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**NGOS AND THE INTERNATIONAL BAN  
ON ANTI-PERSONNEL LANDMINES**

**Volume One Of Two**

**A Dissertation  
Submitted to the Faculty of the  
Graduate School of Arts and Sciences  
of Georgetown University  
in partial fulfillment of the requirements for the  
degree of  
Doctor of Philosophy  
in Government**

**By**

**Kenneth Robin Rutherford, MBA, MALS**

**Washington, D.C.  
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GEORGETOWN UNIVERSITY  
GRADUATE SCHOOL OF ARTS AND SCIENCES



The doctoral dissertation/master's thesis of .....Kenneth Robin Rutherford.....entitled  
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submitted to the department/program of.....Government.....in partial  
fulfillment of the requirements for the degree of.....Doctor of Philosophy.....

in the Graduate School of Georgetown University has been read and approved by the Committee:

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# NGOS AND THE INTERNATIONAL BAN ON ANTI-PERSONNEL LANDMINES

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## ABSTRACT

When the NGO campaign to ban landmines was founded in 1991, every state opposed a landmine ban. Less than seven years later, the Mine Ban Treaty was signed by 122 nations marking the first time that the majority of the world's nations agreed to a ban weapon that has been in widespread use. The study provides mainly an empirical analysis of how and why NGOs change state behavior toward landmines. They could not do it by traditional diplomatic means, such as coercion and war. Instead, NGOs changed how governments thought about landmines.

While traditional international relations approaches, specifically neo-realism and neo-liberalism, can explain why states signed the treaty, they cannot explain how the landmine ban norm came about in the first place. Constructivism provides a more useful approach for getting at NGO techniques used to change government beliefs. This project builds on its fundamental insights of how NGOs can build and affect norms by identifying conditions under which they can create norms to alter state thinking on certain issues. It develops a two-stage process based on the epistemic community and activist network literature, which take norms and non-state actors seriously. Four key strategic areas – agenda setting, networking, communications and information technology and

strategy – provide a model for understanding how the ban was achieved and the NGO role in that process.



## ACKNOWLEDGMENTS

In the first few moments after being severely injured by a landmine during a 1993 international relief operation in Somalia, I prayed to God to keep me alive so that I could marry my fiancée Kim, have children and become a professor. This dissertation is a result of the support from Kim, my family and friends, and Georgetown University.

Kim took a tremendous risk and stayed by my side and married me even though I was not the same man, physically and professionally, that she was engaged to. She strongly supported my decision to return to graduate school and move to Washington, D.C. even though it meant giving up a successful career and being near her parents and close friends in Colorado. Moreover, during our nearly eight year relationship she has nursed me through 12 surgeries and the resulting rehabilitation, delivered our four beautiful children and raised them in a manner that would make any father proud.

My parents, Dr. Robert Delano Rutherford and Anneke Marie, have been incredible sources of support and strength. My brothers Eric and Douglas and sisters Xenia and Marla helped make me realize literally what a powerful word “family” means by their show of support and caring.

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For the three years that I served as Dr. Bennett’s teaching assistant, I was continually amazed at the time and energy that he gives to Georgetown’s students. His office door always remains open for students to meet him, and never once did I see him turn away a student – even during non-office hours. His commitment to service and his intellectual breadth is evident in the fact that he has served on a majority of International Relations dissertation committees during his time at Georgetown. I am thankful that he agreed to serve on mine.

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Finally, this dissertation is a reflection of the loving and sturdy foundation that was built for me by so many. I hope that I will be able to help build a similar foundation for my four children, Hayden Alexander, Campbell Robert, Duncan William and Lucie Elloise. My message to these wonderful children is that dreams do come true.

*Yo allah rokku maa jam yeeso maa e yo allah rokku ma jam caggal maa.*

**(May God always give you peace in front of you and  
may God always give you peace behind you)**

**A message from the Pulaar people of West Africa.**

**This dissertation is dedicated to three special individuals who  
inspired me through their integrity and commitment  
to people and for setting the standard  
in service to our world.**

**Kim, my beloved wife**

**United States Senator Patrick J. Leahy**

**Diana, Princess of Wales**

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# CHAPTER ONE: INTRODUCTION

*“No other issue in recent times has mobilized such a broad and diverse coalition of countries, governments and non-governmental organizations (NGOs). Much of this momentum has been the result of the tremendous efforts made by NGOs to advance the cause to ban AP (anti-personnel) mines. Their commitment and dedication have contributed to the emergence of a truly global partnership.”*  
Canadian Foreign Minister Lloyd Axworthy in “AP Mine Ban: Progress Report,”  
A Regular Report Provided by Canada on the Anti-personnel Mine Ban. Number 1, February 1997.

