



**QUNO**

Quaker United Nations Office

**George Washington International Law Review Symposium**  
**“A WORLD UNDER FIRE: EXAMINING THE GLOBAL IMPACT OF GUN**  
**TRAFFICKING AND VIOLENCE’**  
**MARCH 22, 2024 - JACK MORTON AUDITORIUM**

**PANEL 1: Business and Corporate Responsibility**  
[see annexed full programme]

**Florence FOSTER – Representative, Peace & Disarmament at the Quaker United Nations Office in Geneva**

When I was first approached to speak at this event, I was rather touched that the Quaker United Nations Office was being asked to join the conversation – not least as compared with many civil society organizations working on similar causes, QUNO is a mosquito in this jungle. But big is perhaps not always best and small is sometimes beautiful. **So here I am sharing our story: one of fellowship and changemaking.** I will start with a few words about Quaker United Nations Office (QUNO) – and then move on to how we go about addressing the gaps in existing international frameworks to regulate corporate responsibility in the arms industry.

So, bear with me.

As the specter of war over Ukraine, the middle East and Sudan continues to loom, and we witness an only increasing number of arms transfers to communities affected by armed violence – the conversation we are having here today is all the more important – not only to witness the harm we see but to find hope and pathways forward to curb that harm.

At QUNO in Geneva we work with people in the UN, multilateral organisations, government delegations, and non-governmental organisations, to achieve changes in international standards and practice – so we operate very much at the policy level. Also worth noting is that we work thematically, rather than through country specific foci, this enables us to drive change for the long term, and address actors in these spaces even-handedly. It finds its root in the belief that we must value each individual and seek to

reach that spark of good, vision, or willingness to risk, that resides in each person. This can be found in the diverse ways in which we approach and shape our ‘quiet diplomacy’ activities behind the scenes, building trust, reducing conflict and reconciling differences by bringing together people from a range of backgrounds in and around intergovernmental processes in Geneva.

And perhaps worth also noting is that while we remain a pacifist organization, we are often called to navigate creatively the realities of UN multilateralism and geopolitics – first and foremost to prevent the worst harm, by addressing and curbing the impact of weapons on human rights and engaging with a wide range of actors including the economic drivers of these exports, namely the businesses behind the bullets. **The hope is of course to enhance leadership to think the world otherwise.**

When I first started in my role at QUNO I was asked to explore what role we could play to address arms related risks to human rights in inter-governmental spaces in Geneva; having been absent to those conversations since our work on landmines and the Geneva Declaration on Armed Violence and Development.

I quickly noticed that there was a gaping hole in governance and the discussions that were taking place – namely the arms sector itself, as an agent as opposed to a shadow. And when I refer to the arms sector, I include the full value chain of actors producing or being directly linked to the research, development, financing / insuring, design, production, delivery, and maintenance of arms. Therefore, if arms manufacturers and States constitute the top layer of this chain, there are many other entities that play important down and upstream roles.

Now this is not to say that I was the first to notice, nor the last – thankfully.

But this gap presented itself in two major ways:

- in states' own understanding of how they related to their duties as licensors of arms transfers and with it their duties to regulate a responsible industry – this was staggering to see in arms control frameworks such as the Arms Trade Treaty that the notions so familiar to those working on Business and Human Rights through the UNGPs or the OECD frameworks hadn't made it there.
- And how this private sector and corresponding responsibilities were spoken about or omitted – notably at the Human Rights Council when reports on harm that derived directly from weapons

presence, use and misuse simply didn't address the tools of violence and the companies that enabled their presence in these communities in the first place.

→at the intergovernmental level this creates a gap in corresponding DUTIES AND RESPONSABILITIES, reported INFORMATION/VIOLATIONS, appropriate delineation of ACCOUNTABILITY for that harm and tragically this collectively also undermines ACCESS TO JUSTICE.

We went about testing out where this conversation could gain traction – finding key allies along the way, creating a fellowship so to speak. The Women's International League for Peace and Freedom and the fierce women who work for them were the first and constant ally in this work. Come to think of it, the heart of this story is also about strong, persistent, and stellar women who complemented each other in their roles, skills, experience and access in the inter-governmental spaces we operated in. But that's perhaps another story; and the women who I will not name, know who they are; including the one I am sharing this panel with.

