POLICY*dialogue* BRIEF

Being There:
The Nonstate Role in Multilateral Cooperation

Nonstate actors (NSAs), whether formally recognized or informal, play an ever-increasing role in international affairs. Corporations and well-funded nongovernmental organizations (NGOs) are increasingly capable, expert, and willing to act unilaterally around the world in pursuit of their goals, on an ever-broader array of issues. They are also increasingly active in lobbying nation-states and multilateral forums to shape their environment, and many engage in both action and lobbying. As a consequence, NSAs' activities at a minimum complicate the calculations of more traditional participants in multilateral forums; for example, nation-states have reacted along a spectrum ranging from attempts to exclude NSAs from multilateral discussions to co-opting and incorporating them as partners or allies.

To examine these issues, the National Defense University, the Stanley Foundation, and the World Future Society convened participants from NGOs, the US military, consulting firms, the United Nations, academia, and elsewhere to discuss how NSAs are affecting multilateral cooperation.

In advance of the "Being There: The Nonstate Role in Multilateral Cooperation" conference, participants were sent four papers specially commissioned by the Stanley Foundation:

- Anya Loukianova's *Civil Society and Industry Participation in the Nuclear Security Summit Process* described how US-based and international NGOs have interacted with the biennial Nuclear Security Summit, a heads-of-state-level gathering dealing with all aspects of the commercial and military handling of radioactive and fissile materials.

- Josh Busby and Jennifer Hadden's *Nonstate Actors in the Climate Arena* discussed how NGO scientific and subject-matter groups, at first ubiquitous and necessary in international discussions of climate change, have seen their influence wane as nation-states and NGO development and justice groups have stepped to the fore.

- Rei Tang's *Steep Rise: The G-20 and "Insider" Policy Advocate*s documents how think tanks (the "Think 20") and NGOs (the "Civil 20") have gradually grown alongside the G-20 heads-of-state summits, with their prominence and influence waxing and waning depending on the G-20 host government.

Note that this conference dealt primarily with nonprofit, nonviolent NSAs that accept the legitimacy of nation-states and multilateral forums, excluding (for the most part) mention of corporate lobbying or subnational groups such as the Islamic State of Iraq and Syria or Anonymous.

This brief summarizes the primary findings of the conference as interpreted by the author, Paul D. Kretkowski. Participants neither reviewed nor approved this brief. Therefore, it should not be assumed that every participant subscribes to all of its recommendations, observations, and conclusions.

• Stefaan G. Verhulst's *Futures of Governance: Nonstate Participation in Multilateral Forums* covers how successfully a host of almost exclusively nonstate actors influences the Internet Corporation for Assigned Names and Numbers (ICANN), which delegates and manages identifiers for the world's Internet resources.

These papers, and an opening address by Ambassador Peter W. Galbraith, formed the basis for an open plenary session that synthesized the broad principles under which NSAs are operating and what has been particularly effective or ineffective about their operational models and actions in pursuit of their goals.

Following the plenary session, participants broke into five groups that considered NSAs' legitimacy, their strategies, the boundaries between them and nation-states and forums, the upsides, and the downsides of their participation in multilateral settings. These workshops tended to consider three perspectives: that of nation-states, which may view nonstate actors along a spectrum ranging from opposition to alliance; that of the NSAs, whose interests may transcend those of nation-states on several axes (geographically or morally); and that of partnerships between NSAs and nation-states and how they can work together more effectively and efficiently. The remainder of this paper is broken out from these three perspectives, with recommendations for each of the three perspectives included in each section.

Nonstate Actors' Evolving Capabilities

An opening address by Ambassador Galbraith described two kinds of nonstate actors: those that act independently, much like corporations and some NGOs do (e.g., direct-action organizations such as Médecins Sans Frontières), and those that seek to affect the actions of states or international bodies, as Transparency International, the press, scholars, and arms-control NGOs do. The latter form the larger group, although some groups, such as large corporations, act independently but also attempt to influence by shaping their legal or regulatory environments.

NSAs have traditionally expended resources primarily to influence their own national governments first, then secondarily to influence other nations' policies, but this is no longer the rule. Many NSAs have arisen or expanded away from the primary issues of war and peace toward a much broader palette that may embrace the environment, consumer safety, the Internet, human rights, gender issues, health care, and other topics.

