the treaty’ (A. Pytlak, unpublished).

Progressive governments also looked to the coalition and its partners to shape the ‘political dynamic’ within the process. As Bolton and Nash write from their experience with the campaign to ban cluster munitions, ‘NGOs can effectively create space for governments to disagree with each other and for diplomats to take risks outside the formal mandates provided by their capitals’ (Bolton and Nash, 2010, p. 174). Krause has also observed that civil society is most effective in the security arena when they work in partnership with like-minded governments. He further encourages small and middle-power countries to recognize the role that transnational NGOs can play as ‘force multipliers’ (Krause, 2014, p. 229).

Focusing on the many proponents of a robust treaty, as such force multipliers and supporting alliances between these states, was seen as a more fruitful use of campaigner’s time, than focusing on states whose positions were less progressive, more entrenched in traditional models of diplomacy and more difficult to influence. As the Jamaican delegation put it, ‘This coalition was sustained and nurtured by a deftly organised civil society whose steadfast advocacy served as the moral conscience of the process’ (Jamaica Statement, 2013).

Broadly speaking, the ‘like-minded’ states working closely with Control Arms comprised the group of over 90 countries that signed the joint statement on the final day of the July 2012 conference, in favour of the strongest possible treaty (Reaching Critical Will, 2012). This group, including mostly ‘Middle Power’ and small and developing states from all global regions, was not a unified group, however. Each prioritised certain aspects of the treaty, sometimes leading on or championing an issue. This engagement with ‘Middle Power’ states as well as small and developing states was a markedly different approach to that taken by campaigners for the ban on landmines and cluster munitions, where alliances were primarily with ‘Middle Power’ states (Bolton and Nash, 2010; see also Bolton and James’ paper in this special section).

Within this large group, two distinct smaller groups began to emerge. The first included the seven co-authors (Argentina, Australia, Costa Rica, Finland, Japan, Kenya and the UK), which continued to self-identify as a group and saw themselves as ‘brokering and shepherding the process along’ (A. Pytlak, unpublished). The group was not without its differences – some had more progressive views than others and traditional power dynamics were
an ever present feature in some of the relationships. The second group was the ‘progressive states’ initially consisting of Mexico, New Zealand, Nigeria, Norway and Trinidad and Tobago. As one Control Arms campaigner noted ‘these five countries were the most ready to push boundaries and fight hard for a very strong Treaty with solid humanitarian principles at its core’ (A. Pytlak, unpublished). Mexico, in particular, took a strong leadership role throughout the final conference in convening this group. Over the course of the negotiations, Control Arms also forged a close alliance with that group.

During the negotiations, one particularly effective way of building and demonstrating support for priority issues was the use of joint government statements. These expressed support for single issues and were delivered during the plenary sessions, usually instigated by one or a handful of states from the ‘progressive group’. Campaigners played a vital role in sharing these statements with other states and persuading them to become signatories. In this way, states publicly and collaboratively demonstrated their support for a single issue, while it also ‘maximised time during the Conference[s] by eliminating the need for a multiplicity of national statements’ (A. Pytlak, unpublished). Clear leadership on the part of ‘champion’ member states, and the strong articulation of unambiguous treaty language helped to persuade the silent majority of states to lend their support to certain issues and the language suggestions for treaty text. Eight joint statements were delivered over the nine days of the conference. Two of these had more than 100 member states sign them (Reaching Critical Will, 2013), and another four had more than 30 signatories. The use of joint statements as a strategic negotiating tool was not without its challenges.

Three key issues that were impacted by the effective use of joint statements were: SALW and ammunition, the inclusion of gender-based violence (GBV) and development risk assessment criteria, and provisions on public reporting in the implementation section of the treaty. This article will now examine each in turn to illustrate how civil society and proponent governments worked together to advance them through joint statements and other tactics.

Scope – SALW and ammunition

The inclusion of SALW and ammunition in the scope of the treaty was a crucial campaigning issue for Control Arms; the lack of regulation of SALW and ammunition being the primary cause of so much armed violence (Wallacher and Harang, 2011; Murphy and Ray, 2012; Corney and Marsh, 2013). However, the issue of ammunition was ‘highly contentious’ (Geneva Academy, 2013). The US made it very clear from the outset that it would not countenance the inclusion of ammunition in the scope of the treaty, making it a red-line issue – the point beyond which a member state was not prepared to negotiate. However, those states affected by the devastation caused by the lack of regulation of SALW and ammunition, including many African and Caribbean states, felt that a treaty without ammunition would be useless (Bolton, 2013; Callixtus, 2013). In response, Control Arms supported African and Caribbean states in pushing for wider scope. According to one leading campaigner, civil society was ‘instrumental in helping galvanise several key regional blocks, most notably ECOWAS and CARICOM to make these red line issues’ (Oliver Sprague, Amnesty International, unpublished interview, February 2014). The forging of networks with NGOs was part of CARICOM’s ‘strategic negotiation planning’ during the conferences, enabling the region to ‘punch above its weight’ on this issue (Callixtus, 2013, p. 94). Despite opposition from the US, and from China, India, Pakistan and Iran, alliances between civil society activists, African countries and CARICOM states were able to ensure that the final text was ‘considerably stronger that it might have been’ (Oliver Sprague, unpublished interview, February 2014).

