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NGOs, Disarmament, and Limits on War Violence

<https://www.e-ir.info/2021/01/10/ngos-disarmament-and-limits-on-war-violence/>

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Although the role of NGOs in global governance is often associated with their work on environmental protection or human rights (Ruhlman 2019), from early on they have also been closely involved in hard security issues, such as those pertaining to the conduct of war and the imposition of weapons limitations or prohibitions. This article briefly examines the wide-ranging contributions that NGOs have made in this area: from providing relief in warzones and post-conflict settings, advocating for disarmament or the adoption of international legal norms regulating the conduct of armed conflict, providing legal expertise and drafting treaty texts, to monitoring state and non-state actors' compliance with established norms. For an extended review of NGO roles in disarmament, see Petrova (2019b).

Relief provision was among the first activities that motivated the establishment of early NGOs. In 1863, Henry Dunant, having witnessed a few years earlier the horrific suffering of wounded soldiers many of whom perished for lack of medical care after the battle of Solferino, created the International Committee of the Red Cross (ICRC) as an organization to coordinate medical relief by volunteer national societies and to advocate for a treaty that would allow Red Cross members to provide medical relief on the battlefield (Finnemore 1996; Forsythe 2005). Over time, the ICRC has expanded its work to humanitarian assistance and protection of victims of international and internal armed conflict, most recently turning its attention to situations of urban violence (Forsythe & Rieffer-Flanagan 2007; Bradley 2016, 2020). In the 20th century, more medical relief organizations, such as Doctors Without Borders and Doctors of the World, emerged, and in the late 1980s and early 1990s, a host of NGOs were set up for the specific purpose of mine clearance and mine victim rehabilitation in the wake of conflicts in Angola, Cambodia, Mozambique, and Colombia (Rutherford 2011).

In other areas, such as development assistance, NGOs have traditionally focused on providing relief and channeling funds from donor states to populations in need, only recently shifting to advocacy and addressing the root causes of poverty (Schmitz 2020). In contrast, relief efforts in war have largely gone hand in hand with advocacy campaigns for establishing new normative standards. This was partly due to functional needs – non-state actors could not operate on the battlefield without the consent of warring parties, but also due to the realization that measures alleviating suffering were insufficient and its causes too had to be addressed. Yet, NGOs have only partially been successful in their efforts to curb armaments and end violence in war. As in other fields, the success of their advocacy depends on a host of factors, such as opportunities for coalition building, available resources, state interests, and not least, the nature of the problem and the offered solution. An argument can be made that where more radical attempts for disarmament and the abolishment of war have failed, progress has been made in regulating warfare and limiting its worst effects on vulnerable individuals.

Norm advocacy for peace and disarmament has also been an enduring feature of NGO work. In the 19th century, the Russian Tsar Nicolas II decided to convene a peace conference aimed at placing limits on armaments and prohibiting the progressive development of new weapons. While most of the other great powers at the time were skeptical of the initiative, a groundswell of support from NGOs, diverse groups of peace societies, women's organizations, and religious organizations kept it alive. Under public pressure to make progress on the peace initiative, diplomats agreed to attend and ultimately adopt certain measures. Whereas disarmament, the most ambitious issue strongly advocated by NGOs, met with failure, peace advocates managed to secure some progress on international arbitration for peaceful dispute resolution among states. States also agreed on prohibiting expanding bullets causing severe wounds, as well as time-limited prohibitions on the use of asphyxiating gases and throwing

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projectiles from air balloons (Tuchman 1966; Abbenhuis 2018).

Other moderate initiatives by the ICRC for rules protecting sick and wounded soldiers and later prisoners of war were also successful (Forsythe 2005). During and after WWI, the ICRC called for non-use of chemical weapons, after WWII, for protections of war victims and civilian populations under occupation resulting in the 1949 Geneva Conventions, followed by a series of initiatives to prohibit nuclear weapons and protect civilians against indiscriminate warfare (Mathur 2017; Forsythe 2005). These developments ultimately contributed to the adoption of the 1977 Additional Protocols to the Geneva Conventions that for the first time codified in treaty form the principle of civilian immunity (Geiß, Zimmermann, and Haumer 2017; Bothe 2017; Heinsch 2017). Whereas until the mid-1990s, ICRC had confined most of its activity to discreetly lobbying states and providing legal expertise in developing international humanitarian law, thereafter it engaged in more public advocacy, first for a prohibition on antipersonnel landmines, and later cluster munitions, and nuclear weapons.

Other organizations, such as the Federation of American Scientists, Pugwash, and later the International Physicians for the Prevention of Nuclear War have been among the many NGOs behind the development of norms against the use of nuclear weapons during the Cold War. They also contributed to the adoption of some concrete treaties, such as the Partial Test Ban Treaty and the INF treaty by working both domestically in Western countries (Tannenwald 2005, 2007; Wittner 1992, 1997, 2003) and transnationally linking up with their Soviet counterparts (Adler 1992; Evalngelista 1999). Yet, the goal of nuclear disarmament and nuclear weapon abolition eluded them.