Given this trend, it may no longer be enough for an NSA to influence one nation-state or another, since its goals (e.g., a slowing of climate change) may require coordinated international or even global action. As a result, some NSAs have internationalized themselves, establishing offices or headquarters in the capitals—Beijing, Brussels (for the European Union), Moscow, Tokyo, etc.—of nations they wish to influence.

When NSAs do choose to influence individual nation-states, they may now do so indirectly—a full-court press of exerting influence at their home country's subnational and local-government levels. At the other end of the spectrum, local NSAs may also bypass national governments and seek help and connections at international and global levels, which might then pressure or shape the environment of norms in which their home national governments operate. This trend is aided by the gradual homogenization of concerns, language, and expertise among nation-states and NSAs.

NSA Organization

NSAs' strategies depend greatly on how they are organized and situated with regard to state actors. Their organizational models range from formal, structured groups to egalitarian crowds, with the most complex types of NSAs self-organizing or crowdsourcing via the Internet.

Some emerging NSAs are remarkably informal by historic standards and may even be exclusively online communities that, despite lacking structure or hierarchy, have cohered sufficient expertise to reach out to and affect other, more formal organizations. These self-organized communities may be based on common interests rather than a common geography or language, although there are few truly global online movements; most represent the interests of leading democracies and middle-power states and/or their citizens.

NSAs' relatively narrow interests and smaller constituency generally give them far greater latitude for action than nation-states enjoy. They have the freedom to specialize or not and act directly or not, and to develop specific operational expertise and knowledge of issues, and even influence other NSAs while competing with them for resources and influence on nation-states.

Perhaps most importantly, they may speak out publicly on issues as they see fit, or mix carefully tuned public diplomacy with private pressure. They can help break larger, complex issues into chunks that are easier for nations and populations to ponder and act on than in their monolithic form.

Nonviolent NSAs can also, by their existence and participation in multilateral settings, create an important model for how to effect political change—even at the highest level—and the benefits of engagement over nonengagement.

"Nonstate actors do not have a single advocacy style. Nonstate actors have tried to create or raise interest in issues, shape the agenda, and hold the G-20 accountable."
Rei Tang
Steep Rise: The G-20 and "Insider" Policy Advocates

Superactors

While many NSAs are content to be primarily either doers or influencers, there is a third, relatively new class of superactors that combines characteristics of both these types. These are generally created by high-profile individuals who have large amounts of disposable capital, are unique media attractors, or have other unique, nonorganizational characteristics. These NSAs claim legitimacy outside their home nation-states and large multilateral forums and may simply move ahead to get things done without engaging either. The Bill and Melinda Gates Foundation is a prime example of this group: a well-resourced NSA that attempts to solve problems on its own, deriving legitimacy from action and its efforts to persuade states and less-powerful NSAs to cooperate in reaching concrete goals.

NSAs in Multilateral Settings

The problems NSAs face in influencing nation-states may become more acute in certain multilateral settings where nation-states not only dominate but prefer to deal directly with one another. NSAs may choose to seek formal recognition in these venues (the archetypal seat at the table) or to operate informally behind the scenes or outside the venue's doors (whether real or metaphorical).

The potential for formal NSA access to global governance processes can depend on personal ties, expertise, and issue currency as much as nation-state preferences. In some cases there are individuals who move between nation-state and NSA positions in revolving-door fashion, and they can exert particular influence because of their knowledge of players and playbooks. They can also infuse all sides with more current thinking and expertise than the sides currently have.

Legitimacy can be conferred through several routes, complicating efforts to gauge levels of effort and resulting outcomes. In the cases mentioned at "Being There," it emerges primarily through leadership, either in technical expertise (e.g., nuclear-weapons experts at the Nuclear Security Summits) or through direct action, as in the cases of the Gates Foundation or of Kailash Satyarthi, whose grassroots children's-rights activism eventually led to the ultimate legitimacy of a Nobel Prize for peace. However, legitimacy sometimes emerges accidentally, as with Malala Yousefzai, whose youthful bravery led to her shooting and subsequent medical evacuation to England. The resulting media coverage, and Yousefzai's ability to remain in the media spotlight, may be the actual source of her legitimacy.

Recommendations for NSAs

- Examine how and why groups and individuals identify with transnational causes and movements.

- Develop ways to determine what is or will be important to a multilateral forum, given today's increasingly complex system of nation-state/NSA interactions.

- Be aware of the persistent lack of capacity of NSAs from developing countries, which raises issues of fairness in multilateral forums because developing countries' issues may not be addressed to the extent that those of developed-world NSAs, with their generally richer expertise and networks, are. The latter should determine the extent to which they wish to promote some fraction of developing-world NSAs' agendas alongside their own.