Keen to influence the direction of the talks on SALW and ammunition, Control Arms called on an influential ally, President Sirleaf of Liberia, to give a video message to the plenary towards the end of the second week of the July 2012 conference (Johnson Sirleaf, 2012). The plenary session following the broadcast was dominated by interventions from African states which, without exception, endorsed the president’s comments, calling for the scope of the treaty to be widened to include all conventional weapons, SALW and ammunition.

On the back of this strong demonstration of support, the coalition gathered signatures for a joint statement. On the final day of the third week, Malawi issued a statement on behalf of 74 countries, in favour of a scope including SALW and ammunition (Joint Statement by Malawi, 20 July 2013). Following the delivery of the draft treaty text by the president of the conference, the same 74 countries issued another joint statement on 26 July, the penultimate day of the conference, expressing their disappointment that the scope of the text did not include ammunition in a meaningful way.

The inclusion of SALW in the final treaty text was considered a ‘huge success’ for civil society and the champion states, the ‘biggest thing for most civil society groups involved in the ATT process’ (Daniel Mack, Sou da Paz, unpublished interview, February 2013). Disappointingly, the final treaty text did not include ammunition – a compromise found to keep the US in the discussions. However, the fact that prohibitions apply to ammunition, and that they cannot be transferred, is still a significant win for the coalition and its champions. As such, there remains much room for leverage in states’ interpretation of scope going forward (Geneva Academy, 2013).
Criteria – GBV

The ATT is the first global, legally binding treaty to recognize the links between the international arms trade and GBV (Article 7.4), signifying meaningful advancement for IHL, human rights, and peace and security (Acheson, 2013). Due to sustained pressure from a handful of champion governments – Iceland, Trinidad and Tobago, Norway, Finland, Kenya and Malawi – inclusion of an assessment of the risk weapons would be used in GBV moved rapidly from a ‘fringe concern’ to one of the ‘hot-topic issues’ of the two conferences (Green et al., 2013, p. 553).

During the first diplomatic conference, it was still a fringe concern. A leading campaigner on this issue recalls being encouraged by the president of that conference to ask as many governments as possible for their support on this issue. She was told that ‘When there are enough voices raised...the [treaty] language will be there’ (Jasmin Galace, unpublished interview, February 2014). According to another campaigner on GBV, ‘The turning point came in the final round of negotiations when the government of Iceland decided to make this issue a priority’ (Ray Acheson, Reaching Critical Will, unpublished interview, February 2014). She said the coalition and its partners worked closely with Iceland and several other delegates to ‘develop appropriate legal language for the treaty on this issue’ and maintained ‘pressure on negotiating delegations to ensure that the issue was appropriately represented in the final treaty text’ (Ray Acheson, unpublished interview, February 2014).

It was at this juncture that Control Arms members really began to mobilize. An important first step was to assist with gathering signatures for a joint statement outlining the need for strong language on the risks of GBV within the treaty risk assessment criteria. One hundred countries signed the statement issued by Iceland, one of the largest single-issue joint statements during the negotiations. It was sent to the president of the conference as a ‘compelling demonstration of the growing support for language on GBV to be included in the final text’ (Green et al., 2013, pp. 553–554).

According to Green et al., ‘The eventual strong language on GBV in the operational part of the treaty was due in large part to campaigners and champion governments collaborating to win over other states’ (2013, p. 556). One facet of this collaboration included off-site meetings and working dinners that brought together champion governments and civil society experts in one place to focus specifically on developing treaty language and strategize on how best to win further support (Jasmin Galace, unpublished interview, February 2014). Such dinners or meetings were usually organised by Control Arms members with the intention of creating a productive space for like-minded governments to meet outside of the busy and crowded UN rooms. A champion government concluded that ‘Civil society greatly influenced the outcome [on GBV] in many ways’ (champion delegation on GBV, unpublished interview, February 2014). The gathering of so many signatures to the statement, for example, was something ‘a small delegation could not have done on its own’. The level of support generated for the statement was considered to be the turning point on this issue; with vocal opposition from a minority of states and consensus decision making, this ‘task could only have been completed through the help of civil society’.

Criteria – development

The inclusion of development risk-assessment criteria in the treaty was originally one of the Control Arms coalition’s priority messages. This was because of the significant impact that armed violence and armed conflict have on socioeconomic development (Hillier, 2007; Oxfam International, 2008; Ray, 2012). However, according to one Control Arms campaigner, the issue ‘was not a high priority’ on their agenda during the final conference (Ray, D. B, unpublished interview, February 2013), largely because civil society, along with states, ‘had to operate in the world of consensus decision making’. This meant that states which had no intention of ever signing up to the treaty were able to demand ‘trade-offs’ by simply opposing core elements of the treaty until ‘peripheral’ issues were discarded as a sign of compromise. Most government delegations treated development as an ‘add-on’ to the core asks of the treaty. The threat that “all would be lost” if something wasn’t given up weighed heavily on the minds of campaigners’ (Ray, D. B, unpublished interview, February 2013). In the face of intransigence from several states, the issue was eventually dropped from the text in the final hours of the March conference ‘in order to preserve consensus’.

Despite the inflexibility demonstrated by states ‘it was impressive that civil society managed to raise the profile of the issue as high as it did’ noted the same campaigner (Ray, D. B, unpublished interview, February 2013). As a result of concerted lobbying, 43 countries signed up to a joint statement in support of the inclusion of development (CARICOM signed up afterwards) (Joint statement by Costa Rica, 19 March 2013). The ability of civil society to galvanise this level of support and profile ‘will allow the issue to remain on the ATT agenda for future considerations – particularly once the Amendment process is open’ (Ray, D. B, unpublished interview, February 2013).