The end of the Cold War saw the emergence of new NGOs that pushed for new norms strengthening civilian protection through prohibitions on specific weapons types, such as landmines (Price 1998; Rutherford 2000, 2011) and cluster munitions (Petrova 2018), and the establishment of the International Criminal Court to prosecute (and prevent) war crimes (Glasius 2006; Struett 2008). These treaties were notable by their lack of great power support, especially from the US, the hitherto liberal hegemon behind the post-WWII international legal order. Such legal norms without the hegemon (Brem and Stiles 2009) became possible due to NGO campaigning that mobilized public and state support for the new norms by reframing issues in humanitarian terms, praising state leadership in norm creation and shaming its opponents (Price 1998; Petrova 2016, 2019a). Convincing states to part with traditional consensus decision-making was key in moving the normative agenda forward (Deitelhoff 2009; Coleman 2013). Whereas it can't be said that NGOs shifted the balance of power away from states, through their campaigning they managed to tilt it in favor of small and middle-sized states at the expense of great powers.

NGOs established new partnerships with like-minded governments and international institutions to pursue bold measures aimed at curbing weapons and protecting civilians (Rutherford, Brem and Matthew 2003). Whereas in past decades, NGOs have often been outsiders, using public pressure to influence state policies, from the 1990s, there has been a trend toward more elite lobbying and active participation in treaty-making. Under NGO pressure, negotiation fora have become more open to NGOs, especially "gatekeeper" organizations central to setting not only the NGO agenda, but also global responses to it (Carpenter 2011, 2014). This NGO participation in global governance has led to arguments that NGOs have become more elitist and professionalized (Ottaway 2001); global players that take on new responsibilities and become key partners to governments, because of their ability to mobilize public support and lend legitimacy to states and international institutions (Sending and Neumann 2006).

The overall effects of NGOs on security governance are contested. Some authors see them as inconsequential, while others as legitimizing high-tech military violence. Arguably, their role has been somewhere in between these two extremes – pushing for gradual change toward weapon limitations and civilian protection. For example, whereas in the past campaigns for nuclear disarmament stalled, the prohibitions on landmines and cluster munitions have opened the way to pursuing and ultimately adopting a comprehensive ban on nuclear weapons (Petrova 2018). The path to the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW) largely followed the humanitarian disarmament template set up by the Mine Ban Treaty and the Convention on Cluster Munitions (Borrie 2014; Gibbons 2018). NGOs acted together and mobilized small and middle-sized states against the powerful resistance not only of the superpowers, but also their allies benefitting from extended nuclear deterrence. Despite the uphill battle for the universalization of the treaty still lying ahead, 50 states have already ratified the TPNW triggering its entry into force in January 2021, while the first signs of some NATO states softening their adamant opposition to the

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treaty are starting to show up (Sauer and Nardon 2020).

Finally, NGOs are involved in norm diffusion and monitoring norm compliance. For example, the ICRC has traditionally functioned as the “guardian” of international humanitarian law (IHL), not only developing, but also disseminating IHL rules and educating armed forces about them. A number of organizations, such as Human Rights Watch and Amnesty International, have more recently expanded their mandates to monitor compliance with IHL and publicize its breaches. Once specific treaties had been adopted, NGOs have set their sights on stigmatizing states remaining outside of the legal regimes and monitoring compliance with the established norms. Hence, the International Campaign to Ban Landmines and the Cluster Munition Coalition went on to launch yearly monitor reports on state policies and practices with regard to the respective weapons. Over time, by establishing the new norms, prodding along, shaming, and engaging in argumentative exchanges with states resisting the treaties, NGOs have managed to reshape the legal discourse on weapons and bind the US in de facto compliance with treaty provisions (Price 2004; Petrova 2018; Bower 2015, 2017).

The targets of NGO advocacy for norm universalization are not confined to states, but extend to a range of non-state actors. Similar to NGO tactics vis-à-vis states, NGOs have engaged in naming and shaming, but also naming and praising non-state actors. On the one hand, in strengthening norm compliance NGOs have pushed producers of controversial weapons to stop doing so, while at the same time pressuring financial institutions to divest from arms manufacturers (see, Stop Explosive Investments; Don't Bank on the Bomb; Acheson 2018). On the other hand, NGOs have reached out to non-state armed groups in attempts, for example, to stop them from using antipersonnel landmines or child soldiers (Hofmann 2006; Bongard and Somer 2011; Bongard and Heffes 2019) and more broadly to curb violence in conflict (Jo and Bryant 2013; Hall 2014). NGOs have also aimed at getting the support of cities for the new prohibition on nuclear weapons. Such efforts indicate the increasing importance of private governance where both the monitors and the targets are non-state or subnational actors. While important in its own right, such exercise of private authority aims at indirectly imposing limits on the freedom of action of states and spreading norm acceptance from the bottom up.

Thus, NGOs are not only agenda-setters working through states and international institutions for norm creation, but also active actors in security governance. Whereas relief provision during conflict and norm advocacy for limits on weapons and violence in war have often been conjoined in the past, in recent years NGOs have taken on new issues and started engaging with non-state actors. Questions still remain about the effects of NGO professionalization and specific weapon prohibitions on the ability of NGOs and civil society at large to pursue a radical disarmament agenda, ensure human security during conflict, and curb the use of force itself.

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