
DISARMAMENT, DEVELOPMENT AND PATTERNS OF MARGINALISATION IN INTERNATIONAL FORUMS

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Article36

INTRODUCTION

Lower income countries are less likely to attend, speak at or hold formal roles in multilateral meetings on disarmament and weapons issues. Where they do attend, they field smaller delegations than richer countries with an equal right to participate. These countries are also less likely to be members of treaties or forums on weapons and disarmament, or to meet their reporting obligations under these instruments. Additionally, low-income countries ratify treaties at a slower rate on average than high-income countries. Across the board, women are significantly underrepresented in multilateral disarmament forums, making up less than a quarter of country delegates, leading around a fifth of country delegations at meetings, and giving less than a fifth of statements on average.

These findings are from participation data collated and analysed by Article 36 for all the international meetings between 2010 and 2014 of thirteen multilateral forums covering a range of disarmament and weapons issues. These and other patterns of marginalisation must be addressed in order to achieve inclusive and productive processes, including through reframing key issues in disarmament to address a wider range of interests. Mechanisms to address underrepresentation should include initiatives to equalize participation, build capacity and raise the visibility of marginalisation.

Using quantitative data, as well as information from interviews with a range of individuals involved in the multilateral processes studied, this report discusses:

- The significance of unequal representation at multilateral disarmament forums, including the underrepresentation of developing countries;
- How this issue can be situated within broader agendas linking disarmament and development;
- Some key patterns observed in the data with respect to the participation of states, civil society, and women, and how these may be explained.

The report also gives some recommendations on addressing underrepresentation and promoting inclusive and participatory processes, including emerging initiatives (such as current international efforts to prevent civilian harm from the use of explosive weapons in populated areas). An appendix on methodology and terms explains in more detail how this research was conducted.

This report is part of a project to map and analyse patterns in state and civil society participation at multilateral forums. The forums examined for this study were selected to include processes on specific weapons of mass destruction (the Nuclear Non-Proliferation Treaty, international conferences on the Humanitarian Impact of Nuclear Weapons, meetings on the Comprehensive Test Ban Treaty, the Biological and Toxin Weapons Convention, and the Chemical Weapons Convention), conventional weapons (the Convention on Certain Conventional Weapons, the Anti-Personnel Mine Ban Convention, the Convention on Cluster Munitions, the Arms Trade Treaty, and the UN Programme of Action on Small Arms and Light Weapons) as well as forums with mandates covering multiple issues (the UN General Assembly First Committee, the Conference on Disarmament, and the UN Disarmament Commission).

In 2015, Article 36 published discussion papers on the underrepresentation of low-income countries at nuclear disarmament forums,⁰¹ and patterns in the underrepresentation of women across the thirteen forums above.⁰²

01 Article 36 (May 2015) 'The underrepresentation of low-income countries in nuclear disarmament forums', available at: <http://a36.co/1KmGqGC>

02 Article 36 (October 2015), 'Women and multilateral disarmament forums: Patterns of underrepresentation', available at: <http://a36.co/1SJ11pW>

THE PROBLEM OF UNEQUAL REPRESENTATION AT MULTILATERAL DISARMAMENT FORUMS

This study aims to strengthen understanding of the inequalities in participation among countries and civil society at multilateral disarmament and weapons discussions. It examines how capacity and resource differentials, as well as the structures of international forums, may inform these.

It is Article 36's perspective that controls over weapons should aim for the prevention of unintended, unnecessary or unacceptable harm. Such controls should be open to review, and be based on transparent and evidence-based analysis. This analysis should reflect the fullest possible range of information and experiences about the impacts and implications of the development or use of particular weapons. For multilateral forums, this means that states and organisations should seek as important policy objectives to:

- Address the underrepresentation of lower-income countries and certain regions;
- Integrate gender perspectives and ensure gender diversity in discussions;
- Ensure the meaningful participation of those who have been most affected by the weapons and issues under consideration;
- Ensure attention is given to humanitarian perspectives.

The underrepresentation of governments and civil society from lower income countries and countries from certain regions, as well as the other patterns of underrepresentation covered in this report, are significant. The disarmament and weapons issues under discussion at the forums studied are of global concern. A diverse range of interests must therefore be fully represented for any attempt to construct an equitable international legal order that reflects the concerns of populations worldwide. Research also suggests that diverse multilateral forums are more productive – meaning that patterns of underrepresentation may be impeding the effectiveness of these discussions to address the issues they consider.⁰³

In terms of the interests of underrepresented countries, while all countries have specific policy orientations, lower-income countries are less likely to be major arms producers, and their populations more likely to be negatively affected by the trade and use of the weapons discussed at the forums examined in this study.

⁰³ John Borrie and Ashley Thornton (2008) 'The Value of Diversity in Multilateral Disarmament Work', United Nations Institute for Disarmament Research (UNIDIR), available at: <http://unidir.org/files/publications/pdfs/the-value-of-diversity-in-multilateral-disarmament-work-344.pdf>

Over a quarter of low and lower middle income countries could be considered conflict-affected in 2014, compared to less than a tenth of upper middle income and high income countries.⁰⁴ Low-income countries are affected in the highest proportion by landmine and cluster munition contamination.⁰⁵ Regarding interests in arms production, according to SIPRI's 2014 data on the top twenty arms exporting and importing countries (excluding importers that are also on the exporters list) the average GDP per capita for the top arms exporting countries in 2014 was \$38,700, against \$12,954 in the importing countries.⁰⁶

The underrepresentation of lower-income countries may skew international discussions in favour of certain policy framings that do not reflect the interests of the majority of states, or that attribute a value to certain weapons that is not recognised by most countries. (Underrepresentation, in turn, may be produced in part through such framings, which is discussed below.) Regarding nuclear weapons for example, a high proportion of lower-income countries (and the majority of the world's states) are part of a Nuclear Weapons Free Zone. By contrast, a high proportion of high-income countries are part of a nuclear alliance (Fig 1). This suggests competing interests and perspectives on nuclear weapons that may not be adequately represented in most current multilateral processes.⁰⁷

This study has mainly concentrated on examining patterns in attendance and speaking at multilateral meetings. These do not necessarily equate to meaningful participation that is based on the necessary knowledge, nor do they necessarily indicate substantial engagement to influence the direction that different processes or issues are taking. Equal representation between countries, and of men and women within countries' participation, would not automatically ensure that all voices would be heard equally, or that progressive initiatives or outcomes would be more likely to result. Nevertheless, they are steps that it is important to pursue in principle as well for their potential to change dynamics and increase the effectiveness of

⁰⁴ This estimate by Article 36 applies a definition developed by researchers at the Peace Research Institute Oslo (PRIO) that considers current and recent violence in a country and uses data from the Uppsala Conflict Data Program (UCDP): see Håvard Strand and Marianne Dahl (2011), 'Defining Conflict Affected Countries', Background paper commissioned by UNESCO, available at: <http://unesdoc.unesco.org/images/0019/001907/190711e.pdf>. This approach was applied to UCDP data to 2014: see Uppsala Conflict Data Program, Uppsala University (retrieved 11 August 2015), UCDP Conflict Encyclopedia, available at: www.ucdp.uu.se/database

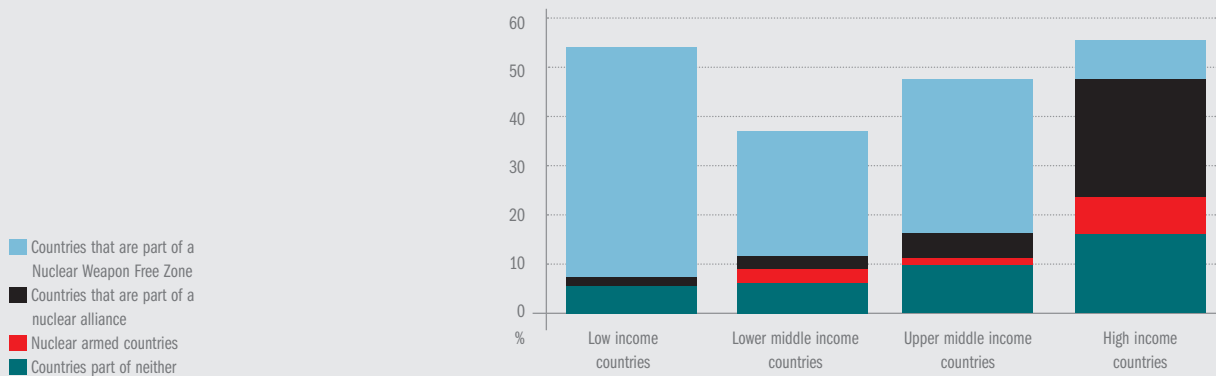
⁰⁵ Data from the Landmine and Cluster Munition Monitor for October 2014 for landmines and June 2015 for cluster munitions, retrieved in August 2015 and available at: <http://the-monitor.org>

⁰⁶ Thomas Nash (2015), 'The technologies of violence and global inequality', *Sur International Journal on Human Rights*, Issue 22, December, available at: <http://sur.conectas.org/en/issue-22/technologies-violence-global-inequality/> Data from the SIPRI Arms Transfer Database, available at: <http://www.sipri.org/databases/armstransfers>

⁰⁷ Discussed further in Article 36 (May 2015), above note 1

Fig 1.

**Countries' interests:
membership of nuclear alliances
and Nuclear Weapons Free Zones**



multilateral discussions.⁰⁸ The meaningful and gender-diverse inclusion of civil society is similarly important, and may assist in bringing the concerns of communities inadequately represented by their governments to discussions – though it would be unlikely to fully address this and other aspects of marginalisation in multilateral processes. Many different forms of marginalisation operate in international forums, of which this project touches on only a few.

The recommendations of this report look at how the application of resources as well as different ways of working can assist states in building more broad-based, progressive disarmament initiatives that reflect a greater diversity of viewpoints. The need to address the underrepresentation of developing countries in multilateral disarmament processes is recognised within many of the forums studied themselves, by the existence of sponsorship programmes for delegates, efforts to hold certain meetings in the global south and other initiatives. Such measures were recognised as essential by many of those interviewed for this project, but also as fundamentally and inevitably insufficient to address the wider issues of global resource and capacity differentials that they seek to overcome.

LINKING DISARMAMENT AND DEVELOPMENT

The underrepresentation of developing countries at multilateral disarmament forums can be situated as an issue within broader agendas that link disarmament with issues of development or global inequality. Using the 2015 session of the UN General Assembly's First Committee as an indicator of how states currently discuss and present these linkages in their official positions, the two main framings used in countries' statements considered: the opportunity costs (particularly for developing countries) of global military spending; and how the trade and use of certain weapons creates barriers to or directly undermines economic and social development.⁰⁹

Many of the states that addressed links between disarmament and development at First Committee in 2015 highlighted the current level of global military spending (estimated at \$1.7 trillion a year) and called for resources spent on weapons, including nuclear weapons, to be diverted to economic and social development and addressing poverty. The responsibilities of both developed and developing countries were highlighted in this regard, with a number of countries particularly emphasising the need for action from richer countries. Several states also noted how the trade in conventional weapons, the proliferation of small arms, and the use and aftermath of explosive weapons such as landmines and cluster munitions negatively impacted social and economic development. The consequences of the trade and use of

⁰⁸ Borrie and Thornton (2008), above note 3, draw a distinction between functional/perspective diversity (the differences in how different individuals' thinking is informed, or their "cognitive toolboxes") and identity diversity – it is the former that is important to generating more productive discussion, though functional and identity diversity can overlap

⁰⁹ The analysis below is drawn from monitoring undertaken at 2015 First Committee, and first published by First Committee Monitor, a weekly bulletin published by Reaching Critical Will. See Article 36 (November 2015), 'Discussion on disarmament and development at UN General Assembly First Committee' available at: <http://www.article36.org/updates/d-d-1st-com/>

different weapons were observed, for example, to have the effect of diverting resources to dealing with their impact in the provision of health and other services, or undermining the development of infrastructure or agricultural activities through the need to remove explosive hazards.