Implementation – reporting

A key campaign issue for the coalition was the need for provisions on public reporting in the treaty (Finardi
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and Danssaert, 2012). However, there was ‘so much opposition’, even from progressive states, that the issue was ‘dead in the water from the outset’ (Roy Isbister and Elizabeth Kirkham, Saferworld, unpublished interview, February 2014). Civil society was nevertheless able to exert pressure to expand the number of supportive states and persuade them to sign up to a joint statement on public reporting. As one champion government delegate noted ‘the message we were spreading [on this issue] was amplified by the advocacy efforts of NGOs in the room’ (champion delegation on reporting, unpublished interview, February 2014). On the third day of the final conference, Lithuania issued a joint statement on behalf of 37 states, on the necessity of including mandatory public reporting in the treaty (Lithuania statement, 2013). This was reinforced by a second statement delivered by Lithuania on 26 March, supported this time by 62 countries (Lithuania statement, 26 March, available from the author). The lobbying effort by NGOs was one of the factors that contributed to such growth in support.

Public reporting was not made mandatory in the final treaty text (Geneva Academy, 2013), but ‘it provides for reports to be made publicly available’ (Control Arms, 2013), thereby setting an important ‘progressive norm’ in the implementation phase, improving transparency in the global arms trade (Roy Isbister and Elizabeth Kirkham, Saferworld, unpublished interview, February 2014). Moreover, the process of negotiating and discussing this point helped many states, even reluctant ones, to accept the view that the act of public reporting was still firmly rooted in the implementation mechanisms of the ATT. So while not made mandatory, states remain optimistic about the prospects for public reporting, particularly as many shared the assumption that national reports will be circulated or made available by the future ATT secretariat (T. Ishigaki, Forthcoming).

Importantly, monitoring of treaty implementation will be undertaken by both States Parties and civil society. In its Summary Analysis of the Arms Trade Treaty, Control Arms notes ‘The effectiveness of these efforts will be determined, to a large extent, by the quality and quantity of information that States Parties produce under the reporting and transparency provisions of the ATT’ (Control Arms, 2013). It goes on to say ‘For its part, civil society will closely monitor implementation of the treaty and will press their national governments to produce and make public the most comprehensive national reports possible’.

Final adoption

Probably one of the most prominent examples of civil society working closely and effectively with states to achieve influence over the ATT negotiations was during the final hours of the March 2013 conference, during which Control Arms and its partners collaborated with co-authors and like-minded states to secure 75 signatures to Resolution A/67/L.58 (UN General Assembly, April 2013) the Resolution is what made it possible to take the treaty to be adopted in the General Assembly by a vote (Macdonald, 2013). The resolution was tabled by Kenya immediately after the final conference failed to adopt the draft treaty text, on behalf of Argentina, Australia, Costa Rica, Finland, Japan, Mexico, New Zealand, Nigeria, Norway, the UK, and the US and was co-sponsored by 64 states. Once tabled, it was important to secure as many co-sponsors as possible, as co-sponsorship would mean a ‘yes’ vote and to ensure that smaller delegations were made aware of the General Assembly session. With only a few days and a holiday weekend separating the end of the final conference and the General Assembly session, civil society activists and governments both worked quickly to approach all other government delegations to persuade them to co-sponsor the Resolution and vote ‘yes’ on 2 April. According to one of the co-authors ‘The collaboration between States and NGOs in securing an overwhelming number of co-authors for the adoption of the ATT at the General Assembly on 2 April was the defining moment of the ATT negotiation process’ (co-author, unpublished interview, February 2014).

The evidence above underlines the importance of ‘the state as partner’ (Hubert, 2000, p. xiii), in helping to explain civil society’s successful engagement during the ATT negotiation process. As the ATT case demonstrates states can be ‘formidable advocates’ (Hubert, 2000, p. xiii); those not on board were being lobbied not only from below by Control Arms and its partners, but also from outside by their peers. The case also illustrates the importance of ‘building from below’ (Hubert, 2000, p. xiii). For example, Control Arms saw the strategic value of building regional and group alliances among states in its objective of consensus building. The coalition had used this ‘building block strategy’ (Garcia, 2011, p. 30) throughout the ATT campaign. Although the objective of Control Arms was a treaty with global support, the coalition saw the benefit of disaggregating the process by building support in smaller and regional groups, since these groups provided greater access and leverage for civil society actors.

2. Careful management of information flows

According to Keck and Sikkink, ‘information binds network members together and is essential for network effectiveness’ (1999, p. 95). By ‘serving as alternative sources of information’ civil society organisations also gain influence (Keck and Sikkink, 1999, p. 95). Other scholars have described the importance of framing the issue or problem that a network wants to change as a crucial factor for its success. According to Alcalde, frames...
are most successful when ‘they are used to bridge different positions including those based on hard security concerns (most diplomats) and those held by workers in the field (most activists)’ (Alcalde, 2014, p. 237). He argues that the best illustration of this is the concept of ‘human security’. While effective, he does note the multiple difficulties that arise in trying to frame a problem at the transnational level which encompasses diverse realities and contexts (Alcalde, 2014, p. 237).