- Understand that success has its perils. Institutionalization can lead to greater influence in a given forum but may also lead to co-optation or other forms of system capture. NSAs that become installed in a multilateral structure may also face the problem of representing their entire community of interest, as these will tend to be fractured rather than monolithic.

Nation-States: The Gatekeepers' Standpoint

Nation-states are the traditional gatekeepers of participation in multilateral forums. However, they are not immune to the pressure that increasing numbers of NSAs exert—through expertise, moral suasion, or media presence—for a seat at the negotiating table or modifications of forums' positions. However, nation-states suffer from a lack of standard criteria by which to screen NSA participation in forums (beyond short-term political considerations).

This dilemma is exacerbated by the fact that traditional notions of expertise and what an NSA should look like are breaking down. The ecosystem of NSAs is dizzying; it is sometimes difficult to categorize them, measure their influence, and fully understand their positions and actions, as can be done with nation-states. In addition, because the ecosystem of actors and power centers that nation-states face is increasingly decentralized, it is difficult to map the policy and advocacy community surrounding a multilateral forum adequately enough to understand which NSAs may most affect events. One further complication is that NSAs use multiple avenues to access and influence multilateral forums and their participants, rather than acknowledge the nation-states' traditional gatekeeping prerogatives.

The result of these trends is that entrée to discussions will likely become increasingly open regardless of whether multilateral forums acknowledge new types of NSAs.

"Sometimes people say there is an inherent conflict of interest between governmental and nongovernmental circles. I don't agree with that at all. . . . I strongly believe that the network society we live in today requires more contact between those inside and outside government. Modern diplomacy, as I see it, should help create and form part of that contact. The policy arena is no longer just government officials giving top-down directives. Private companies, consultancy firms, NGOs, and many others are now more horizontally connected than ever before. And diplomacy should be an integral part of that network."

—Dutch Foreign Minister Frans Timmermans
at the Nuclear Knowledge Summit

Anya Loukianova
*Civil Society and Industry Participation
in the Nuclear Security Summit Process*

"There were two main coalitions employing different issue framing at the time of the Copenhagen Summit. Both were engaged in direct lobbying of delegates, media outreach, and public-facing media stunts. But the climate justice coalition also organized more radical actions, including an attempt to "take over" the Copenhagen Summit in the style of the Seattle WTO protests. These radical actions, in combination with the inability of the venue to accommodate the sheer number of registered individuals, led the Secretariat to withdraw accreditation for virtually all civil society delegates for the last two days of the Copenhagen meeting.

Joshua Busby and Jennifer Hadden
Nonstate Actors in the Climate Arena

Benefits of NSA Inclusion in Multilateral Forums

Nation-state governments have developed strategies for taking advantage of NSAs' capabilities, including using them to provide information, to mobilize populations, to influence other actors, and to help implement agreements. NSAs can offer multilateral forums their visible or audible passion surrounding a topic, the expertise they deploy in service of that passion, and/or the mobilization of other resources (e.g., financial, celebrity) to ends that coincide, at least in part, with those of the multilateral forum.

In addition, NSAs can make intergovernmental organizations' goals more acceptable and/or urgent to other participating nation-states. While NSAs can criticize the implementation of multilaterally decided actions, they can also act to bring the voices of the powerless to multilateral venues, with a positive impact both for that constituency and on the venue's perceived legitimacy. They may also be helpful in breaking down longstanding international cleavages, such as those that have been framed as Global North versus Global South. NSAs can take a broader look at such issues and perhaps reveal a more global consensus than is otherwise apparent.

Degrees of Accountability

Despite the above benefits, governments remain wary of the tension between NSAs' virtues in these roles and the complexity they add to multilateral cooperation, especially where NSAs are vociferous about their positions. The trend of greater NSA involvement in multilateral forums raises several questions that bear further examination. When do NSAs become accountable for their input? How are nation-states to determine and grant them legitimacy? What tools and techniques do states or multilateral forums use to regulate, prevent, or control an informal actor's input or participation?

Nation-states may confer legitimacy to the extent that an entity may speak or act at different levels of engagement with a forum. Formal legitimacy is by definition acceptance within that forum, but while this acceptance should create a parallel need for accountability, this is far from always the case.

For example, at the United Nations, hundreds of NSAs are official participants through their observer status. All can provide input and are accepted, formal parts of UN deliberations at varying levels, but none are accountable for their actions there in the way member nation-states are.