A number of states also noted ways in which certain disarmament processes directly support economic and technical development activities. The role of the cooperation provisions in the Biological and Toxin Weapons Convention for developing country capacity building relevant to disease control, and the capacity-building role of the Organisation for the Prohibition of Chemical Weapons in the chemical field, were highlighted. The role of ensuring that restrictions for the peaceful use of outer space supported development and the interests of developing countries in this regard was also raised.

Sixteen of the fifty-seven resolutions adopted at the First Committee in 2015 reflected one or more of these themes, indicating that they are embedded in the international discourse on disarmament and weapons to some extent. Thirty-nine states (around a fifth of all states) made individual statements connecting disarmament and development during the session, along with five groupings or alliances.

Every year, a resolution is introduced to First Committee on behalf of the Non-Aligned Movement (NAM) states on the relationship between disarmament and development. This has not varied substantially for at least the past several years. 2015's resolution again recalled the UN Charter's vision of the maintenance of peace and security with the least diversion of resources to armaments, and noted that increased global military expenditure could instead be spent on development. It called on states to divert resources made available through disarmament to development and to provide the UN Secretary-General with information on any such activities (on which he reports each year), also calling on states to note the contribution that disarmament could make towards achieving the Millennium Development Goals (which concluded in 2015).¹⁰

The only explicit rejection of ways of linking disarmament and development at First Committee in 2015 were in explanations of vote on this resolution, given by three high-income countries. The United States noted that it considers disarmament and development to be separate issues. The United Kingdom and France, though supporting the 'mainstreaming' of disarmament in development activities, especially with respect to small arms and DDR (disarmament, demobilisation, and reintegration), questioned the stated

relationship between development and military spending – arguing that in fact military investments can contribute to development.

The US, UK and France are also among the largest contributors of development aid, ranking first, second and fourth in the amounts of Official Development Assistance given by individual countries in 2014.¹¹ This could suggest that perspectives linking disarmament with development, in particular with respect to military spending, will be excluded from the conceptual frameworks governing much development aid spending. (If indeed they are included elsewhere – though at least two donor countries reported to the UN Secretary-General that they promoted disarmament as an element of development in their policies in 2014¹²).

THE INTERNATIONAL AGENDA ON DISARMAMENT AND DEVELOPMENT

Over the past four decades, the relationship between disarmament and development has been the subject of resolutions, reports and occasional more intensive consideration at the international level by states – within the framework of discussions at the UN and with the support of its Secretariat and agencies. The NAM-led resolutions represent a continuation of this agenda. It is an agenda that originated in concern at the negative impact of the global arms race (particularly with respect to nuclear weapons) on social and economic development, and the harmful effects of military investment on economies, especially those of developing countries.¹³

An in-depth study by the UN in 1982, which used a range of commissioned academic and policy research, set out in detail the negative impacts of a large military sector on long-term economic growth and the structural changes required for economic development. This was reported to be because, for example, of the competition generated with civilian investment; the diversion of research and development capacities; economic distortion; and the lower return in terms of job creation and technological spin-offs for military as

¹⁰ UN General Assembly (2015), 'Relationship between disarmament and development', UN document A/RES/70/32

¹¹ OECD (2015), 'Net official development assistance from DAC and other donors in 2014: Preliminary data for 2014', available at: <http://www.oecd.org/dac/stats/documentupload/ODA%202014%20Tables%20and%20Charts.pdf>

¹² These were Portugal and Spain. See UN General Assembly (2015), 'Relationship between disarmament and development: Report of the Secretary-General', UN document A/70/163

¹³ See for example UN General Assembly (1978), 'Resolutions and decisions adopted by the General Assembly during its tenth special session', UN Document A/S-10/4, which notes the waste of resources needed for development incurred by the arms race and spending on nuclear weapons, and the economic burden placed on both developed and developing countries. These resolutions call for an UN-led expert study to examine the relationship between disarmament and development further, in particular on the desirability of the reallocation of resources for all countries, and the practicability of doing so

opposed to civilian investment.¹⁴ The International Conference on the Relationship between Disarmament and Development in 1987 adopted an action plan that included commitments by states to allocate a portion of the resources released by disarmament to development, consider reducing military expenditure, and strengthen the UN's role on this question.¹⁵

More recently, a reappraisal of the relationship between disarmament and development by a Group of Governmental Experts was released in 2004.¹⁶ This was undertaken given the changes in the international environment since the 1987 action plan. Whilst reaffirming the core concerns and evidence regarding military expenditure and economic development, their report also considered a number of other ways in which disarmament and weapons issues can intersect with questions of development (concerns which current state-level discussion reflects). The report also critically examined the expectation that reductions in military expenditure would automatically lead to development investment, and notes the lack of a systematic 'peace dividend' at the end of the cold war.

The 2004 report elaborates on the threats to safety and stability that can result from the proliferation and use of certain weapons; the impacts on public health and the environment; the relationship between disarmament and the prevention of armed conflict (which has severe, long term impacts on development), including the role of surplus weapons in fuelling violence; and the role in post-conflict development of DDR, landmine clearance and limiting the availability of small arms. The broad range of UN bodies working on the relationship between disarmament and development, including UNDP, UNIDIR, UNICEF, UNMAS, DPKO, the ILO and the WHO, and the role of different treaty mechanisms in promoting it are noted. The UN has reported having broadened the scope of its disarmament activities in relation to development and the social and economic impacts of certain weapons. Interagency work to address the impact of explosive weapons in populated areas was noted in the Secretary-General's 2015 report on disarmament and development, for example.¹⁷

The 2004 report recommended the international community recognise the contribution disarmament activities could make to the achievement of the Millennium Development Goals. During First Committee in 2015, several states made reference to how different disarmament initiatives could also support the implementation of the newly agreed Sustainable Development Goals (SDGs). However, there is almost no reference in the SDGs themselves to disarmament and weapons issues, and to the specific role that disarmament activities can play in sustainable development – though a wider related goal on violence and conflict was, significantly, achieved.

Before the SDGs' agreement, the latest report of the UN Secretary-General on the relationship between disarmament and development called for the SDGs to include the prevention and reduction of armed violence and "combating illicit arms flows," given the known impact of these on social and economic development.¹⁸ This reflects the only way in which weapons issues feature explicitly in the agreed goals, with Goal 16 on promoting peaceful and inclusive societies for sustainable development including a target for the significant reduction by 2030 of "illicit financial and arms flows".¹⁹

Though disarmament may not feature significantly in the current global development agenda of the SDGs, despite interest elsewhere in the importance of these linkages, development issues may also be insufficiently addressed within disarmament forums. That this may partly inform the lower levels of participation by developing countries observed in this research, given these countries' need to prioritise the forums that best address their interests and needs, within limited resources. This is also suggested by interviews conducted for this report and the International Law and Policy Institute (ILPI)'s study on this subject (and is discussed further below).²⁰ Given both the greater negative impact of many weapons on developing countries, and the numerous ways in which different aspects of disarmament and the control of weapons can contribute to or remove barriers to development, the need to address developing country underrepresentation is clear.

14 Department of Political and Security Council Affairs, United National Centre for Disarmament (1982), 'Report of the Secretary General: The Relationship between Disarmament and Development', United Nations document A/35/356

15 United Nations (1987), 'Report of the international conference on the relationship between disarmament and development', UN document A/CONF.130/39. The UN has a voluntary System for the Standardized Reporting of Military Expenditures which reports every year, but with low take-up from states

16 UN General Assembly (2004), 'The relationship between disarmament and development in the current international context', UN document A/59/119

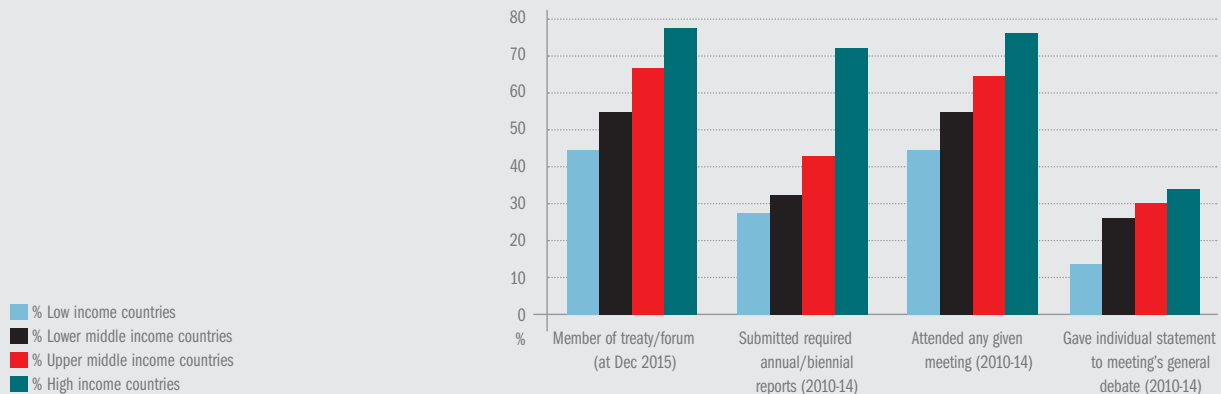
17 'Relationship between disarmament and development: Report of the Secretary-General', above note 12

18 Ibid.

19 UN General Assembly (2015), 'Transforming our world: the 2030 Agenda for Sustainable Development', UN document A/RES/70/1

20 Torbjørn Graff Hugo and Kjølv Egeland (December 2014) 'Jumping the Hurdles: Obstacles and Opportunities for Inclusive Multilateral Disarmament', Background Paper No. 13/2014, International Law and Policy Institute (ILPI), available at: http://nwp.ilpi.org/wp-content/uploads/2014/12/BP13_2014-Obstacles-to-South-Participation1.pdf

Fig 2.
**Participation of countries in
 13 disarmament/weapons forums:
 averages within income groups for
 all processes and meetings**



PATTERNS IN UNDERREPRESENTATION ACROSS THE FORUMS

For this study Article 36 collected publicly available data on the membership of treaties and the fulfilment of the reporting obligations for different processes, as well as on participation at meetings. On average, across the thirteen forums covered for this study, the lower a country's income group (using OECD-DAC categories²¹), the less likely they were to be a member of any given treaty or process covered. Examining the progress of ratifications over time, high-income countries also joined treaties at a faster rate than low-income countries, overall.

The data also shows that the lower a country's income category, the less likely that they will have submitted required annual or biennial reports for treaties and processes that they are part of.²² Similarly, lower income countries were less likely to attend, speak or hold formal roles at any given meeting. Only 7% of office holders recorded in the data were from low-income countries, compared to 51% from high-income countries, though the proportion of low-income and high-income countries in the data is almost exactly the same (around 28% each). Lower-income countries also sent smaller delegations to meetings on average. Across all meetings, the average size of a low-income country's delegation was 2.8 people, compared to 4.5 for high-income countries. Fig 2 displays some of these major patterns in the data.

Regional disparities were also observed in the data. Using UN General Assembly regional groups, Western European and Others Group (WEOG) states were the most likely to be members of any given treaty or process. These states are overrepresented in taking on formal roles at meetings: though they make up 15% of countries, almost a third of office holders at meetings where data was available were from this regional group. On average, WEOG states were more likely to give a statement than states in any other regional grouping. WEOG countries were also likely to send the largest delegations to meetings. Their average delegation size was 4.8, compared to 3.5 for Asia-Pacific and Eastern European group countries, and 3.2 for African and Latin American/Caribbean group countries.

Data on the participation of civil society (including academic institutions, non-governmental organisations (NGOs) and other organisations such as religious groups) shows similar patterns of underrepresentation when analysed across all forums. Of the 541 civil society organisations and coalitions recorded in the data as attending or giving statements at the meetings covered, 379 were headquartered in high income countries, and 351 in WEOG countries. Where participant lists were available, 90% of registered civil society organisations were from high-income countries at any given meeting, on average, and 86% from WEOG countries. Almost 95% of civil society statements or presentations recorded in the data were delivered by an organisation or coalition based in a high-income country, and 92% by those based in WEOG countries.