Through its meticulous control of the exchange of information, Control Arms campaigners were successful in setting the agenda and changing the terms of debate on several key issues. Information flows during the ATT negotiation process were multiple and complex. With states, the Control Arms coalition adopted a ‘two level approach to information’ (Keck and Sikkink, 1999, p. 95), including the provision of facts – through research and policy papers, technical and legal advice, workshops and side events, and the sharing of intelligence, but also of testimonies – ‘stories told by people whose lives have been affected’ (Keck and Sikkink, 1999, p. 95). Information also flowed between the coalition leadership and campaigners in New York, and between the Control Arms secretariat and its coalition members located in capital cities. Finally, information also flowed from the coalition to the general public and the media.

Information exchange between Control Arms secretariat and government delegates: factual information

One of the primary ways in which the coalition shared information with governments was through the publication of research and policy papers to share information and policy messages with delegates prior to and during the Conferences. According to Green et al., the production of ‘hard-hitting and compelling information that was solutions-orientated’ was effective in agenda-setting (2013, p. 559). For example, the Oxfam and Saferworld March 2013 policy paper Getting It Right: The pieces that matter for the Arms Trade Treaty, proved to be particularly influential in shaping the debate at the final conference (Whall et al., 2013). Analysing the July 2012 draft treaty text, it highlighted the shortcomings of the draft treaty, identifying ‘loopholes’, and providing recommendations for a robust text. The paper focused delegates’ attention on the key weaknesses of the draft text and their humanitarian implications. Much of the coalition’s campaigns and policy initiatives during the March conference drew on its analysis and recommendations.

The provision of detailed technical information to delegates was another key tool used by civil society to influence states’ positions on priority issues. With such a large and diverse membership, the coalition was able to draw on a wealth and breadth of knowledge and expertise. As one Control Arms campaigner remarked, this is where civil society ‘really came into [its] own’ (Roy Isbister and Elizabeth Kirkham, Saferworld, unpublished interview, February 2014). Control Arms campaigners focused on providing like-minded governments with the technical arguments they needed to shape the debate from the conference floor and in the corridors through their private conservations with other states. Many states consulted with members of the coalition and its partners on matters of policy, often depending on their knowledge and expertise. This was especially the case for small and developing states with limited resources, but also delegations lacking knowledge on particular aspects of the treaty. The Jamaican delegation noted that the ‘technical advice’ of civil society ‘provided substantial input for [the] negotiations’ (Jamaica Statement, 3 June 2013). By sharing information, Control Arms was able to ‘bring countries that were not knowledgeable about the ATT into the process and be able to participate’ (member of ‘progressive group’, unpublished interview, February 2014). It was clear that encouraging the silent, but largely supportive states to speak out in plenary in favour of a strong treaty helped to silence the few, but vocal opponents.

The value of civil society’s technical advice was particularly apparent in the debate on the scope of the treaty, where campaigners were often called on as an important resource to help brief government delegations on what to call for in scope discussions. Callixtus notes that NGOs ‘were an invaluable source of research, support and public diplomacy to many delegations — both those of weak and powerful states’ on the issue of scope (2013, p. 106). Civil society strategy on the issue of scope was to engage with supportive governments and to ‘de-bunk or challenge counter arguments’ (Olive Sprague, unpublished interview, February 2014). Aware of the resistance from the US to the inclusion of ammunition in the scope, and from other states to the inclusion of SALW, campaigners used their ‘technical expertise in this area to ensure that the progressive states were able to strongly challenge attempts to weaken scope discussions’ (Olive Sprague, unpublished interview, February 2014).

Civil society’s ‘excellent technical knowledge’ of export control issues was ‘instrumental in ensuring the scope was strengthened, including keeping small arms and light weapons and (albeit imperfectly) ammunition and parts and components’ (Olive Sprague, unpublished interview, February 2014). Civil society was able to ‘demonstrate [it] knew exactly what [it was] talking about in lobby meetings, policy briefings and advocacy work’. Arguably, civil society demonstrated ‘greater technical knowledge’ on scope than many diplomats at the conferences.

Control Arms also utilised their legal expertise. Initiated by Oxfam, the ATT Legal Response Network of pro-bono global lawyers offered real-time advice to states and civil
society between and during the conferences. ATT Legal, as it came to be known, proved an invaluable source of information particularly in providing legal analysis on draft treaty language and suggesting alternative text. During the inter-sessional period, Saferworld held two technical seminars with friendly governments where they presented a political and legal critique of the July 2012 draft treaty, prepared by ATT Legal, outlining the many inadequacies of the draft treaty. These and other seminars organised by Control Arms members provided an important space for delegates to ‘engage in discussions on substance’ and to exchange views among themselves and with civil society (co-author, unpublished interview, February 2014).

This legal and political critique became the Control Arms policy document for the March conference and informed the policy positions of many states. While recognising that with enough time, it and other delegations could have done the work by ATT Legal, a champion government on GBV noted that ‘time is of the essence in these kinds of negotiations’ and the work of ATT Legal enabled the ‘timely submission of proposals’ on this issue (champion delegation on GBV, unpublished interview, February 2014). Importantly, ATT Legal was also able to help in ‘forging a consensus’ among states on proposed treaty language on GBV, by providing information on all ‘relevant consensus language from past agreements, resolutions, declarations, etc’. This level of research, in the time constraints that delegates were operating within, was ‘impossible to achieve for small delegations’.