Contrast the UN example with the institutionalization of NSA roles that has occurred via the Nuclear Knowledge Summit, the expert gathering that parallels each Nuclear Security Summit heads-of-state meeting. There, NSAs have played an official role and have been responsible for providing education, facilitation of working groups, and recommendations to nation-state participants, and been acutely aware of the need to behave accountably.

One might think that ICANN might suffer acutely from a lack of accountability of its participants, given the potential for large numbers of stakeholders to combine with relatively low barriers to entry to increase friction in Internet governance; and yet the Internet continues to operate reliably around the world in no small part thanks to ICANN's efforts. The example of ICANN and similarly decentralized organizations

may help show a way for nation-states and NSAs to coexist in multistakeholder settings.

"To accommodate the global nature of the Internet, ICANN aims to be a global body–it holds meetings all around the world, conducts capacity development programs in different regions and countries, and creates regional partnerships to deepen ICANN's engagement and inclusivity around the world. Above all, any technical change that ICANN implements to the unique identifier systems involved in Internet operations have global impacts because these changes will affect every connected device and, in turn, every connected Internet user. As such, the impact and roles that nonstate actors play at ICANN are distinctly global. Their positions on issues have global ramifications."

Stefaan G. Verhulst
Futures of Governance: Nonstate Participation in Multilateral Forums

---

Recommendations for Nation-States

• Recognize that NSAs' voices will be heard at multilateral gatherings in one form or another and assess the value of including them versus attempting to exclude them.

• Develop a more granular understanding of NSAs' distinguishing characteristics, including their organizational structure, reliability as a partner, and track record of effectiveness.

• Allow for inconsistent levels of organization from NSAs or coalitions of NSAs, which may not be resolvable into a neat hierarchy.

• Realize that less-formal NSAs pose the biggest challenge for nation-states (as well as for more-formal NSAs) because their identities and actions will tend to vary more widely and be less predictable, complicating planning and cooperation.

Working Together: Transparency, Security, and Partnership Issues

For state and nonstate actors, forming effective partnerships and coalitions can be a critical advantage depending on the venue and/or policy issue. There is a broad range of interactions between state/multilateral and nonstate actors along four spectra: from partners to adversaries, from formal to informal, from public/acknowledged to off-the-record,

and from robust to none at all. Assuming that nation-state/NSA cooperation is inevitable, we may also assume it will require better accountability, transparency, quality control, and coordination than are currently the norm.

Transparency in global governance processes is a major issue in such cooperation and will vary depending on the level of formality in a given multilateral process, how long it has existed, the degree to which its structure can effectively address a problem, and the national-security implications of the issue being considered. Transparent processes tend to be more inclusive, more trusted by participants and observers, and yet more unwieldy because they tend to involve more parties; in contrast, opaque processes make it easier for state actors, and state actors alone, to negotiate agreements.

"The Anti-Corruption Working Group has been a tremendous gain for Transparency International's G-20 advocacy efforts. Transparency International briefs the Anti-Corruption Working Group regularly where officials not only receive recommendations but discuss them in detail. Despite its access to sherpa teams and the Anti-Corruption Working Group, Transparency International views the G-20 process as opaque."

Rei Tang
Steep Rise: The G-20 and "Insider" Policy Advocates

Nation-state/NSA cooperation also faces issues relating to coordination of information sharing and security. No government has all the information it needs or wants, but often nation-states and NSAs each have sensitive information that cannot be shared or that, if shared, would weaken the negotiating positions of one or both in relation to other parties.

However, working at the operational level, as in humanitarian or other time-critical operations, creates more opportunity and more need for two-way information sharing between the parties involved, sometimes to the point that divisions between nation-state and nonstate actors is allowed to collapse. Successful cooperation at this level can create a critical mass of trust that becomes useful in the more formal and high-level setting of a multilateral forum.

Recommendations for Nation-State/NSA Cooperation

• Examine each others' structures and strategic choices more closely for lessons and cautionary tales.

• Explain nation-states or multilateral forums to NSAs and vice versa, and discuss how they may function together more effectively in multilateral forums.

• Recognize that the effectiveness of both state and nonstate actors tends to scale inversely with the size of the multilateral venue and its total number of participants.

• Seek opportunities for small-scale operational cooperation, which could go a long way toward determining the parties' relative expertise, resources, and common interests.