²¹ See the Appendix: note on methodology and terms for details (below p26)

²² In the data, this refers to the requirement to submit annual reports under the Convention on Certain Conventional Weapons, Anti-Personnel Mine Ban Convention and Convention on Cluster Munitions, and biennial reports under the UN Programme of Action on Small Arms

This analysis will underestimate the participation of organisations from lower income countries who have registered to attend or are speaking under the umbrella of a coalition headquartered in a high-income country. (In particular, for example, at the meetings of the

Anti-Personnel Mine Ban Convention and Convention on Cluster Munitions, where the greatest volume of civil society participation comes under the aegis of the International Campaign to Ban Landmines/Cluster Muniton Coalition (ICBL-CMC)). Disaggregated data on this was however unavailable.

These overall patterns in state and civil society participation conceal differences between different forums and issues – which, in turn, may assist in explaining some of the patterns of underrepresentation, and give lessons for future initiatives. The lower levels of participation among developing countries and their civil society organisations (where these are involved in these processes) will proceed from their lesser financial resources, which also affect human resources – but a range of interconnected factors informing how these are or can be managed will ultimately determine the patterns seen. The following sections look thematically in more depth at different factors that may affect participation and decisions made around it, discussing, where relevant, data that illustrates the issues. This is supported by analysis from interviews with stakeholders about the considerations influencing their participation in multilateral disarmament and weapons forums.

POLICY PRIORITISATION

Given limited resources, the need to prioritise participation in processes according to particular national interests or centrally determined policy were consistently noted by state representatives interviewed for this project.²³ ‘Participation’ referred to attendance, making statements, or bringing experts from capital (within the small number of interviewees, those from richer countries referred to the latter two). Interviewees from higher income countries mentioned that larger delegations would be fielded for more important meetings, for example where controversial matters were being decided or negotiations on particular issues happening, to make sure that a country’s position could be put forward in the strongest way. The data shows that lower-income countries were less likely to be able to do this: their already smaller delegation sizes showed lower variation between meetings.²⁴

The perceived importance of a particular meeting (depending on for example whether treaty negotiations were taking place, it was a review conference of a convention, or an informal expert meeting); whether a country had a specific role or obligations (or whether they were seriously considering joining a treaty they were not yet party to); as well as the perceived overall value, effectiveness or momentum of the forum, were brought up as factors relevant to policy-related prioritisation, in addition to the perceived relevance of the content or issue to a country.

PRIORITISING DIFFERENT TYPES OF TREATY MEETING

On average across the period studied, more states in each income category attended review conferences than annual meetings of states parties, and more attended meetings of states parties compared to expert or inter-sessional meetings. The meeting related to a treaty process with the highest overall attendance from states during the period was the second negotiating conference of the Arms Trade Treaty (ATT).²⁵ This reflects interviewees’ comments on the relative importance and prioritisation of different meetings within treaty regimes and in the process of their creation.

The data could also support the observation of a previous study that developing countries may participate strongly in negotiations (to influence the obligations created) but are less present during subsequent

²³ All respondents participated in an informal, personal capacity, giving their own reflections based on their professional experience

²⁴ Data in relation to the NPT is discussed in Article 36 (May 2015) above note 1

²⁵ One meeting of First Committee had a greater number of states on the list of participants

Fig 3.
**State participation in
 different types of treaty meeting**



treaty meetings and activities.²⁶ The proportional difference in participation across these different types of meetings was sharper for low income than high-income countries (see Fig 3). The generally slower pace of treaty ratification by low-income countries may also be a reflection of decreased involvement following negotiations, as well as perhaps a reflection of the national-level capacities of states and the possibilities for civil society involvement at this level.

ENGAGEMENT ON EMERGING ISSUES: STATEMENT ANALYSIS

As noted above, data on attendance and speaking only gives a limited indication of the level of countries' engagement on the issues discussed at the thirteen forums analysed. The profile of the countries taking clear positions, calling for change or discussing the topics at stake in a substantial and informed way within these processes cannot be shown. Some data on the content of statements was therefore also analysed to explore this aspect. (The content of formal statements does not however give a full indication of where the most concerted activity on issues is taking place and which states are involved. This will not necessarily be indicated in formal statements and may be happening in other spaces.)

Information was examined on two emerging areas of global action: lethal autonomous weapons systems and the use of explosive weapons in populated areas. The data, which is limited, suggests that developing countries may be significantly underrepresented at the stage of new issues emerging, as well as during international discussion during the implementation of treaties.

At the last informal expert meeting on autonomous weapons held within the framework of the CCW, in April 2015, 47 states made individual statements. Of these, 25 high income, 12 upper middle income, 7 lower middle income and 2 low income countries made interventions. Around half of these countries within every income group made statements giving a clear opinion or position on either the topic or way forward (as opposed to, for example, raising general questions, welcoming the fact of discussion or

26 Hugo and Egeland (2014) above note 20

concluding that no position could be taken yet). The data on lower income countries in this respect is, of course, limited.

Focusing on one important concept in the current international debate on lethal autonomous weapons systems, 35 countries made statements that mentioned or raised questions about the issue of meaningful human control over weapons systems on one or more occasions during the five-day meeting. Article 36 has argued that the principle of maintaining meaningful human control over individual attacks offers a way to structure debate, and provides a means by which states can decide where the line should be drawn between technology that is acceptable from this perspective, and lethal autonomous weapons systems, which must be banned.²⁷ The concept has been raised by a number of states, has featured as a subject on expert panels in discussion of autonomous weapons, was used by prominent scientists calling for a ban on autonomous weapons, has been examined by research and policy organisations,²⁸ and represents a promising avenue towards a collective international response on this issue.

In the data on consideration of meaningful human control in country statements, 31 out of the 37 upper middle and high income states that spoke at the meeting said something on the concept, and 3 out of the 9 low and lower middle income states. Lower income countries asked questions about the concept and raised it during statements on the theme of ‘the way forward.’ Higher income countries made a broader range of interventions (perhaps inevitably, given more of these countries mentioned this concept in their statements), considering for example the ethical, legal and military importance of meaningful human control, that it could or should provide a basis for regulating or prohibiting certain systems, as well as considering it as part of the way forward on this topic. Only high-income countries expressed clear opposition to the principle. (These were states with high tech militaries that are investigating the development of autonomy in different aspects of weapons systems. Of the seven countries that have called for a ban on autonomous weapons so far: four are lower-middle income, two upper-middle income and one high income.)

In combination with other participation data, the overall picture of lower income countries’ limited

27 See for example Article 36 (2013), ‘Structuring debate on autonomous weapons systems’, available at: <http://www.article36.org/wp-content/uploads/2013/11/Autonomous-weapons-memo-for-CCW.pdf>

28 See Future of Life Institute (2015), ‘Autonomous Weapons: An Open Letter From AI & Robotics Researchers’, available at: <http://futureoflife.org/open-letter-autonomous-weapons/> and UNIDIR’s project ‘The Weaponization of Increasingly Autonomous Technologies: Addressing Competing Narratives (Phase II)’, available at: <http://www.unidir.org/programmes/emerging-security-threats/the-weaponization-of-increasingly-autonomous-technologies-addressing-competing-narratives-phase-ii>

statements at this meeting – that few intervened, and fewer contributed on one important theme – suggests lower qualitative engagement on this issue.²⁹ Reflecting this, two countries present at April 2015 highlighted the need for more to be done to involve developing countries in the discussion. Interviewees noted that greater involvement of developing countries’ scientific communities and civil society was also necessary. The data shows that these were, consistent with the general pattern of civil society attendance, underrepresented at this meeting. One reason suggested for the pattern of developing country engagement was that the major research, developments and government initiatives in this area were taking place in rich countries – though the impact of the development of lethal autonomous weapons systems would be global, and lower income countries might experience the effects of such technology.

At the time of writing, the use of explosive weapons in populated areas has been recognised in statements in debates at multilateral forums as a distinct issue and cause of humanitarian harm by 53 countries, with 28 calling for some kind of international action in this area.³⁰ Austria has started a process to develop an international political commitment to curb the use of explosive weapons in populated areas, with a view to better protecting civilians living through conflict.³¹ International action is therefore currently building to address this problem.

Examining the profile of countries that have engaged with the issue, as with the overall patterns of participation noted across the thirteen forums examined for this study, higher income countries have recognised and have called for action on the harm caused by explosive weapons in higher proportions than lower income countries (with the proportion of countries that have engaged increasing with income category). Of countries recognising the issue, the higher a country’s income group, the more likely they were to also call for action.

Of the countries recorded as most heavily affected by the use of explosive weapons between 2011 and 2014, almost all were developing countries.³² The

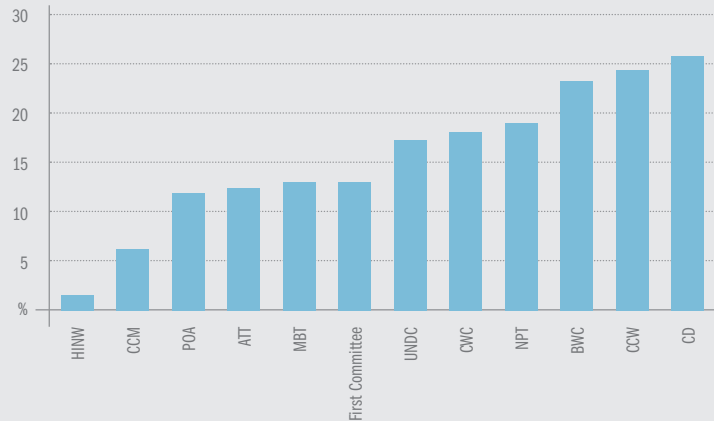
29 The small amount of data on how lower income countries spoke demonstrates the problem, but also means that solid conclusions cannot be drawn about the quality of their participation on this topic overall

30 Data collated by the International Network on Explosive Weapons (INEW), available at: <http://www.inew.org/acknowledgements>

31 See Sebastian Kurz, Foreign Minister of Austria (2015), ‘It is time to stop the indiscriminate bombing and shelling of urban areas’, The Guardian, available at: <http://www.theguardian.com/global-development-professionals-network/2015/dec/22/it-is-time-to-stop-the-indiscriminate-bombing-and-shelling-of-urban-areas?platform=hootsuite>

32 See reports from Action on Armed Violence’s Explosive Violence Monitor, available at: <https://aoav.org.uk/explosiveviolence/>

Fig 4.
**Average variation in attendance
 between income categories
 (standard deviation from the
 mean attendance of the four
 country income categories)**



impact on economic and social development of the destruction of human and physical capital that the use of explosive weapons in populated areas entails will likely be most severe for lower-income countries, and pose serious barriers to the achievement of development targets such as the SDGs.³³ The lower engagement of developing countries on this issue, as well as on autonomous weapons may suggest, among other factors, that work is needed to frame the relevance and urgency of these issues to a wide range of states – and that on issues where concern is gathering but the results or way forward may not yet be clear, countries with fewer resources may not prioritise engagement.

THE PERCEIVED VALUE OF DIFFERENT FORUMS, TOPICS AND FRAMINGS

Data on variations in attendance among developing countries between different forums and policy areas reflects somewhat the interviewee comments regarding prioritisation based on the perceived value or effectiveness of different forums.

For example, some interviewees drew attention to the Conference on Disarmament (CD) as a particularly unproductive forum, as it has failed to agree on a programme of work for almost two decades, and civil society cannot participate in its work. Using the standard deviation from the mean percentage of countries attending any given meeting as a measure of equality in attendance between different income groups,³⁴ the CD emerges as the forum with the greatest variation in attendance between country income categories in the dataset – or in other words, the most unequally attended between developed and developing countries (Fig 4).