The modalities by which information was shared was diverse. According to the same champion government on GVB, civil society ‘improved the flow of information’ during the conferences through ‘the sharing of intelligence on particular views, objections and positions of the opposition’, and that the sharing of information between civil society and governments was one of the ‘tools necessary to complete the job’ (champion delegation on GBV, unpublished interview, February 2014). One co-author country shared that their delegation ‘met regularly [with civil society] to exchange information on the status of the negotiations and [to share] our respective assessments’ (co-author, unpublished interview, February 2014). The content of these meetings ranged from ‘detailed analysis and discussions on the draft text’, the formulation of ‘game plans’ and ‘assessment of the positions of key States’. This regular contact helped each party ‘to obtain better insights on the dynamics of the negotiations and also to devise a better strategy to ensure the success of the conference and adoption of the treaty’. These meetings were effective in ‘sharing and consolidating views at key junctures of the negotiations’.

The same delegation remarked: ‘I believe we were able to complement each other’s role and advocated strongly for the success of the conference from our respective positions. Such partnership in my view was a key to the success of the ATT process’.

**Testimonial information**

Throughout the ATT campaign, Control Arms brought forward the stories of victims of armed violence, whose personal experiences were the impetus behind the campaign for an ATT. These stories and testimonies were used by the coalition as what Rutherford (2000, p. 1) has called the ‘priming tool’ to generate increased international attention to the issue. The testimonies helped to make the need for action more real for the general public. Control Arms also utilised testimonies during the conferences to motivate states to change their policies and supported the participation of many survivors of armed violence to attend the negotiations where they played a key role in the coalitions’ lobbying and campaigns initiatives. Their stories gave the issues a ‘human face’ and were regularly picked up by the media.

Yet while the messages of survivors resonated well with the public, they were less successful with decision-makers. Disappointingly, even the most progressive states failed to respond to calls from civil society to include victim assistance provisions in the treaty, with many arguing that it was beyond the scope of the treaty. As a result, the need for victim assistance was relegated to the nonbinding preamble of the treaty. According to one Control Arms campaigner, victim assistance was an ‘incredibly important aspect of the broader armed violence work, but always a poor fit to what was being proposed for the ATT; from the beginning it was clear that it wasn’t going to fly and because of that it was pushed away’ (Control Arms campaigner, unpublished interview, February 2014). However, the ATT in ‘Recognising also the challenges faced by victims of armed conflict and their need for adequate care, rehabilitation and social and economic inclusion’ has nevertheless ‘paved the way for increased attention in this area’ (Valenti et al., 2014, p. 10).

**Information flows between Control Arms secretariat and coalition members**

Information flow **within** the civil society network was also important for network effectiveness during the conferences. For example, the Control Arms coalition ensured that all of its campaigners in New York were ‘singing from the same hymn sheet’ in their delivery of policy messages. To facilitate this, the coalition held a daily briefing session on the day’s top messages to share with delegates, campaigners in capital cities and the media.

The coalition’s ability to coordinate among the many different civil society organisations (members and
nonmembers), and to keep all members of the wider ATT network briefed and ‘on message’ instilled trust and confidence in delegates. Many were understandably apprehensive about sharing intelligence with different civil society groups and the possible misrepresentation of their positions or the undermining of their work through uncoordinated public statements. Control Arms was able to win the trust of government delegates; this was reflected in a public statement by Norway where it said civil society had provided ‘efficient and professional support’ (Norwegian statement, 3 June 2013).

The coalition also ensured that there was a constant and reliable flow of information from New York to its members in capital cities. Control Arms produced a ‘Daily Summary’, detailing government statements from the plenaries, which were disseminated by email at the close of each day to the coalition membership; an important tool for briefing campaigners not present at the Conference and enabling them to lobby effectively at home.

Information flows between Control Arms secretariat and the media and general public

Control of information to the general public and the media was also important. The media, recognised as ‘essential partners in network information politics’ (Keck and Sikkink, 1999, p. 96), played an important role in getting Control Arms messages to a global audience. The coalition worked closely with interested journalists, briefing them, providing interviewees, and packaging information in a timely and dramatic way to draw maximum press attention.

Control Arms was very successful at dominating the relationship with the media, as the ‘primary organiser’ of numerous press conferences throughout both negotiating conferences (A. Pytlak, unpublished). States were less active in issuing press statements, press releases or reactions to developments. Civil society cultivated a ‘close relationship’ with the UN press corps and obtained strong coverage in multiple languages and regions. This enabled the coalition to press home priority messaging at key moments in the talks. Apart from press conferences, Control Arms organised three media stunts over the course of the two conferences that involved dramatic visual settings outside of the UN grounds to which media broadcasters were invited to get interviews and take photographs. The coalition also used blogs to help communicate the issues to a global audience.

The Control Arms social media campaign was especially effective in generating public attention to the negotiations, managing to get the hashtag #arms treaty to trend on Twitter in over ten cities in the final hours of the final conference (A. Pytlak, unpublished). Campaigners were reacting to the progress of negotiations as they happened and occasionally found their tweets incorporated almost verbatim into the speeches of sympathetic diplomats a few minutes later (authors’ observations of negotiations). Perhaps in recognition of this new diplomatic interactivity, Ambassador Woolcott, the chairperson of the final conference, announced the release of one of his treaty drafts on Twitter (@ATT_Conference, 2013). In the final hours of the March conference, Control Arms used social media to share information on which delegates would vote ‘yes’ on 2 April. Twitter photos showing delegations holding a sign saying ‘I will vote yes’ were shared among diplomats, civil society and the general public informing them of the latest status of each state’s position. The point of this activity, with its focus on encouraging and reinforcing positive behaviour among states, was not lost on delegates. Many were seen thereafter to be following closely the Control Arms Twitter feeds to see what was being said about them and other states.