## A. Introduction

The 20<sup>th</sup> century is ending with the entry into force of the Ottawa Convention to ban anti-personnel landmines, which was signed on December 3, 1997, and entered into force March 1, 1999.<sup>1</sup> The Convention marks the first time in history that a majority of states have agreed to ban a weapon that “has been in military use by almost every country in the world.”<sup>2</sup> The Convention is also notable because, contrary to most multilateral disarmament agreements, it did not have the support of the major powers, such as China,

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<sup>1</sup> The Ottawa Convention is officially known as the “Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction.”

<sup>2</sup> Statement of Canadian Prime Minister, Jean Chretien, at the Treaty Signing Conference for the Ottawa Treaty, December 3, 1997. In contrast, the military utility of previously banned weapon systems is questionable. Banned weapons include biological, chemical and laser weapons, bullets weighing less than 400 milligrams, and dum dum bullets.

Russia and the United States and, most importantly, it was initiated and driven by non-governmental organizations (NGOs), not states.<sup>3</sup>

The Ottawa Convention is unique. As late as 1994, states *unanimously agreed* that landmine<sup>4</sup> use was legal. Yet, in March 1995 Belgium became the first state to pass a domestic law providing for a comprehensive landmine ban,<sup>5</sup> and less than thirty-two months later, Belgium was joined by 122 states in signing the comprehensive ban convention. By June 2000 more than 137 states have signed, and more than 94 have ratified the treaty.<sup>6</sup> It entered into force faster than any other major international agreement in history.<sup>7</sup> Academics,<sup>8</sup> diplomats<sup>9</sup> and NGO representatives<sup>10</sup> call the Ottawa Convention's genesis and negotiations an innovative NGO-State model for the future development of international political collaboration. The Nobel Committee recognized this unique combination by awarding the 1997 Nobel Peace Prize to the NGO coalition the International Campaign to Ban Landmines (ICBL) and its coordinator, Jody Williams, in part for helping create a fresh form of diplomacy. The Nobel Committee

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<sup>3</sup> For more information on these and other unique features of the Ottawa Convention, see Ken Rutherford, "The Hague and Ottawa Conventions: A Model for Future Weapon Ban Regimes?" *Nonproliferation Review*, Spring-Summer 1999, Volume 6, Number 3, 36-50.

<sup>4</sup> Unless noted, all references to landmines refer to anti-personnel landmines and not other forms of mines, such as anti-tank, anti-vehicle and sea mines.

<sup>5</sup> International Campaign to Ban Landmines, "Report on Activities: Review Conference of the Convention on Conventional Weapons" held in Vienna, Austria. 106.

<sup>6</sup> International Campaign to Ban Landmines, [www.icbl.org](http://www.icbl.org). June 3, 2000.

<sup>7</sup> Ibid.

<sup>8</sup> Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines," *International Organization*, 52 (Summer 1998), 613-644.

<sup>9</sup> Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, "To Walk Without Fear," in Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, eds., *To Walk Without Fear: The Global Movement to Ban Landmines* (Oxford University Press: Toronto, 1998) 1-17.

<sup>10</sup> Jody Williams and Stephen Goose "The International Campaign to Ban Landmines," in *ibid.*, 20-47.

stated in the award announcement that it hoped that the ICBL model could serve “[a]s a model for similar processes in the future” so that “it could prove of decisive importance to the international effort for disarmament and peace.”<sup>11</sup>

While tremendous celebration surrounds the landmine ban movement, there is also much ambiguity for the exact reasons it was successful. At first glance, the claim that NGOs played an important role in the creation of the landmine ban convention may not appear novel, as it has already received much international attention, particularly the Nobel Prize. But no one has analyzed and traced a successful NGO coalitional effort that eventually cumulated in international law. More broadly, contemporary analysis and research of the NGO role in security and weapons issue-areas are minimal. Most scholarly research concerning the NGO role in international politics concentrates on narrowly defined environmental and human rights issue areas.