This may in part be an indication of the level of prioritisation it is given by developing states, which may in turn reflect its perceived effectiveness. The CD's restricted membership (with high income and western countries significantly overrepresented³⁵), exclusion of civil society, and procedural requirements for consensus decision-making (giving any state member an effective veto) may all have contributed to its deadlock – as may a lack of change to any of these

³³ Christina Wille et al (forthcoming, April 2016), 'The Implications of the Reverberating Effects of Explosive Weapons Use in Populated Areas for Implementing the Sustainable Development Goals', Geneva, UNIDIR, available at: <http://www.unidir.org>

³⁴ This measure describes the size of the difference between the percentage of countries attending in each income category and the average percentage of countries attending across all categories – a higher standard deviation therefore indicates a greater difference in levels of attendance between country income categories

³⁵ For a detailed breakdown, see Article 36 (May 2015) above note 1, p3

ways of working. In pursuit of achieving outcomes on certain issues on the CD's stated agenda, discussion in more open and inclusive forums would likely be more effective.³⁶

The forums with the lowest variation in attendance between country income categories within the dataset were the UN General Assembly First Committee, the Programme of Action on Small Arms and Light Weapons (POA), the ATT, the Anti-Personnel Mine Ban Convention (MBT), the Convention on Cluster Munitions (CCM) and the conferences on the Humanitarian Impact of Nuclear Weapons (HINW) (see Fig 4). The General Assembly has a reputation as a forum where smaller and less powerful states are more able to promote issues reflecting their interests, generally in the form of non-binding resolutions.³⁷ First Committee was the only forum in the dataset at which a greater proportion of lower and upper middle-income countries spoke than high-income countries on average.

Aside from the HINW, these other forums cover policy areas that were considered by interviewees to be generally of a greater priority to developing countries, because of their more immediate development or security impacts or implications. The MBT for example was the only treaty in the dataset that was ratified faster by low-income than high-income countries for some of the period since the treaty's agreement.³⁸

Similarly, in the data, conflict-affected countries³⁹ were more likely than non-affected countries to attend the meetings of any of the processes analysed, on average. This was also the case within country income groups (i.e. conflict-affected low-income countries attended meetings more on average than low-income countries that were not conflict-affected).⁴⁰ This may suggest that the relevance of disarmament and weapons forums was more immediate or evident to conflict-affected countries, and so attendance was prioritised to a greater degree by these countries – even where they may not have been directly affected by the particular weapons under discussion.

The Humanitarian Initiative on Nuclear Weapons⁴¹ suggests that this relevance can also be generated for states even where it may not be an obvious national policy concern. The three HINW meetings, taken as a forum, were the most equally attended between country income categories. The strength of this result may be slightly misleading, given that other processes covered by the data contained a wider range of meetings of different types, lengths and decision-making required, whilst the HINW meetings were short discussion meetings to reframe the nuclear weapons problem. However, a number of interviewees from states and NGOs also emphasised that the Humanitarian Initiative has had considerable success in making the issue of nuclear weapons a matter of concern and urgency to developing countries.

This observation appears to be reflected in the attendance data for the HINW meetings, as well as in the profile of states endorsing the related 'Humanitarian Pledge' to fill the legal gap with respect to the prohibition and elimination of nuclear weapons.⁴² Over 70% of low income, lower middle income and upper middle income states had signed on to the pledge at the end of February 2016, compared to less than a third of high income countries.⁴³

Developing countries are underrepresented to a far greater degree in forums that address nuclear weapons in ways less aligned with their interests, and where the framing of discussions (and rules of process, such as requirements for consensus that lead to effective veto) lends them less potential power.⁴⁴ For example, the Nuclear Non-Proliferation Treaty (NPT) showed the most unequal distribution in the proportion of statements given between low-income and high-income countries. Costa Rica suggested in a statement to the 2015 Review Conference of the NPT that on the other hand the Humanitarian Initiative had brought democracy to nuclear disarmament,⁴⁵ by recognising the priorities and agency of the overwhelming majority of the world's states that are not nuclear armed, and creating a process where real progress on disarmament appears possible.

36 Borrie and Thorton (2008) (above note 3) describe the need to distinguish between instrumental and fundamental preferences in the pursuit of multilateral disarmament goals. This means considering whether attachment to particular means are obstructing the achievement of ends, and whether those sharing particular goals should consider working outside of existing structures in order to pursue these goals more effectively

37 See for example Mark Mazower (2013) *Governing the World: The History of an Idea, 1815 to the Present*. New York, NY: Penguin. p. 217, 254-272

38 The rate of ratification for low income countries has been higher than for high income countries since 2003

39 See note 6 for the definition used for this study

40 Breaking down the data on affected countries by income band leaves a small number of states in each grouping, so this comparison may have its limitations

41 This refers to the state-led initiative to reframe nuclear weapons as a humanitarian concern, including through the HINW meetings. For background, see *Reaching Critical Will*, 'Humanitarian Impact of Nuclear Weapons', available at: <http://reachingcriticalwill.org/disarmament-fora/hinw>

42 Austrian Foreign Ministry (December 2014), 'Humanitarian Pledge', available at: http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abrüstung/HINW14/HINW14_Austrian_Pledge.pdf

43 Data collated by the International Campaign to Abolish Nuclear Weapons (ICAN), 'Humanitarian Pledge', available at <http://www.icanw.org/pledge/> (version used updated 8 December 2015)

44 These patterns are discussed in more detail in Article 36 (May 2015) above note 1

45 Costa Rica (2015), 'Statement at the 2015 Review Conference of the Non Proliferation Treaty, General Debate', available at: http://www.un.org/en/conf/npt/2015/statements/pdf/CR_en.pdf

Interviewees proposed that developing countries were less likely to prioritise forums that: do not appear to be making particular progress on the issues they cover; address issues that may appear to be more remote concerns (such as weapons of mass destruction, WMD); or are less conducive to the addressing of developing countries' interests. These observations appear to be supported at least in part in noting the forums with above average variation in attendance between income categories within the dataset. These were the UN Disarmament Commission (UNDC), the Chemical Weapons Convention (CWC), the NPT, the Biological and Toxin Weapons Convention (BWC), the Convention on Certain Conventional Weapons (CCW) and the CD (Fig 4).

On stalled progress, a major function of the UNDC is to make recommendations on how key disarmament issues should proceed, but has been unable to do so for several years – just as the CD has failed to adopt a programme of work for almost twenty years.

On policy areas of less immediate or urgent concern (unless successfully reframed, as described above), one interviewee working for an international organisation supporting the running of certain meetings addressing WMD remarked on the difficulty of attracting countries to apply to their sponsorship programme. The subject area was deemed a low priority by developing countries as it was not seen as a currently pressing issue or threat, and the treaty process was already advanced. One state interviewee contrasted the treatment of requests to capital to send experts to the meetings of the BWC and the MBT. The attendance of relevant individuals proved far more likely for the latter, given that the state was affected by landmine contamination and so had particular obligations under the treaty.

The need for higher levels of technical knowledge may also be significant to lower-income countries' lower attendance at treaty processes dealing with WMD, in terms of the level of scientific expertise on the issues in country, and the possibilities for countries' experts to participate in international forums, depending on where they are based. In this regard, it may be significant that in the data, African Group states attended meetings of the CWC in somewhat higher relative proportions than those of the NPT and BWC. The Organisation for the Prohibition of Chemical Weapons runs capacity building programmes that have benefited African participants in the greatest numbers,⁴⁶ and runs a specific programme to strengthen cooperation with Africa.⁴⁷

On the effectiveness of different forums in addressing developing countries' interests, the CCW and its additional protocols have low levels of membership and attendance among low-income countries, despite their addressing areas that might be considered more immediately relevant to certain developing countries (such as mines and explosive remnants of war). The negotiation of the MBT and CCM outside of existing forums was however partly due to the inability of the CCW to address the humanitarian problems presented by landmines and cluster munitions in a sufficiently timely and progressive way for those states most concerned with these issues (the CCW's consensus-based rules were a factor here).⁴⁸ Such dynamics may partially explain developing countries' low participation at the CCW. The MBT and CCM were the forums in the data with the lowest levels of inequality in speaking between countries in different income categories, and the CCM the only forum where low-income countries attended in almost the same proportion as high-income countries on average. A greater proportion of landmine-affected countries⁴⁹ have also ratified the MBT than the CCW and its protocols.

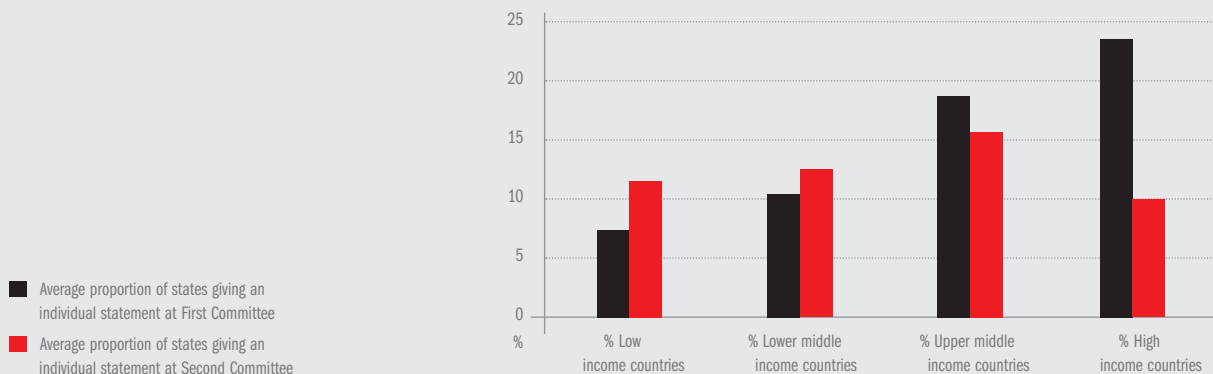
46 Organisation for the Prohibition of Chemical Weapons, 'Capacity Building Programmes', available at: <https://www.opcw.org/our-work/international-cooperation/capacity-building-programmes/>

47 Organisation for the Prohibition of Chemical Weapons, 'Programme to Strengthen Cooperation with Africa', available at: <https://www.opcw.org/our-work/international-cooperation/capacity-building-programmes/programme-to-strengthen-cooperation-with-africa/>

48 See for example Matthew Bolton and Katelyn E. James (2014), 'Nascent Spirit of New York or Ghost of Arms Control Past?: The Normative Implications of the Arms Trade Treaty for Global Policymaking', *Global Policy*, Volume 5, Issue 4, November, p443

49 Data on which countries are affected is from the Landmine and Cluster Munition Monitor, above note 5

Fig 5.
Disarmament vs. development forums: comparison of statement-making on specific agenda items at UNGA First and Second Committees in 2014



COMPARING DISARMAMENT AND DEVELOPMENT ORIENTED DISCUSSIONS

To look at the assumption reflected in a number of interviews that developing countries would be more likely to prioritise development-oriented discussions than disarmament forums, a limited amount of data was collected on the meetings of two multilateral forums covering development, for comparison. These were the discussions during 2014 on the SDGs, and the 2014 session of the UN General Assembly Second Committee on economic and financial matters, which covers economic growth and development. Statements made to First Committee in 2015 linking disarmament and development were also examined. Of the thirty-nine countries making such statements, eleven were low-income countries, seven lower middle-income countries, fifteen upper middle-income countries, and six high-income countries. This contrasts with the overall patterns of statement making in First Committee, in which low-income countries speak in the lowest proportions.

Comparing the data on disarmament and development oriented discussions, the variation in statement making between countries of different income groups was greater for UN General Assembly First Committee than Second Committee. This variation was also greater for disarmament forums on average than for the SDG discussions and Second Committee. Though the data is limited, this may suggest somewhat more equal participation across country income categories in development- compared to disarmament-oriented multilateral forums. In the data available for Second Committee, a slightly greater proportion of low-income countries gave interventions than high-income countries on the agenda items where data was available (Fig 5). For the SDG discussions, middle and high-

income countries participated to a similar degree in terms of individual country statements given. Low-income countries however participated considerably less in terms of the proportion of countries giving a statement.