Control Arms’ use of information underscores the importance of civil society ‘credibility’ (Hubert, 2000, p. xii). Control Arms campaigners were experts in their field and could speak with authority to government delegates. The coalition’s ability to provide and share credible information and technical and legal expertise with government delegates gained states’ trust and confidence. Use of information was also an effective tool of ‘pressure and persuasion’ (Hubert, 2000, p. xii); it helped to change the views of governments and the public, altering their understanding of the issues at stake. Control Arms campaigners recognised that changing the perceptions of states was a matter of ‘providing better and more complete information’ (Hubert, 2000, p. xii).

3. Integrated and targeted advocacy and campaigns activities

Control Arms used a wide range of timely, integrated and targeted advocacy and popular campaign initiatives to share its policy messages and to contribute to the development of appropriate treaty language on key issues. Various methods of advocacy were utilised including: direct lobbying with government delegates, via bilateral and group meetings; less visible, private discussions with delegates; and coordinated advocacy with sympathetic partners, such as the ICRC. To complement these advocacy strategies and to amplify its policy messages, Control Arms used a variety of popular campaign activities. Effective advocacy depended on NGO access to the conferences; coordination and the division of labour; the diversity of advocacy activities; and the use of popular campaigning, as the following paragraphs will describe.

Access

For lobbyists, access to the conference room where the negotiations took place was important for interacting
directly with delegates and reacting swiftly to unfolding events (Green et al., 2013, p. 557). Having helped to ‘shape the terrain’ against which the negotiations were to take place (Roy Isbister and Elizabeth Kirkham, unpublished interview, February 2014) the Control Arms coalition anticipated playing a key role during the diplomatic conferences. As Bolton and Nash have remarked, it is becoming ‘more common to find established NGOs seated with voice (though no vote) in international conferences on security, development and humanitarian issues’ (Bolton and Nash, 2010, p. 174). While some member states initially objected, the Rules of Procedure (RoP) allowed NGOs access to the plenary meetings of the diplomatic conference and its main committee, but not to meetings of other organs of the diplomatic conference such as subcommittees and working groups. They were also provided with a meeting room within the conference centre to utilise throughout the conferences and were also allocated a slot at both conferences to make a public statement.

Contrary to the agreed RoP, however, around half of the main committee sessions during weeks two and three of the July conference were designated ‘closed’, ‘meaning that civil society was excluded from important sections of the debate’ (Kirkham, 2012). Other closed sessions were also held in weeks three and four. Control Arms objected strongly to this ‘unpredictable and sometimes opaque’ (Control Arms, 2012; Kirkham, 2012) style of negotiations. In such instances, civil society would rely on information being shared by NGO colleagues who were also a part of governmental delegations, as technical experts, and who therefore had access to all sessions. Accrediting NGO members as part of government delegations benefited states, particularly smaller ones. As Callixtus has noted, ‘To mitigate its resource constraints the CARICOM negotiation team...harnessed the support of CDRAV [a member of Control Arms] which played a critical role in providing timely research and information to CARICOM’ (Callixtus, 2013 p. 106).

More than 300 civil society delegates from all regions of the globe attended the July 2012 diplomatic conference, including survivors and victims of armed violence, campaigners, policy experts, researchers, media and communications experts, legal analysts and logisticians; 160 civil society delegates attended the March 2013 conference. Indeed some NGOs delegations were larger than those of many of the smaller states (Callixtus, 2013, p. 105). The participation of so many civil society delegates was made possible by the fact that some of the Control Arms’ members were large international NGOs with significant budgets. Many NGO participants were also funded by governments. Australia alone funded 50 NGO delegates to participate in the negotiations (Carr, 2012).

The evidence above underscores the importance of ‘access’ for Control Arms campaigners in understanding the effective engagement of civil society in the ATT negotiations. According to Hubert, the presence of ‘rules of procedure allowing access by NGOs’ is one of the key factors enabling the successful engagement of civil society coalitions with international negotiation processes (Hubert, 2000, p. 57).

Coordination and the division of labour
To achieve maximum effectiveness in its advocacy the Control Arms coalition exploited the comparative advantages of the various member organisations involved, looking to campaign partners to take the lead on key issues of concern, while simultaneously coordinating the coalition’s campaign priorities when presenting its demands.

The size of the civil society delegation, and the size of the network itself, ‘meant it was possible to designate “specialist leads” for different issues within the negotiations’ (Green et al., 2013, p. 557). For instance, a ‘Gender Committee’ was established during the two conferences, comprising experts on GBV, such as campaigners (including Control Arms coalition members and nonmembers), who devised strategy, and led on direct lobbying and members of ATT Legal who developed appropriate treaty language (Jasmin Galace, unpublished interview, February 2014). While some members of the Gender Committee worked the conference floor, engaging in bilaterals and group discussions with government delegates to drum up support for the inclusion of this issue in the treaty, others would pore over different versions of the treaty text, analysing the language and developing alternative wording. In addition to specialist leads, Control Arms also appointed ‘regional leads’ to liaise with and lobby regional groups, analyse regional positions on the treaty and shape the coalition’s relevant advocacy and policy responses.