In addition, the role of NGOs in this case, and the conclusion of a significant landmine convention not only in the absence of sponsorship by a hegemon but in the absence of support from leading states, constitutes a substantial challenge to theories that suggest hegemonic leadership is a necessary condition for regime formation. Robert Gilpin, for example, argues in *War and Change in World Politics* that hegemons will create institutions that reflect their interests.<sup>12</sup> In contrast, the quintessential scholar on hegemons and regimes, Robert Keohane, observes that regimes may continue after

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<sup>11</sup> As quoted in the Nobel Peace Prize for 1997 announcement from the Norwegian Nobel Institute, October 10, 1997 <http://www.nobel.se/announcement-97/peace97.html>. April 3, 2000.

<sup>12</sup> Robert Gilpin, *War and Change in World Politics* (Cambridge, United Kingdom: Cambridge University Press, 1981) 34-38.

hegemons collapse. He argues that after hegemons are gone, states will operate together to maintain the regime if it serves their interests.<sup>13</sup> More specifically, in *After Hegemony: Cooperation and Discord in the World Political Economy*, Keohane posits that regimes may not necessarily collapse when hegemons collapse.<sup>14</sup> Implied in his analysis is that hegemons are necessary for regime formation.

This hegemonic literature focuses on states and regime creation and maintenance. This dissertation, however, focuses on NGOs and the creation of the landmine ban regime. In other words, the main thesis put forward in this study is that a non-hegemonic agent, represented by the NGO mine ban movement, initiated and developed the mine ban regime, and was successfully able to effect its acceptance by most states.

This dissertation examines the NGO role in the process of making landmines legally prohibited. It does not seek to evaluate the contents or effectiveness of the Ottawa Treaty, or the NGO role in monitoring state compliance.<sup>15</sup> Rather it represents the first analysis that specifically examines the role of NGOs in creating and developing the landmine ban. In doing so, it provides two general insights.

First, it reveals the critical role that NGOs played in instigating and facilitating the landmine ban, which, in turn, changed state behavior in an area traditionally at the heart of state sovereignty – weapons procurement and use. While banning weapons may not be

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<sup>13</sup> Robert Keohane, "The demand for international regimes," in Stephen D. Krasner, ed., *International Regimes* (Ithaca, New York: Cornell University Press, 1983), 165-166.

<sup>14</sup> Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton, New Jersey: Princeton University Press, 1984), 31, 34, and 46.

<sup>15</sup> For an evaluation of the potential effectiveness of the Ottawa Treaty see Richard Price, "Compliance with International Norms and the Mines Taboo," in Cameron, et al, 340-363.

unique in international relations,<sup>16</sup> this dissertation shows how for the first time NGOs emerged as a powerful force in the process of prohibiting weapons. While some previous NGO movements in the weapons issue, e.g. nuclear weapons and napalm, did change state behavior, they did not culminate in international legally binding conventions.<sup>17</sup> The dissertation also provides a foundation for international legal scholars to provide a response to realists, who argue that international law, especially concerning security and weapons, is created solely by states and only out of their narrowly-defined self-interest. This is to say that the ban does not fit the interest of many signatories.

The second, and theoretically more important, implication of this study is its demonstration of how the constructivist approach can provide greater theoretical purchase than rationalistic theories, such as neo-realism and neo-liberalism, in explaining the NGO role in accomplishing the ban. Since rationalistic approaches to explaining international politics privilege neither NGOs nor social forces as affecting the development of international legal rules and the behavior of states in security issues, their explanatory power on the landmine issue is limited when compared to the constructivist approach. Moreover, since rationalists view state behavior as driven by narrow material

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<sup>16</sup> Banning certain weapons for humanitarian reasons is not unique in international politics. In 1868, Russia hosted a multilateral conference that produced the St. Petersburg Declaration banning explosive bullets. One hundred years ago, the international community joined together to ban certain weapons that were indiscriminate and caused unnecessary suffering through the 1899 Hague Peace Conference Declarations. These declarations called for the banning of exploding bullets and chemical gas and the cessation of the practice of dropping explosives from hot air balloons. In 1925, states signed a treaty further calling for a chemical weapons ban, which later became the basis for the Chemical Weapons Convention (CWC) that eventually entered in force. In the meantime, the international community banned the use of biological weapons through the Biological Weapons Convention (BWC).

<sup>17</sup> Conventions are used here to describe a multilateral, global agreement. In contrast, treaties and agreements are usually bi-lateral or regional agreements.



self-interest, these theories minimize the role that international law and norms play in constraining state behavior. Most significantly, they argue that international law and norms will not affect state self-maximizing behavior, especially in the area of security issues.