Specific efforts were made during the development of the SDGs towards making the process inclusive and representative of states and civil society. Low-income countries nevertheless still highlighted the resource constraints and underrepresentation they faced in the process.⁵⁰ This may, in part, reflect that any measures to address basic facts of global resource inequality in the context of meeting participation can ultimately face limitations – rather than indicating a specific failure or lack of utility of these measures themselves. The SDG process has widely been perceived as inclusive and effective, according to interviewees.

At 2015 First Committee, Mexico drew a contrast between the dynamism of the SDG process and disarmament forums, noting that the SDG process showed what can be achieved when there is political will – which is presumably absent from certain stalled and ineffective disarmament processes.

50 See for example United Nations (2013), 'Summary of DESA/OHRLS briefing on Support to the Group of Least Developed Countries in the SDG Process', available at: <https://sustainabledevelopment.un.org/content/documents/17051dcsmary.pdf>

PRACTICALITIES AND FORMAL BARRIERS TO INCLUSIVE PARTICIPATION

Civil society respondents interviewed for this study identified funds as the key determinant of their attendance at meetings. The need to prioritise engagement, depending on the perceived value and effectiveness of different forums to the changes they were hoping to bring about or processes they were aiming to influence, was also inevitably a major factor in their participation. In the data, the vast majority of civil society organisations attending or speaking at meetings were recorded as only participating at one of the forums investigated (though given that many NGOs will register under the umbrella of a coalition at certain forums, this will not represent the full picture). The data does not give a comprehensive representation of civil society participation, as complete information on attendance, delegations and speaking was inconsistently available. Nevertheless, this may suggest a narrow thematic focus on the part of most civil society organisations contributing to these forums (as well as the role of coalitions in managing civil society participation at certain meetings). It is also consistent with civil society organisations having limited funds to participate. More than 200 of the organisations in the dataset were only recorded as present at one meeting. Some better resourced organisations, coalitions and those active on a range of issues at the international level appear in the data at multiple processes. Aside from resources and policy prioritisation however, another important factor in civil society contribution to these international meetings is the formal rules and structures that govern their participation.

CIVIL SOCIETY INCLUSION

The possibilities for civil society attendance and speaking varied in the rules of procedure of the thirteen forums included in this study. Seven allowed civil society organisations to speak during just one slot allocated for this purpose, for which organisations were required to coordinate and organise their interventions. Four forums permitted statements from civil society to all open sessions of their meetings (following contributions from other observers). At the CD, the Women's International League for Peace and Freedom has been permitted to deliver a statement for International Women's Day each year as a guest,⁵¹ but no other civil society participation is permitted. The UNDC does not facilitate contributions from civil society either.

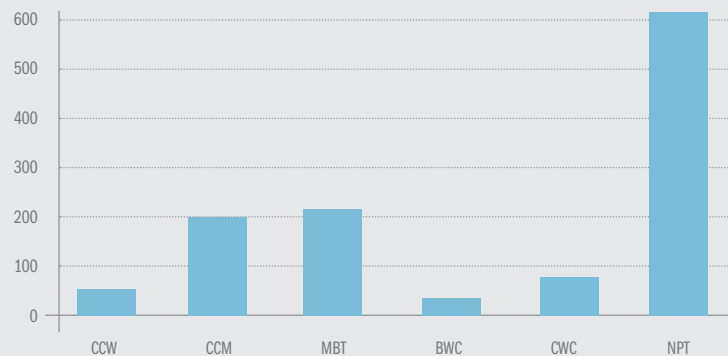
Regarding civil society presence at meetings, NGOs with ECOSOC consultative status only were permitted to attend First Committee, and the CD and UNDC did not allow for formal civil society attendance at all. However, most forums allowed any interested organisation to request registration to attend a particular meeting, with the MBT and CCM giving specific recognition to the ICBL-CMC coalitions as observers to meetings (as well as to their overall role in supporting the treaties). Reflecting the strong role that civil society has taken in relation to the development and operation of these treaties, the average number of civil society delegates registering to attend any given meeting of the MBT and CCM was over two hundred, with the largest groups of delegates coming from the recognised coalitions. At CCW meetings, by comparison, 58 delegates from civil society attended any given meeting on average. For the forums where delegation data was available for at least some meetings, the highest average volume of civil society registration was at the NPT, where over 600 delegates registered on average for meetings. For the BWC the figure was 39, and the CWC 74 (see Fig. 6). This may be partially indicative of the level of global civil society attention given to these respective issues – and in particular the concern that civil society has paid to nuclear weapons as a global issue over a number of years.

Acknowledging the limitations to the data with respect to the lack of disaggregation of ICBL-CMC participation at the MBT and CCM, the greatest recorded diversity of civil society participation in the income group and region of the countries of origin of attending organisations was seen in the available data on the ATT (data available for one preparatory committee) and CWC (data available for five meetings). The CCW was the

⁵¹ Women's International League for Peace and Freedom (2015), 'WILPF Statement to the Conference on Disarmament on International Women's Day 2015', available at: <http://reachingcriticalwill.org/news/latest-news/9559-wilpf-statement-to-the-conference-on-disarmament-on-international-women-s-day-2015>

Fig 6.

Average number of civil society delegates registering to attend meetings (available data)



least diverse in both respects, and for most of the other forums the dominance of civil society from high income and western countries in attendance data was strong.

More than a quarter of registered civil society organisations at the ATT meeting were from low-income countries, and over a quarter from African countries: the average proportion across the available data was less than 10%. This may be partly explained by the high interest and mobilisation on the issue of small arms of African NGOs participating in international networks.⁵² It was noted by civil society interviewees that opportunities for funding to attend international meetings for African and other global south countries had dropped significantly in recent years, seriously limiting their involvement in ongoing work to progress the ATT at the international level. At the CWC, 45% of civil society organisations registered on average were from middle-income countries, with 35% from Asia-Pacific countries. This can be partly explained by the interest and attendance of survivor and campaign groups arising from the use of chemical weapons in Iraq and during the Iran-Iraq war. In both forums, almost half of civil society organisations attending were from high income and from western countries.

The small number of states interviewed for this project all noted the useful or positive roles that civil society organisations can play in the multilateral forums considered. These included contributing technical and other expertise on the issues; supporting the strengthening of states' capacities to contribute, including through participating as expert advisors on country delegations; supporting meeting preparation and the development of policy positions; supporting the establishment and bringing together of networks to

advance certain issues; and pushing the pace of progress, including by helping to frame the agenda on different topics. Given this, some regretted the lack of civil society participation in some forums, such as the CD.

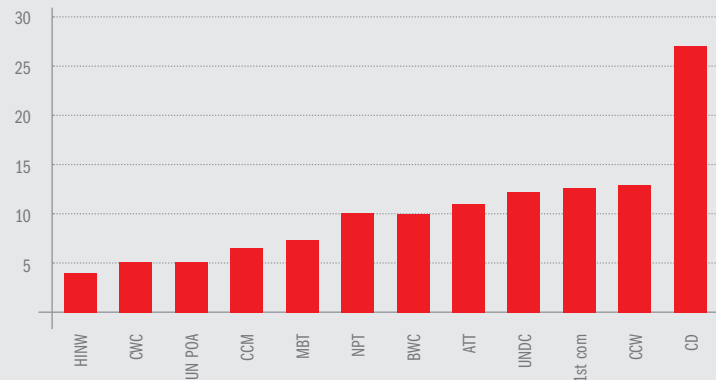
Research by UNIDIR has analysed the value of “perspective diversity” in generating more productive discussion and problem solving in multilateral disarmament forums. Though the study notes that including actors with a diversity of identities is not the same as generating this functional or cognitive diversity, the inclusion of NGOs can contribute to generating more perspective-diverse environments through the roles that NGOs can take on in these contexts.⁵³ Given the various benefits that NGO involvement can bring, there is a case to be made that any forum working to make progress on disarmament and weapons issues should adopt more permissive rules for the involvement of civil society as observers.

A constituency whose meaningful inclusion can alter the dynamics of discussion and focus attention on humanitarian considerations are survivors or individuals affected by the weapons or issues under discussion at different forums. The participation of survivors was highly significant to the processes to conclude the MBT and CCM, and has also been important to the humanitarian initiative on nuclear weapons. For a full consideration of the effects of weapons on human beings and societies to be undertaken, the viewpoints of those who have experienced these are vital. These perspectives can help to compel delegates to consider if their framing and response to issues are sufficiently connected to the real impacts of the topics under consideration.

⁵² See Bolton and James (2014), above note 48

⁵³ Borrie and Thornton (2008), above note 3, pp. 66-7, 79

Fig 7.
**Number of days of meetings
 during the year for each forum
 in 2014 (2013 for the ATT)**



Further to the inclusion of affected states in discussions, the inclusion of their civil society and victims is crucial to the consideration of these perspectives – in particular where they may not be perceived by these states to align exactly with state interests or priorities in the forums. The attendance of individual survivors or victims’ organisations was recorded in the data at the NPT, HINW, CWC, MBT, CCM, CCW and ATT, with statements recorded at all of these forums apart from the CCW. Some forums such as the HINW and MBT featured more interventions from survivors than others. Survivors’ statements were mostly given within the context of wider civil society statement making according to the rules of different forums, but also on introductory panels at expert meetings. Survivor participation is often facilitated by NGOs, including through the coalitions operating within the context of many of these forums.

Civil society organisations are, worldwide, facing increased challenges to their work. Diminishing funding is available from donors, with changing economic and policy priorities in western countries. Increasingly hostile political environments and restrictive new laws (such as on permissible funding sources), including counterterrorism measures, challenge the ability of NGOs to operate.⁵⁴ In this context, states and others pursuing progressive change on disarmament and weapons issues must carefully consider how the meaningful and diverse inclusion of civil society, including victims, can be ensured in ongoing and emerging initiatives.

⁵⁴ For some overview see for example UN General Assembly (2015), ‘Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism’, UN document A/70/371 and Harriet Sherwood (2015), ‘Human rights groups face global crackdown “not seen in a generation”’, The Guardian, available at: <http://www.theguardian.com/law/2015/aug/26/ngos-face-restrictions-laws-human-rights-generation>

MEETING ARRANGEMENTS AND PARTICIPATION

Under-resourced states, as well as civil society, face challenges to participation through the ways in which meetings and processes are structured and organised, even where formal barriers are not in place. Linguistic challenges, where key documents are not translated or informal meetings are held only in English for example, will marginalise certain participants.⁵⁵ State interviewees cited meetings occurring over several weeks as a challenge to attendance or a reason not to prioritise participation – given that it would be difficult to cover such meetings adequately with available resources or a small delegation, or would take too much of the time of the limited number of disarmament experts in their ministries and missions. The number of days of meetings a year at each forum for which attendance data was available is indicated in Fig 7 (adding up to almost half of the working days in a year). That the CD takes up so many days in the year may be another reason for its de-prioritisation and low participation among lower-income countries.

Smaller delegations, which the data shows lower income countries are far more likely to have, were cited as having various disadvantages in the context of how meetings are structured. Where meetings ran parallel sessions, such as at the NPT, lower income countries with small delegations are more likely to be unable to cover formal business. The data on speaking at sessions other than NPT general debates indicates this, with extremely low participation from low-income countries. The proportion of low-income NPT parties making a statement to the main committees, clusters and specific issues was only 1% on average across all

⁵⁵ See for example Bolton and James (2014), above note 48, p445 on challenges for states during the ATT negotiation process

meetings between 2010 and 2014 in the available data.⁵⁶ One interviewee from a lower-middle income country described the NPT as the most challenging forum in this respect. As well as having to miss formal sessions, this interviewee noted that having a small delegation meant that informal engagements such as bilateral meetings and consultations were missed too. These were described as often the most important parts of a meeting for decision-making and the development of initiatives.