Afterword: Where We Came From and Where We Are Going

The workshop recorded in this report arose out of discussions between the Stanley Foundation, the National Defense University, and the World Future Society during summer 2013. For various reasons, we had all evolved suspicions that the basic framework of analysis within which we work was insufficient to describe the reality of how things get done among people, institutions, and governments in the international realm.

We began looking for a new framework for international relations, one that did not take the received international system for granted but that acknowledged that it is experiencing changes that are widely acknowledged yet poorly understood. We all sensed that thinking about a new framework might be in order.

November's "Being There" event began this journey, and through it we discovered that NGO participation in multilateral venues has become a normal part of the way multilateral governance operates. Most interesting to us were the movements, figures, and organizations operating around and beyond this system.

"Being There" helped consolidate collaborative intentions between the World Future Society, the Stanley Foundation, and the National Defense University. Through it we have begun to build a network of like-minded souls and strengthened connections between professionals in the disciplines of strategic foresight and international/foreign affairs. "Being There" also confirmed our sense that this is an important topic and is leading to our next effort, which will begin to describe a different framework of power, one that looks less at past expectations about how the international system works and more at how things actually get done in governance.

Participant List

Organizers

Paulette Robinson, Deputy Director, Advanced Learning Initiatives, Center for Technology and National Security Policy, National Defense University

Rei Tang, Associate Program Officer, The Stanley Foundation

Amy Zalman, President and Chief Executive Officer, World Future Society

Keynote Speaker

Peter W. Galbraith, Senior Diplomatic Fellow at the Center for Arms Control and Non-Proliferation

Participants

Nancy Alexander, Director, Economic Governance Program, Heinrich Boll Foundation North America

Scott Aughenbaugh, Fellow, International Security Program, Deputy Director, Strategic Futures, Center for Strategic and International Studies

Charles Brown, Senior Fellow, Institute for International Law and Human Rights

Joshua W. Busby, Assistant Professor of Public Affairs, Lyndon B. Johnson School of Public Affairs, The University of Texas at Austin

Katherine Elgin, Research Assistant, Project on International Order and Strategy, The Brookings Institution

Jennifer Hadden, Assistant Professor, Department of Government and Politics, University of Maryland

Peter Hajnal, Research Associate, Munk School of Global Affairs, University of Toronto

Kenneth W. Hunter, Futurist, Past Chair of the Board, World Future Society

Don Kraus, Senior Fellow, Citizens for Global Solutions

Anya Loukianova, Program Officer, The Stanley Foundation

Gerald Pachoud, Principal Officer, Strategic Planning Unit, Executive Office of the Secretary-General, United Nations

Eric Popiel, Evergreen Program Manager, United States Coast Guard

Keith Porter, President and CEO, The Stanley Foundation

Andy Semmel, Executive Director, Partnership for a Secure America

Jennifer Smyser, Director of Policy Programming, The Stanley Foundation

Joel Ticknor, Retired Intelligence Officer, Futurist, Instructor, George Mason Lifelong Learning Institute

Stefaan Verhulst, Co-Founder and Chief Research and Development Officer, The Governance Lab, New York University

Chris Whatley, Executive Director, United Nations Association of the United States of America, United Nations Foundation

Affiliations are listed for identification purposes only. Participants attended as individuals rather than as representatives of their governments or organizations.

The Stanley Foundation

The Stanley Foundation advances multilateral action to create fair, just, and lasting solutions to critical issues of peace and security. Our work is built on the belief that greater international cooperation will enhance global governance and spur global citizenship. The foundation frequently collaborates with a wide range of organizations using different forums, formats, and venues to engage policy communities. We do not make grants.

Our programming addresses profound threats to human survival where improved multilateral governance and cooperation are fundamental to transforming real-world policy. Current efforts focus on policy improvement to prevent genocide and mass atrocities, eliminate the threat of nuclear terrorism, and drive collective and long-term action on climate change. The foundation also works to promote global education in our hometown of Muscatine, Iowa, and nearby.

A private operating foundation established in 1956, the Stanley Foundation maintains a long-term, independent, and nonpartisan perspective. Our publications, multimedia resources, and a wealth of other information about programming are available at *www.stanleyfoundation.org*.

The Stanley Foundation encourages use of this report for educational purposes. Any part of the material may be duplicated with proper acknowledgement. Additional copies are available. This brief is available at *www.stanleyfoundation.org/resources*.

209 Iowa Avenue
Muscatine, IA 52761 USA
563-264-1500
563-264-0864 Fax
info@stanleyfoundation.org