Back to my story,

...in 2018 as I set about finding my fellows in outrage, it was clear that the Arms Trade Treaty discussion was not the space to start – with conversations stuck in the weeds of bureaucratic wranglings and struggles around reporting formats.

But an emerging conversation – with Syria's reconstruction already looming in the background, was that of business & conflict that was being picked up through [a project](#) by the Human Rights Council's Business and Human Rights Working Group. *A side bare - the Working Group is a special procedure of the Human Rights Council mandated with the stewardship of the Guiding Principles on Business and Human rights – one of 40 odd special procedures.* In parallel WILPF, ensured we got involved in the Council's resolutions on arms transfer & acquisition by civilians led by Peru and Ecuador – by providing spaces for informal dialogue across the human rights and arms control communities of practice from 2018 onwards (although the resolutions came into play only later regarding the corporate responsibility domino effect). But we first went about looking at how the Working Group could help us put the first peg in the sand. Working across the human rights, social justice and arms control divides, we presented a [joint submission](#) that included a segment on the arms industry. While their ensuing report on conflict affected

regions did not mention the sector extensively, we built up relationships that meant that hand in hand they developed an alternative document, namely the [information note](#) that some of you may have seen – published in 2022. It may feel like only a few sentences – a few seconds in a speech, but this groundwork took over 2 years – and it was critical to build understanding, trust and with it an authoritative body expressing itself on the sector; outlining corresponding responsibilities between state and businesses, that override the licensing process, the revolving doors challenges not to mention the fact that the arms sector is all too often partially state owned. It importantly, opened space for others to join the chorus and elevated the voices of civil society working on the ground, who then also had a point of reference *black / white* from the UN.

In the meantime, the resolutions at the Human Rights Council ran their course – and we encouraged arms control experts to engage, bringing in the lessons we were starting to tease out from the information note process / our engagement in arms control spaces. This infused reports with a paragraph on corporate responsibility starting in 2020 with a brief mention in the OHCHR [report on arms transfer with a focus on women & girls](#) to a full section in the [report on arms transfers with a focus on children and youth](#); with the latest report on acquisition of firearms by civilians having for its [sole focus: business & human rights](#).

*If you're any good at following the dates of these developments you will have noticed the ecosystem effect and how these fed off each other over time; creating space, normative narratives and evidence.*

As Covid let go of its grip in Geneva, the time felt right to circle back to the Arms Trade Treaty – which had been kept on life support during the pandemic – with the hope or rather belief that nothing is permanent, even structures which seem so immovable at any point in time.

So, we went about doing what QUNO does best – organizing informal spaces for debate with States on related issues to increase understanding and the development of a common view on the notion of corporate responsibility in the arms trade and with it the ATT – with the information note at hand and the evidence base from OHCHR reports.

A more public opportunity presented itself in 2023 when the Republic of Korea presidential theme of the ATT was to be on 'on engaging with the arms industry' at the ninth Conference of States Parties. While only partially incidental, it had the potential to backfire if progressive states didn't speak up. While I'm not at liberty to outline all the details of the goings on, what strings were pulled by who and how where, [Mexico, Ireland and Austria tabled a Working Paper to the Conference of States parties, using the information note as grounding](#). The rest is history, to the extent that the [outcome document of the CSP9](#), and with it much of the work for CSPs to come, includes a prerogative to address corporate responsibility in the arms trade and discussions on human rights due diligence - notably the actionable opportunities in the [Working Group on Effective Treaty Implementation](#) in CSP10 (this year).

The ATT isn't the only space where the information note, and with it the references to business in HRC resolutions & pursuant reports by OHCHR has proven to gain traction, opening up an ecosystem of change in the last decade. As we speak here today, the HRC is negotiating a resolution on Palestine, that includes references to transfers, the fact-finding missions on Myanmar refers to the business's responsibilities in relation to the arms trade, various human rights treat bodies such the Committee on the Elimination of Discrimination Against Women has called on States to uphold their duties to regulate business involved in the arms trade.

As some of you know, I'll be leaving this position at QUNO but have been delighted to play my mosquito part in what sometimes feels like a rather scary jungle and humbled by meeting such dedicated people willing to be part of the fellows in outrage.