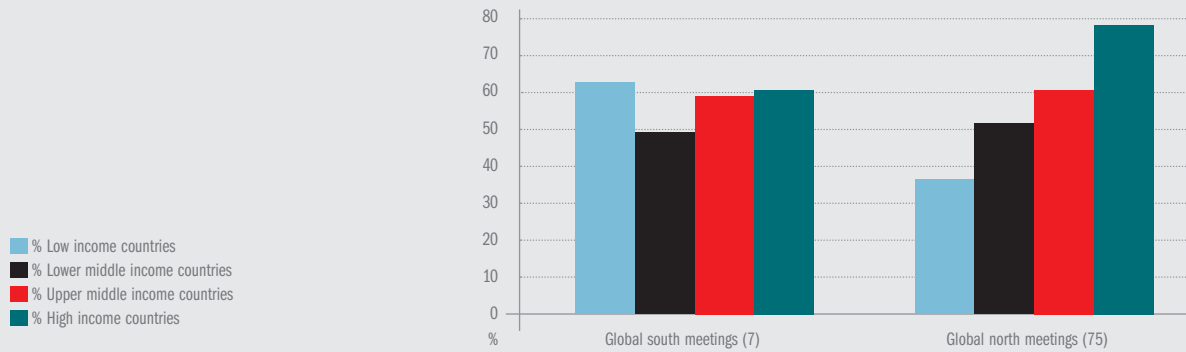
This is unlikely to be a unique experience – and would suggest another disadvantage that prevents the full participation of lower income countries in the shaping of responses to global disarmament and weapons problems, of which their lower attendance and speaking at formal meetings is an indicator. A number of interviewees from states spoke, in turn, about how limited participation at international meetings inevitably leads to an underdevelopment of national policy and expertise, creating a negative cycle, and how not being in attendance can mean that countries are ill-equipped to make decisions at key points in processes, lacking the necessary background or information. This has serious implications for the question of equal ownership over international processes (which several interviewees cited as vital), and the meeting of any future obligations agreed. If these are formulated without meaningful input from all they will bear upon this is unjust and some countries may be less equipped or willing to meet them adequately.

Another interviewee, from a high-income country, described examples of how the disadvantages created by not having the capacity to fully follow processes or access all key information can leave lower-income countries open to manipulation by richer allies. In pursuit of their own national agendas, certain countries were observed targeting states that had never engaged on particular topics or their political context before, to get support on specific initiatives that would serve the richer countries' interests within treaties, providing speaking notes and so on. Though building alliances and political manoeuvring are in the essence of multilateral forums, and countries may take positions that do not appear in their interests for strategic reasons to please their allies, financial and human resource and capacity differentials can also facilitate ways of working that may be questionable, exploitative or unfair, and perpetuate the dominance of richer countries' agendas. These dynamics may also be present in civil society engagement with developing countries.

⁵⁶ See Article 36 (May 2015) above note 1

Fig 8.

Average rates of attendance at meetings held in global south and global north countries



MEETING LOCATIONS, REGIONAL WORK AND GROUPINGS

Within the dataset, 75 out of the 82 meetings for which attendance data was available were held in global north countries, of which 22 meetings were in New York and 43 in Geneva (where many of the processes covered are based). Fig 8 compares the average rates of attendance at meetings held in the global north to those held in the global south. At global south-held meetings, which were meetings of the HINW, MBT and CCM, low-income countries attended in the highest proportion of any income group, followed by high-income and middle-income countries. The proportion of countries attending was also more equal between income groups.

Interviewees discussed the merits of holding at least some meetings of any process in global south countries, including the symbolic importance of showing inclusiveness and promoting global ownership, and practical benefits such as building the capacity of a wider range of countries to host and take on formal roles within processes. One state interviewed for this project described the challenges of hosting such meetings on more limited resources, and the greater awareness it brought of the need to agree sustainable funding models for the treaties. The higher proportion of low-income countries attending global south meetings in the data may be partially explained by organisers' desire to make these meetings a symbolic success, and ensure that sponsorship and other measures brought as many global south countries to the meetings as possible.

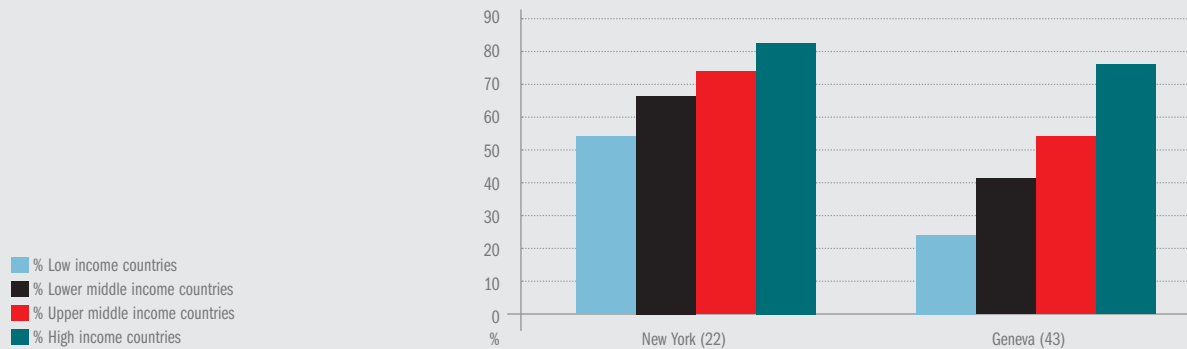
Challenges noted by interviewees to arranging meetings away from New York and Geneva, where most are held, included the likelihood of increased costs to

individual countries and collective sponsorship funds of getting specialist representatives to such meetings (as many may normally be based in New York or Geneva), and the risk that local, non-specialist representatives who may not be able to contribute on the topic might attend instead to the detriment of the meeting. There may be longer-term advantages to situating the international business of certain processes in a consistent location where relevant actors can base themselves (in particular if this can help to reduce the costs to member states of participating in treaty processes) – as well as to spreading hosting amongst parties. For civil society from the global south, location can be a determinant of attendance in particular because of visa requirements making some European and North American locations less accessible to many.

Comparing overall average attendance at meetings in New York in Geneva, countries attended meetings in New York in greater and somewhat more equal proportions (Fig 9). This will partly reflect factors discussed above, such as the perceived value of different forums, and the relative importance of different types of meetings (for example, the CD meets in Geneva and ATT negotiations took place in New York). It also appears consistent with the greater number of and larger mission sizes of countries in New York compared to Geneva, across country income groups. In both cities, the lower a country's income, the smaller their mission was likely to be,⁵⁷ and the sizes of teams were reported to be decreasing. ILPI recently conducted analysis on the probability of attendance at the Open Ended Working Group nuclear talks in 2016, based on Geneva mission size. They estimated the chances of a country with a mission of five

⁵⁷ Explored in Hugo and Egeland (2014) above note 20, p8

Fig 9.
**Average rates of attendance
 at meetings held in New York
 and Geneva**



sending a delegation at around a quarter, rising to near certainty for missions of twenty-five staff.⁵⁸ Data on the size of foreign ministries in budget and personnel, as well as missions in New York and Geneva, would be important towards quantifying how these factors interact with participation and influence in processes.

Some respondents to this project reported that a useful approach for strengthening capacity and inclusion in international meetings was to hold regionally based preparation meetings in advance of major international conferences, and noted UNODA's work in this regard. Such preparation meetings support national policy development and, in turn, the participation of representatives to international organisations. A number of interviewees emphasised the general importance at the national level of early information about meetings for preparation, which civil society often took a strong role in supporting. Such information for advanced planning and briefing was reported to often be unavailable in good time for these efforts however.

Work at a regional level was raised by one interviewee as a way for countries to contribute if they could not participate internationally. Others noted the value in the international space of informal regional (or linguistic group) coordination for addressing imbalances in participation, if a strong focal point was able to mobilise joint positions from other like-minded states that may not otherwise contribute as much to a process. Patterns in participation at regionally based disarmament and weapons related processes, such as the Nuclear Weapons Free Zone treaties or the

ECOWAS Convention on Small Arms and Light Weapons, and assessments of whether these are more equal, could be a useful subject for further study.

On the role of groupings and alliances in formal participation, state interviewees noted obligations in alliances as a factor in their attendance and participation at meetings, and also that knowing what allies were planning in order to coordinate was inevitably vital (and another reason to be in the room). Some reported that at times group statements would mean that they would not make an intervention. More frequently, however, group statements were likely to represent a compromise or lowest common denominator position, in particular in large groupings of states with a wide variety of interests on a topic. Across the data, over one hundred formal or informal groupings of states or organisations of state members made statements to meetings. The European Union made statements most frequently across the meetings covered, and intervened at all but one of the forums, making 129 statements. The Non-Aligned Movement (NAM) intervened second most frequently, with 78 statements across seven forums, followed by the Arab Group of states at the UN (41), the Caribbean Community (CARICOM) (28) and the African Group of states at the UN (25).

Most other groupings made less than five statements across the whole dataset, and only made statements to one forum. Of those making more than five statements, the great majority were regional, global south groupings. These groupings made almost 300 interventions in this dataset, compared to almost 200 by groups of western or predominantly western states. This suggests that overall, group statements are more likely to be used by developing countries. Some countries, in turn, may be less likely to make individual

58 Aasmund Skjetne and Torbjørn Graff Hugo, (2016), 'The not so open-ended working group?', ILPI Effective Measures blog, available at: <http://unidir.ilpi.org/?p=474>

statements when a group statement is made.⁵⁹

Whether this is advantageous or disempowering to countries will depend on the grouping and whether its joint interventions represent a weak compromise or a strong reflection of their national position. One interviewee described struggling to ensure a progressive national position was represented in some alliances or groups, whereas others facilitated the articulation of more dynamic and challenging interventions.

FINANCIAL COSTS AND SUPPORT

This project did not have the capacity to gather systematic data on the costs to countries of attending the meetings in the dataset. However, information on the costs of the United Kingdom's participation at recent meetings of the NPT, HINW, CCM, CCW and MBT were requested for an indication of the meetings that may represent a greater financial burden given their length, location and other factors.⁶⁰ The combined costs to the Foreign and Commonwealth Office and Ministry of Defence for twenty of the UK's thirty-three delegates to travel to the NPT's 2015 Review Conference, running over four weeks in New York, was the highest (£86,197, average £4,310 per delegate). The two-day Vienna HINW meeting, also predictably given its location in relation to the UK and length, cost the least for the attendance of four of the UK's five delegates (£1,216, average £304 per delegate).

It was often unclear in meeting participant lists whether delegates were based locally, in capital or other locations, so this data could not be collected. In the small number of interviews conducted with state representatives for this project, lower income countries mostly noted that the participation of experts from capital often depended on sponsorship, and that locally based non-specialist representatives may attend certain meetings where capital or New York/ Geneva based experts could not be funded. For higher income countries, attendance from capital was more frequent or routine (though still constrained by budgetary considerations), as the information from the UK suggests – at least two delegates were funded for each meeting that information was requested on.

New York and Geneva based representatives of lower income countries also reported covering a greater number of subject areas (with fewer colleagues to support them) than those from higher income countries, some of which they had to prioritise above disarmament issues. Considering the number of days in the year that merely attending all disarmament meetings in such a brief could take (as indicated in Fig 7), and the need to keep abreast of all developments and prepare for meetings, the lower participation of less-resourced countries in disarmament meetings is predictable.

The above suggests that lower income countries face the triple disadvantages of being less financially able

⁶⁰ The meetings were the 2015 Review Conference of the NPT in New York, the Vienna HINW conference, the Third Review Conference of the MBT in Mozambique, the Fifth Meeting of States Parties of the CCM in Costa Rica, and the 2014 Meeting of States Parties of the CCW in Geneva. See freedom of information requests to the Foreign and Commonwealth Office (reference 0537-15), available at: https://www.whatdotheyknow.com/request/cost_of_uk_attendance_at_multila#incoming-674586 and to the Ministry of Defence (reference FOI2015/04954), available at: https://www.whatdotheyknow.com/request/cost_of_uk_attendance_at_multila_2#incoming-674475

⁵⁹ See analysis on the NAM in Article 36 (May 2015) above note 1

to bring specialists to meetings (particularly longer and more complex ones such as NPT Review Conferences, which the UK information suggests can incur substantial costs per delegate); having fewer human resources in their ministries to draw upon when needed (twenty experts may not be available to many countries as they are to the UK); and their specialists in international locations having less time for involvement and participation on different issue areas.