The coalition also established a ‘rapid response’ policy and legal team, to undertake ‘real-time, thorough analysis of the draft treaty text each time a new version was introduced to the plenary, together with rapid identification of lobby priorities, and sharp, targeted campaigns actions’ (Green et al., 2013, p. 558). It also suggested alternative text embodying lobby priorities, and used this selectively with champion governments to support them in generating support for particular articles and thematic issues. This required ‘agility and the ability to focus, and most crucially, made the advice civil society gave to delegates relevant’ (Green et al., 2013, p. 558). According to Green et al., this resulted in a ‘far wider and deeper engagement with government delegations’, and ‘reinforced support for embedding concerns around [the coalitions’ campaign priorities] as core elements of the treaty’.

On some key priority issues, such as the golden rule, campaign partners such as the ICRC took the lead, working closely with members of the coalition,
such as Amnesty International. The ICRC had long been a strategic player in the debate on the importance of including the golden rule in the treaty, engaging closely with supporter states, with the Control Arms coalition playing a critical supporting role (International Committee of the Red Cross, 2007; Garcia, 2011). According to an ICRC representative, the Control Arms coalition was of ‘tremendous assistance’ in pushing the ICRC agenda and the messaging from Control Arms was ‘always compatible’ with its messaging (ICRC representative, unpublished interview, February 2014). The ICRC met daily with members of the Control Arms Steering Board and ATT Legal during the final conference, for two-way briefing sessions.

Control Arms played a key role in making sure all delegations understood the golden rule and ‘the implications for agreeing to compromised language’ in the final treaty (ICRC representative, unpublished interview, February 2014). Coalition members encouraged and assisted states to include appropriate language in their statements. One delegation remarked that civil society’s ‘prominent advocacy helped the agenda-setting’ on this issue (champion delegation of golden rule, unpublished interview, February 2014), noting that civil society was engaged ‘from the beginning’ in ‘constant and long-lasting work’, acting as a ‘driving force’, and setting ‘a clear stage with the golden rule which was understood by all delegations’. The same delegation also noted that civil society acted as a ‘sounding board for (like-minded) governmental officials’, concluding that ‘civil society obliged the UN Member States to recognise the importance of the golden rule and to concentrate their efforts on [this] particular issue’.

Ultimately, the threshold for risk assessment in the final treaty (Article 7.3) was not as strong or effective as it could have been. While the Control Arms coalition, ICRC, and many champion governments wanted the treaty to refer to ‘substantial risk’, the final treaty text referred to ‘overriding risk’ (Geneva Academy, 2013). This was largely because ‘some states that had a crucial role in the negotiations were not in favour of a very high threshold’ (champion delegation of golden rule, unpublished interview, February 2014), and despite the fact that ‘different approaches and argumentation lines were applied’ by various delegates, this position ‘could not be changed’. According to the ICRC, it was always going to be a ‘huge challenge’ to obtain a high threshold, largely because of the consensus rule (ICRC representative, unpublished interview, February 2014). In the event, Article 6.3, which outlined the prohibitions for arms transfers, was ‘not ideal’, and was less than was hoped for (ICRC representative, unpublished interview, February 2014). However, ‘Given that humanitarian considerations have been the principle driving force behind the adoption of an ATT, this points towards refusing authorisation if the risks of an undesirable outcome are judged to go beyond a specified threshold, for example, where there is a substantial or clear risk’ (Control Arms, 2013).

The case study also underlines the importance of ‘coordination’ and the ‘division of labour’ (Hubert, 2000, p. xii) in explaining the successful engagement of Control Arms and its partners in the ATT negotiations. The division of labour across the Control Arms coalition and its partners, along with coordinated policy messaging, maximised the effectiveness of the wider ATT campaign network.

Diversity of advocacy activities

Alongside direct lobbying, Control Arms campaigners also engaged in less visible, private discussions with state delegations. The working dinners that brought together GBV policy experts from the coalition with progressive governments to discuss strategy was one such example. On the heels of a dinner organised during the July 2012 conference, campaigners and advocates hosted a public side event together with one of the progressive governments. The common objective was to encourage states to make interventions in the plenary in support of GBV risk assessment criteria. This promoted some 75 individual supportive statements during the conference. Following this, campaigners publicly thanked representatives of delegations who called for the ATT to include GBV criteria, by presenting them individually with a fake ‘Forget-me-not’ flower and message of thanks. Photos of these presentations were then circulated on social media and featured on the website of Control Arms. This helped to create an atmosphere of support, and ultimately encouraged states to publicly support the issue by making progressive statements on the floor. At the final conference, Control Arms hosted another dinner with champion governments for GBV, to discuss the draft text and strategy on the negotiation process. This brought government representatives from different regions as well as civil society together and provided a forum in which to build support for strong language on GBV in the treaty through initiatives such as the 100-strong statement led by Iceland.

As important to the direct lobbying within the conference centre itself, and the indirect lobbying outside the UN building in New York, campaigners in capitals across the globe constantly met with officials in charge of arms control affairs in Ministries of Foreign Affairs throughout the conferences and in between, to impart civil society’s positions, requests and demands. By mobilising its constituents in capital cities, the Control Arms coalition was able to ‘hold governments to account’, particularly those progressive states which in the absence of concerted pressure, were in danger of not staying in line or on message (member of ‘progressive states’, unpublished interview, February 2014).
Popular campaigning

Popular campaigning tactics were central to the Control Arms armoury of ‘pressure and persuasion’ (Hubert, 2000, p. xii). Since it was impossible for campaigners to talk to all states in the conference room, it was important that those states that might otherwise have felt ignored or side-lined, were aware of and involved in the popular campaign strategies devised by Control Arms. Equally important, popular campaigning helped to ‘lighten the mood’ in the plenary, helping ‘to prevent the talks from becoming entrenched’ (Roy Isbister and Elizabeth Kirkham, Saferworld, unpublished interview, February 2014). For example, Control Arms representatives often distributed postcards outside the doors of the plenary hall with hard-hitting messages and modern info-graphics that ‘hit the right messages about the topics up for discussion in that session’ (A. Pytlak, unpublished). For example, on the day when the session focused on the treaty’s scope, then Control Arms distributed a postcard asking delegates to spot the difference between two very similar looking weapons; only one of which was being considered for regulation under the treaty at that time.