This project's contribution to international relations theory is its exploration of the norm creation process works. Specifically, the study focuses on how NGOs created a landmine ban norm and altered state behavior. The constructivist approach to international relations elaborates the role of agents in creating an international social structure. This project contributes to constructivism by focusing not on states but on NGOs. It adds to the theory of epistemic communities by showing how NGO experts helped change and effect state policies. In contrast, the epistemic community literature limits itself to state policy change from experts located within the government bureaucratic structure. The NGO role and those of prominent individuals, such as Princess Diana, associated with NGOs are not incorporated in the epistemic community explanation. This project argues that NGOs and other nongovernmental actors play important and influential roles in international relations.

## **B. Dissertation Organization**

The dissertation's theoretical framework is discussed further in Chapter Two. This chapter's focus aims to situate the NGO role in achieving the landmine ban in a

constructivist context, which provides the theoretical framework for the subsequent analysis. A constructivist model is devised in order to examine the NGO role in banning landmines, as it provides a model in which to examine the case and defend the study's use of the constructivist approach. It explains the model through a detailed analysis of each stage and relates it to a brief history of the NGO ban landmine movement. In brief, the dissertation argument entails the following:

1. **Main constructivist assumption:** *World civic politics*, which includes a role for NGOs in world politics. This understanding allows us to show how NGOs circumvented inter-State relations and the State itself in advancing the landmine ban issue, but ultimately worked with and through states too.
2. **Information Stage:** *Epistemic community*, which highlights how NGO experts generated the issue with causal explanations and detailed information regarding the landmine problem.
3. **Recruiting Stage:** *Activist Politics*, which shows how the NGO experts (epistemic community) socialized other NGOs to view landmine use as illegal and to take action.
4. **Results:** *Nearly universal NGO coalition*, which includes more than a 1000 member NGO coalition and 137 states supporting the ban in less than seven years.

This dissertation model is then employed to examine four distinct factors that helped NGOs initiate and facilitate the ban:

1. Setting and guiding the landmine issue on the international political agenda (Chapter Three);

2. Working with and against other international actors in a variety of forums to circumvent state opposition, propel the landmine issue forward, and gather international support (Chapter Four);
3. Utilizing communications and informational technologies to reduce coalitional building and coordination costs, and to provide quickly expert information to state delegations, the media and other actors in the international community (Chapter Five);
4. Maintaining a clear goal and simple message (Chapter Six).

All four factors were necessary for the success of the ban landmine NGOs. The study also argues that NGOs were able to change the ideational framework of how the international community perceived landmine use by circumventing governments and reframing the issue in moral terms. In other words, the ideational change induced by NGOs took place not by going to the governments themselves, but by taking the issue to the international community in general through a variety of means, and thus reframing the issue before governments became engaged in the international negotiation process.

The dissertation's specific analysis of the NGO role in the landmine issue reveals that NGOs have close relationships with other international actors, including states. In doing so, it provides an analysis of how the NGO movement to ban landmines operated and what key factors played into its success. Furthermore, a study of the landmines case allows us to understand the influence of non-state actors on international policymaking and provides an opportunity to investigate an NGO movement that was successful both in changing state behavior and directly achieving an international legal agreement.

Chapter two is critical to understanding the theoretical context, as it analyzes the

major approaches to studying international politics. It does so by laying out potential theoretical explanations of how and why NGOs contributed to creating the landmine ban norm and promoting the Ottawa Convention, including an analysis of how rationalistic approaches explain the landmine ban norm.<sup>18</sup> The NGO role in creating and developing the international norm banning landmines is examined through the perspectives of three major approaches to international relations: neo-realism, neo-liberalism and constructivism. The analysis aims to explain why states, given realist considerations, would ban landmines. This methodological test concludes that neo-realism and neo-liberalism cannot account for the sort of landmine ban that NGOs are generating because these theories are unable to explain how and why state preferences toward landmine use changed over such a short period of time.

While neo-realist and neo-liberal theories can posit succinct reasons why states signed the convention, they cannot adequately explain how the landmine ban norm came about in the first place. According to these approaches, because NGOs are not major players in international politics, states would not have taken seriously NGO actions in deciding whether to ban a weapon retaining military utility into their behavioral calculations. The constructivist approach provides greater explanatory power in understanding the role of NGOs and their interaction among other actors in the international system.