Two meetings in the information requested from the UK were held in the global south (the 2013 MBT Review Conference and 2014 Meeting of States Parties of the CCM). Reflecting comments from interviewees discussed above, these incurred the second and third highest costs per delegate, of which three and four were sent respectively. These made up almost the whole UK delegations for these meetings. The UK's costs also included contributions to the running of meetings (apart from for the HINW), based on its obligations as a richer country within the treaties. These contributions were larger than the amounts spent on the UK's own delegates. Such costs are separate to funds for sponsorship however – which is a key factor in developing country participation.

SPONSORSHIP TO ATTEND

Sponsorship programmes were highlighted by all of those interviewed for this project as vital to ensuring more equal participation between higher and lower income countries, and amongst civil society organisations. Some inferences can be made about the importance and effect of sponsorship on the participation of states from the limited data available on the BWC, CCW, MBT and CCM programmes (ATT, HINW and POA meetings also had sponsorship programmes, for which data was unavailable), and comparison with the other seven forums that did not sponsor delegates for the meetings covered by this study.

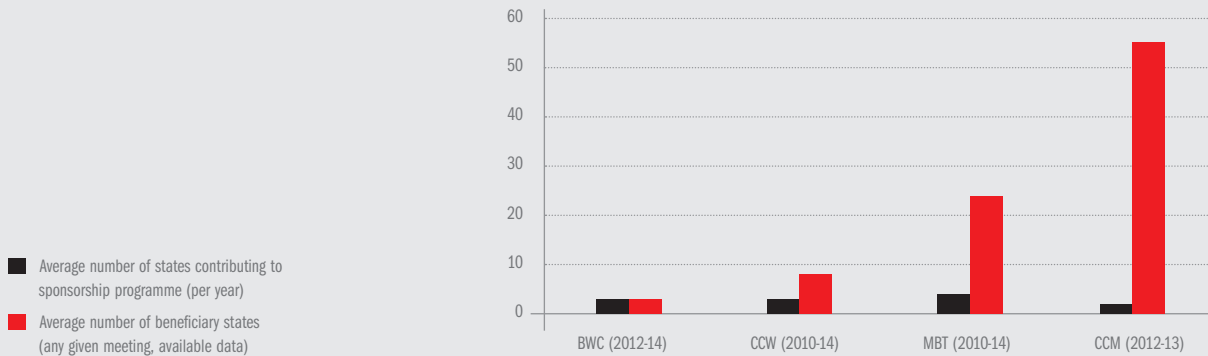
Of the forums with the least inequality in attendance between countries in different income groups, one did not have a sponsorship programme (First Committee) and four did (the ATT, CCM, HINW, MBT and POA). Given also that two of the least equally attended forums (the BWC and CCW) run sponsorship programmes, this suggests that financial support to certain delegates to attend individual meetings is not the only factor in lower-income countries' attendance – given the range of factors discussed previously in this paper – or the sole measure that must be taken in order to achieve more equal participation on international disarmament issues. Nevertheless, the data indicates the difference that relatively larger sponsorship programmes will make.

At the CCM, in the limited available data for 2012-13, on average over fifty low and middle income countries' delegates were sponsored to attend meetings (Fig 10). The CCM was the second most equally attended forum between income groups, with low-income countries attending CCM meetings in higher proportions than middle income countries, on average. The patterns in the proportion of low and middle-income countries attending meetings reflect those of sponsorship to the CCM, with few low or lower middle-income countries attending the meetings in the available data without some sponsorship.

Data was not available on how many delegates were sponsored per country, though for the 2012 meetings of the CCM 118 delegates were sponsored from 65 countries.⁶¹ For the MBT, the number of delegates sponsored was never more than around 1.5 times the number of countries sponsored. At MBT meetings, the average size of delegations within all country income categories was around 3 and for the CCM just over 2 – so these programmes would generally be unlikely to be covering the participation of whole delegations.

61 UNDP (2013), 'Preventing Crisis Enabling Recovery: A Review of UNDP's Work in Conflict and Disaster-Affected Countries: 2012', available at: http://www.undp.org/content/dam/undp/library/crisis%20prevention/BCPR_isuu-sm.pdf

Fig 10.
**States contributing to
 and benefiting from sponsorship
 programmes**



This, along with the mirroring in the data of patterns in sponsorship and attendance, suggests that sponsorship programmes, rather than simply producing the attendance of particular countries through covering their costs, may function to enable countries to send delegations where they may otherwise have had inadequate capacity. Interviewees noted for example that countries may choose to send no delegation at all to a meeting that they have an interest in where they cannot send enough people with the relevant range of expertise to cover a meeting adequately – the sponsorship of an expert delegate could change this calculus. Also, as interviewees working with sponsorship programmes noted, if countries' experts are based in capital, a lack of sponsorship would mean an under-qualified delegation if one was sent at all, to the detriment of the meeting.

The sponsorship programmes of the CCM, CCW and MBT were reported to prioritise the participation of experts from affected countries, low-income countries, and those with particular implementation obligations as well as universalization of the treaties, in order to maximise the value of the programmes. The participation of survivors was also noted as important by states involved in the CCM and MBT programmes. The BWC programme also had goals around increasing the range of states participating and universalization. Across the data, low-income countries and African Group countries were sponsored in the highest numbers, and cluster munition affected countries were sponsored in equal or higher proportions than non-affected countries in the available data on the CCM. Where the same country delegates were able to attend all or a number of the meetings of a particular forum (as opposed to countries proposing different delegates for sponsorship each time), interviewees noted that this has had an impact on the quality of

participation and interventions given by these countries, based on their own analysis.

Where sponsorship programmes are smaller, any effect of enabling more countries to attend will inevitably be lesser, though the capacity-building impact for delegates sponsored could still be significant. As Fig 10 shows, the sponsorship programmes of the BWC and CCW are small, both supporting the attendance of less than ten low and middle-income countries on average at any given meeting in the data. Less than ten low-income countries were on average recorded as attending these forums at any given meeting without sponsorship.

Larger sponsorship programmes might assist these forums in increasing attendance from developing countries. However, other factors related to interest, relevance and other aspects of prioritisation will inform whether opportunities are taken up, and whether they will inform meaningful participation. One state interviewee noted for example from their own experience that countries may not take care to put forward the best people if the process is not a major concern, nor to ensure that delegates sent are fully empowered to speak and respond at meetings, and that they have institutional strength and frameworks behind them (which many noted as vital to all countries' participation – and that countries may not have on certain disarmament issues).

Interviewees from states and international organisations who worked on the running of sponsorship programmes consistently noted that ensuring sponsored delegates contributed meaningfully to meetings was a challenge they faced. Some discussed how obligations had been introduced for sponsored delegates to give statements or presentations and

attend certain extra events in order to ensure that their sponsorship had value, and noted the need to ensure that it was experts on the issue that were attending meetings (though they had no control over the individuals countries did send to meetings).

Value for money is evidently important from a donor perspective, and the capacity-building value of these interventions welcome where they can help to address structural inequalities. The distinction created between sponsored delegates, whose participation can be scrutinised and evaluated by the committees granting their participation, and others whose effectiveness or lack thereof cannot be subject to any such measures, may however deserve further scrutiny with regard to questions of ensuring equality between states and equal ownership within these forums – which sponsorship programmes should, in part, be aiming to help achieve. Power dynamics may also be created or perpetuated between states by the ultimately political decisions made on which countries will be given assistance over others given limited funds.

Funding was the other key challenge for sponsorship programmes cited by interviewees. At the BWC, no delegates could be sponsored to one of the meetings in the dataset because of inadequate funds. As Fig 10 shows, the number of countries contributing to sponsorship programmes in any given year is very low (five or fewer). Many of the same countries also contributed across several processes. This is not a sustainable model of funding, and creates a higher risk to the functioning of the programmes should any country decrease their contributions or decide to pull out. Interviewees noted that levels of funding for sponsorship declined as treaties got older, highlighting for example that the numbers of delegates sponsored to attend MBT meetings were comparable to the current levels for the CCM at a similar point in time from treaty agreement. Sustainable funding for sponsorship programmes (as well as the broader running of treaties) is a crucial issue to address given these programmes' evident importance to developing countries' participation. Sustainability would likely involve consistent contributions from a broader range of countries.

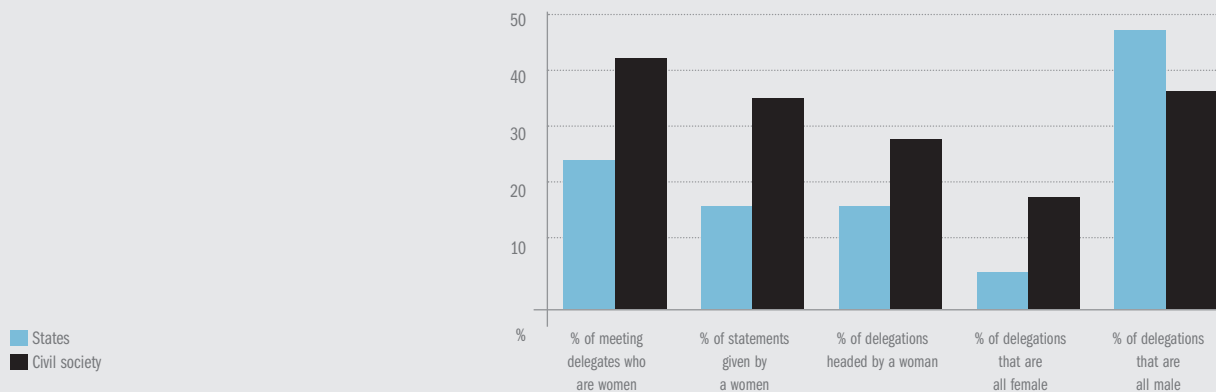
Though systematic data was unavailable on the sponsorship of civil society organisations to attend the meetings covered by this project, interviewee comments suggested that sponsorship was even more important for the attendance of civil society from developing countries than for state delegations. Respondents from global coalitions that organised or were involved in decisions on the sponsorship of their members to attend meetings, as well as those from organisations based in lower-income countries, cited sponsorship as a decisive factor in participation.

In applying limited sponsorship budgets available, coalition respondents noted prioritising the attendance of greater numbers of members at more strategically important meetings, ensuring the participation of victims, and the need for regional, linguistic and gender diversity in their delegations in order to be most effective. Who joined a delegation and spoke may be selected strategically based on the objectives and key targets for a particular meeting. In this regard, civil society sponsorship programmes often have much more control over which particular individuals will attend than sponsorship programmes for state delegates. Interviewees discussed the need to address dynamics of power in bringing in global south partners with sponsorship, ensuring that their voices were heard and that they felt equal to non-sponsored partners.

Data provided by the International Campaign to Abolish Nuclear Weapons (ICAN) on sponsorship to the HINW meetings in Nayarit, Mexico and Vienna, Austria shows a reflection of the priorities described above, with delegates sponsored from around 30 different countries to each meeting and all regions, with the highest numbers of sponsored delegates coming from African, Latin America/Caribbean and Asia-Pacific countries. An almost equal number of men and women were sponsored at each meeting.

Regarding the income group of countries in which sponsored delegates were based, at Nayarit almost half of the sponsored delegates were from upper middle-income countries (due to the strong participation of Latin American organisations). At Vienna, of the 37 sponsored delegates 14 were from lower middle-income countries and 12 from upper middle-income countries. Though conclusions cannot be drawn from this small amount of data, further research into the challenges that global coalitions and others may face in connecting, working with and bringing civil society from the lowest income countries into the multilateral space could be useful to addressing the topic of underrepresentation. One civil society interviewee from a lower middle-income country noted that very few organisations in his country operated within the international space, and had not considered being involved before being introduced to a global coalition by another organisation in the region.