Popular campaigning also took the debate outside the conference room and the UN building and ‘connected those outside with what was going on inside, and vice-versa’ (Roy Isbister and Elizabeth Kirkham, unpublished interview, February 2014). It reduced ‘the gap between the UN and the outside world’ and importantly, it persuaded delegates that ‘the world was watching’. For example, Control Arms twice organised a Global Week of Action ahead of the negotiating conferences. Its members leveraged their relationships with senior faith leaders, parliamentarians, Nobel Peace Laureates and medical professionals to obtain their support for sign-on statements called declarations. Three such declarations were presented together to UN Secretary General Ban Ki-moon at a ceremony in July 2012, along with over 600,000 signatures of ordinary citizens collected in a three-month period (Valenti et al., 2014).

Conclusions

The factors that led to the successful engagement of civil society during the ATT negotiations were the combination of strong alliances among and between Control Arms members and its partners and sympathetic states; the careful management of information flows between Control Arms and government delegates, among Control Arms and its partners, and between civil society and the general public and the media; and integrated and targeted advocacy and campaigns activities, delivering common messages to states, civil society, the wider public and the media. These mechanisms, in conjunction, enabled Control Arms members and its partners to engage meaningfully with decision makers, and support the states who stepped forward to champion the campaign network’s priority issues in the treaty.

The successful engagement of the Control Arms coalition and its partners with the ATT negotiation process confirms that transnational civil society networks continue to play an increasingly important role in global issues, particularly in the human security area. They are the emerging ‘third force in global politics’ (Florini, 2000) and are becoming a permanent and powerful contributor to solving the world’s humanitarian problems.

Moreover the case study suggests that successful civil society engagement in disarmament diplomacy is not restricted to ‘self-selection’ processes, like the Ottawa and Oslo Processes (Short, 1999), where states negotiated a free-standing treaty outside the UN, but can also be a feature of inclusive UN member state processes, where negotiations occur within formal institutions. Importantly, the ATT case suggests an enhanced role for the UN General Assembly in disarmament and arms control policy in the future and a greater openness on the part of the General Assembly to the participation of civil society.

It suggests that civil society can influence complex human security issues. The success of the campaigns to ban landmines and cluster munitions has been attributed in part to the fact that they were ‘single issue’ campaigns (Bolton and Nash, 2010, p. 174), focusing on marginal and ‘easily stigmatised’ (Bolton et al., 2012, p. 4) weapons systems. The campaign to control conventional arms was by contrast ‘much more complex and multifaceted’ (Hubert, 2000, p. xiv). Indeed, an ATT was regarded as one of ‘the most ambitious and difficult goals to achieve in global governance’ (Bolton et al., 2012, p. 4). Nevertheless, Control Arms and its partners were able to effectively engage in the negotiations on the ATT and shape the outcome so that many of its campaign priorities were reflected in the final treaty text.

In the final analysis, the influence of civil society on the ATT negotiation process is perhaps best measured by the main players themselves. On the adoption of the treaty (The Arms Trade Treaty, 2013), the UN Secretary General took the opportunity to ‘commend the members of civil society for the critical role they played from the inception of this process, through their expert contributions and enthusiastic support’ (United Nations Press Release, 2 April 2013). ‘States did not do this alone,’ said Peter Woolcott, chairman of the final conference. ‘It is important we recognize the enormous contribution of civil society who have been advocating for this Treaty for many years, who informed our negotiations and who have an important role in the years ahead’ (Woolcott, 2013). Christine Beerli, the vice president of the ICRC meanwhile paid tribute to the ‘many nongovernmental organisations...that worked tirelessly to bring us to this point’ (International Committee of the Red Cross, 2013).
Many government delegates took the opportunity at the signing ceremony to praise the role played by Control Arms and its partners, recognising the critical part civil society played in the promotion and adoption of the treaty. Member states acknowledged the ‘active’ (Albania) and ‘instrumental role’ (Turkey) played by civil society during the negotiation process and the ‘steady support’ (Argentina), ‘momentum’ (Chile), ‘passion’ (Japan), ‘commitment and hard work’ (Mexico), ‘recollect’ (Norway), ‘unwavering dedication’ (Republic of Korea) and ‘conviction’ (Spain) civil society organisations brought to the negotiation process. Brazil for example, expressed its ‘deep appreciation’ to campaigners for their ‘brave and wholehearted engagement in promoting the instrument’ (Brazil statement, 3 June 2013), while Estonia said the role of civil society was ‘remarkable and irreplaceable’ (Estonia statement, 3 June 2013). Iceland said ‘The process leading up to the treaty has also been a good example of how all stakeholders, Member States and civil society can work together towards a common goal’ (Iceland statement, 3 June 2013). At the UN high level event on the ATT in September 3 June 2013, the US recognised that the commitment of civil society organisations was ‘vital to winning global support for [the] Treaty’ (US States Statement, 25 September 2013).

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