Fig 11.
Participation of women in multilateral disarmament meetings on behalf of states and civil society: average rates across 13 forums, 2010-14



UNDERREPRESENTATION OF WOMEN

As discussed in a previous paper,⁶² women were seriously underrepresented at the meetings of the thirteen forums studied for this project in terms of attendance, speaking and delegation leadership, amongst states and civil society. This is despite consistent recognition of the need to address women's underrepresentation at international forums, including in UN Security Council Resolution 1325 on women, peace and security.⁶³ At any given meeting of the processes studied, only around a quarter of official country delegates were likely to be women, and less than a fifth of statements were likely to be given by a woman. Almost half of all country delegations at any given meeting were likely to be composed entirely of men.

In the available data, on average less than half of the civil society delegates to meetings were women, and over a third of civil society delegations were likely to be all male at any given meeting. By contrast, on average 16% of delegations were all female. Women headed roughly twice the proportion of civil society delegations as state delegations on average, and female speakers gave on average more than twice the proportion of interventions for civil society as states (Fig 11).

Regarding the composition of delegations, only 10 out of the 195 countries and territories for which this project gathered participation data had equal numbers of men and women on their delegations on average. Overall, 160 countries' delegations had more men than women on average. Five countries did not include

women on any delegations for the meetings where data was available. Of the 143 civil society organisations for which gender information was available on delegations, 17 had equal numbers of men and women on their delegations on average. 42 had more women than men on their delegations on average, including 29 whose delegations were always all female. 54 of these civil society organisations sent only men to the meetings they attended.

The data also showed that female-led delegations had larger proportions of women amongst their other delegates than male-led delegations. Patterns in the marginalisation of women and lower income countries were also seen to intersect. The lower a country's income group, the fewer female delegates and delegation heads they had, the fewer of their statements were given by women, and the larger the proportion of all-male delegations fielded. The combined patterns of the underrepresentation of lower income countries and women suggest the usefulness of considering how different forms of marginalisation may interact, in addressing these issues.

Only one of the state representatives interviewed for this project described a national policy on gender balance or diversity with respect to participation in the thirteen forums examined by this project. This will represent one major factor in women's continuing underrepresentation, given the range of structural factors that generate it that must be addressed with policy and practical measures. Most noted that women's representation was an issue of importance and some suggested that their country was likely performing well on this without a formal policy, though this was not supported by the data. Some on the other hand noted that disarmament tended to be a very male dominated environment, and that initiatives to

⁶² Article 36 (October 2015) above note 2

⁶³ Ibid.

raise awareness about underrepresentation and confront gender discrimination were welcome. A number highlighted the civil society initiative to draw attention to and take action against all-male panels in disarmament and global policy discussions, which includes a public commitment not to speak on all-male panels.⁶⁴ Some also noted how gender was increasingly being featured in states' statements in a number of forums.

NGOs and coalitions reported more policies and initiatives for women's inclusion and the monitoring of this, including in the administration of coalitions' sponsorship of their members. Sponsorship programmes for states were reported to have no requirements in relation to gender, though the inclusion of women – as well as survivors, and experts on particular aspects – was encouraged in communications to sponsored states for some programmes. Some also monitored gender data. UNDP has suggested, with no agreement to date, that gender parity in the sponsorship of delegates could be both incentivised and easier to achieve by donors requiring a fifty-fifty split of funds for each meeting allocated to male and female delegates respectively, with funding held back on unfilled quotas in either category. Such a policy could assist in generating the greater consideration, inclusion and increased capacity of female experts, who may be overlooked due to wider structural or cultural factors. Sponsorship policies would, of course, have only indirect influence, if any, on the majority of states that are not sponsored. A number of policies to identify and address inequality in participation, in the broader context of bringing gender perspectives to disarmament forums, would be needed.

64 See <http://www.manpanels.org>

CONCLUSIONS AND RECOMMENDATIONS

A range of interlinked factors inform the underrepresentation of developing countries and others at the international meetings of disarmament forums, including costs and the format of meetings; human resources, expertise and national institutional strength on these issues; and issues of prioritisation, relevance, policy framing and the productiveness of different forums. A cycle of disadvantage, with implications for the implementation of global treaties, is created through non-attendance contributing to lower capacity, which along with lower participation renders countries less able to contribute to and generate equally owned processes which represent a broad range of interests. Patterns of underrepresentation at multilateral disarmament forums must be addressed in order to achieve more inclusive and productive processes.

A number of initiatives can and already are being taken to address this issue, through programmes of sponsorship, training and capacity building⁶⁵ including peer support between countries, and preparation meetings with states at the national and regional levels to strengthen participation at international meetings, for example. States, international organisations and civil society all contribute to these efforts, with the latter often filling in gaps in state resources on these issues.⁶⁶ Such initiatives should continue to be resourced, strengthened and expanded.

As well as practical measures to strengthen participation in formal meetings, tackling problems in disarmament in ways that addresses a wider range of interests is important to the greater participation of developing countries in these multilateral processes. Partnerships between civil society, international organisations and states (including developing states) to reframe issues as a priority concern through, for example, making links with humanitarian and development agendas can facilitate the participation of a wider range of countries by linking these issues more closely with national priorities (and where relevant with processes and concerns such as the SDGs that are high on national and international agendas). Such activity can take place both within and outside of the existing formal spaces of multilateral meetings, which are not necessarily always the focus of activity for change.

As discussed in this report, developing countries are marginalised from agenda setting through their structural underrepresentation in international forums,

which will leave many policy problems and possibilities unaddressed. In this respect, linked to the generation of more productive framings for issues, informal engagement allowing for more dynamic or active contributions, in groups that can act as a multiplier against exclusion in formal spaces, can be valuable. Such formations can again be supported by groups of states, international organisations and civil society to advance progressive agendas and new solutions to disarmament problems. Different ways of working to support diverse engagement, where global resource differentials cannot be directly effectively addressed, can be highly valuable.

Finally, it is important that the visibility of issues of marginalisation in international forums be raised, in order to be better addressed through policies and practices resulting from improved awareness. Improved transparent data is important in this regard, in particular in relation to gender, on which the data collected for this study had limitations. The consistent collection, monitoring and analysis of participation data is a first step in recognising and measuring progress on this issue, as well as giving further insights into the dynamics of the problem mapped for this study.

APPENDIX: NOTE ON METHODOLOGY AND TERMS

This study collected quantitative data on: the Nuclear Non-Proliferation Treaty; international conferences on the Humanitarian Impact of Nuclear Weapons; meetings on the Comprehensive Test Ban Treaty; the Biological and Toxin Weapons Convention; the Chemical Weapons Convention; the Convention on Certain Conventional Weapons; the Anti-Personnel Mine Ban Convention; the Convention on Cluster Munitions; the Arms Trade Treaty; the UN Programme of Action on Small Arms and Light Weapons; the UN General Assembly First Committee; the Conference on Disarmament; and the UN Disarmament Commission. These thirteen treaties and processes were selected to cover a range of disarmament and weapons issues, and forums with different ways of working. Regionally based forums or processes were not examined, though these could make a useful point of comparison for further study. Nor were disarmament or arms control focused UN Security Council deliberations (whose participation is far more restricted than any of the forums included here).

Information on delegations and statements was collected for all meetings where available between 2010-14 inclusive. Data was gathered from publicly available lists, collected either from the UN documents archive, archives collated by Reaching Critical Will, the disarmament programme of the Women's International League for Peace and Freedom (www.reachingcriticalwill.org), on whose data and analysis this project

⁶⁵ One interviewee mentioned UNODA's Disarmament Fellows scheme as a useful programme for example

⁶⁶ One example is the ATT Legal programme, through which the Control Arms civil society coalition offered technical assistance to any states needing legal advice during the ATT negotiations. Such models of expert assistance could be adapted and applied more broadly and in various forums

drew substantially), or from websites created for particular meetings, by the organisers or associated organisations. This project complements work by the International Law and Policy Institute (ILPI) to examine data on a selection of disarmament and arms control processes and improve inclusiveness based on this analysis.⁶⁷ ILPI shared data from their study with Article 36, which was used for useful background but not data analysis.

The country income categories used in this paper (“low-income”, “lower- middle-income”, “upper-middle-income”, “high-income”) are based on the Organisation for Economic Cooperation and Development, Development Assistance Committee (OECD DAC) list of Official Development Assistance (ODA) for 2012/2013.⁶⁸ Using this list, countries with a per capita GNI of less than \$1005 in 2010 (‘Least Developed Countries’ and ‘Other Low Income Countries’) were grouped into “low-income”, and countries not appearing on the list of ODA recipients were classified as “high-income”. For regional analysis, membership of UN General Assembly voting groupings were used, to represent existing blocs and to permit more meaningful analysis (given the North America geographical region contains only two countries). The groups are: African Group, Asia-Pacific Group, Eastern European Group, Latin American and Caribbean Group (GRU-LAC), and Western European and Others Group (WEOG) (which contains states from Western Europe and North America as well as Australia, New Zealand and Israel).⁶⁹

For most meetings, information on the presence of delegations and the statements they gave was available. Delegation size was not always obtainable, and gender data patchy (see below). We note that participant lists are imperfect as a data source and will not necessarily reflect actual attendance at meetings (given that some registered delegates will not attend and some will be added to delegations subsequent to the production of lists) or how individual sessions were attended. We have no guarantee that the archives accessed contained comprehensive collections of the statements given at any given meeting.

Regarding gender data, Article 36 acknowledges gender diversity beyond the binary categorisation of ‘men’ and ‘women’. These are used in this report as the categorisations available in the source data. The number of

women on delegations was recorded by counting the number of delegates with a female title (Mrs, Mme etc.). Where titles were not given on participant lists, gender data was not collected for those meetings. The head of delegation was assumed to be the first name on the delegation list. A speaker’s gender was recorded based on her/his title. Where no title was given, the name was referenced against the participants list. A statement with no speaker’s name was assumed to be given by a man if the delegation was all-male, and by a woman if the delegation was all-female. If the speaker’s gender could not be determined in any of these ways, or by searching for a named speaker in other sources, the gender was recorded as ‘unknown’.

Participant lists with gender-specific titles were available for the majority of meetings for state delegations, though not for all – in particular, some expert and inter-sessional meetings did not have this data. For NGOs, participant lists with delegate titles were not available at all for 6 out of the 13 forums, and not available for every meeting of the remaining 7. Information on the gender of speakers was inconsistently available, and for states’ statements was unusable for analysis for 6 forums, due to the high number of speakers whose gender was unknown. For NGOs, data was usable from 11 out of 13 forums, but did not cover all meetings. Article 36 has worked with averages across the still considerable amount of data that was available, as an approach to this information deficit. One recommendation of this study is that better and more consistent recording of data should take place, in order to facilitate monitoring, including of women’s representation.

Additionally to the quantitative data collected, Article 36 also undertook semi-structured interviews for this project with twenty individuals working for governments, civil society organisations or coalitions, and international organisations involved in these forums. We sought respondents from a diversity of regions and country income groups, who covered all of the weapons and disarmament issues that are the subjects of the forums we examined. The questions asked covered areas such as: the factors that affected a country/organisation’s participation at these international meetings; perspectives on programmes to promote more equal participation; and policies on the participation of women and other aspects of inclusion and diversity. The responses were collected to represent personal reflections and experiences, rather than official positions. Given the relatively small sample, they can only be taken to represent insights from the considerable knowledge and participation in the forums studied of the interviewees, rather than a more comprehensive or representative picture. Article 36 thanks the interview respondents for giving their time and expertise to support this project.

⁶⁷ See Hugo and Egeland (2014), above note 20 and also ILPI (October 2015), ‘Counting to Zero: An overview of United Nations member states’ positions on nuclear disarmament and the humanitarian impact of nuclear weapons’, available at: http://nwp.ilpi.org/wp-content/uploads/2015/10/SF_BASIC_INDICATORS-2015B_FULL.pdf

⁶⁸ OECD, ‘DAC List of ODA Recipients’, available at: <http://www.oecd.org/investment/stats/dac-list-of-oda-recipients.htm>

⁶⁹ ‘United Nations Regional Groups of Member States’, available at: <http://www.un.org/depts/DGACM/RegionalGroups.shtml>

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