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<sup>18</sup> This theoretical testing framework is important because "how one assesses the role of international legal rules depends upon one's framework for understanding international relations at the broadest level." Anthony Clark Arend, "Do Legal Rules Matter? International Law and International Politics," *Virginia Journal of International Law*, 38:2 (Winter 1988), 109.

This analysis suggests that constructivism provides the basis for a more appropriate explanation of the landmine ban than neo-realism and neo-liberalism, as it contends that norms are socially constructed and power has social as well as material foundations. Unlike neo-realism and neo-liberalism, the constructivist approach allows discourse to occur among a variety of international actors, including individuals and NGOs. Neo-realism and neo-liberalism take as given the preferences of states and then they use rationality assumptions to theorize about behavior (dependent variable). In other words, the exogenously given characteristics of states affect state behavior. Constructivism, on the other hand, examines from where state preferences and state identities originate. The arguments addressed in Chapter Two concern the role of NGOs in international politics. In short, that chapter's theoretical implication is that neo-realism and neo-liberalism are indeterminate in their explanations of how and why NGOs influence the creation of certain prohibition legal norms.<sup>19</sup>

Chapter three plots out the process through which NGOs set the international political agenda in order to get the landmine issue addressed. The term 'agenda' is defined in this analysis as "objects accorded saliency in the media content or in people's consciousness."<sup>20</sup> The chapter is situated in the epistemic community literature. It

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<sup>19</sup> Virginia Haufler has argued that NGO-developed norms and principles contributed significantly to developing a global human rights regime. Virginia Haufler, "Crossing the Boundary between Public and Private: International Regimes and Non-State Actors," in Volker Rittberger, ed., *Regime Theory and International Relations* (Clarendon Press: Oxford, 1993), 98.

<sup>20</sup> Toshio Takeshita, "Exploring the Media's Roles in Defining Reality: From Issue-Agenda Setting to Attribute -Agenda Setting," in Maxwell McCombs, Donald L. Shaw, and David Weaver, eds., *Communication and Democracy: Exploring the Intellectual Frontiers in Agenda-Setting Theory* (Lawrence Erlbaum Associates: London, 1997), 20.

highlights the role that experts played in identifying landmines as an international area of concern. Substantively, the chapter shows how NGOs can play important roles in getting landmines and various other issues, such as the environment and human rights, onto the international political agenda.<sup>21</sup> This chapter makes two inter-related arguments: First, NGOs initiated the landmine ban by placing it on the international political agenda, resulting in intense media and public attention to the landmine issue. Second, NGOs helped articulate and codify banning landmines into international law by changing how governments perceived the legality of landmines and viewed the effects of landmine use. Addressing both these arguments helps better explain why the Ottawa Treaty was initiated by NGOs, who, in turn, helped alter state behavior toward landmines. In comparison other major arms control and disarmament treaties, such as the Biological Weapons Convention (BWC), Chemical Weapons Convention (CWC), and Nuclear Weapons Treaty (NPT), were negotiated at the behest of major powers, and their agenda-setting processes, including the negotiations, did not incorporate NGOs.<sup>22</sup>

Chapter four explains how the ICBL worked with other international governing authorities in pushing the landmine ban issue. To that end, three arguments are made: First, the ICBL leadership capitalized on the strengths of the campaign's multi-national and multi-sectoral membership in order to obtain speaking slots at international

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<sup>21</sup> Paul J. Nelson, "Deliberation, Leverage or Coercion? The World Bank, NGOs, and Global Environmental Politics," *Journal of Peace Research*, 34:4 (1997), 467-472; William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine* (St. Martin's Press: New York, 1998). Paul Wapner, "Politics Beyond the State: Environmental Activism and World Civic Politics," *World Politics* 47, 391-425.

<sup>22</sup> Rutherford, 38-39, 45.

conferences and positions at the negotiating table, and to direct the media and public toward banning landmines. Because the NGO leadership was knowledgeable on the landmine issue and focused on achieving a singular and simple goal, banning landmines, it was able to work in a productive and collegial manner with pro-ban landmine governments, while at the same time actively and aggressively confronting anti-ban governments publicly behind closed doors. Second, NGOs helped marshal support by pushing for landmine resolutions at the UN General Assembly and encouraged member support along non-UN paths to achieve the ban. Third, the ICBL worked with other non-state actors in promoting the ban, while effectively silencing opposition from other non-state actors, such as landmine producers. The broader claims of this chapter is that evolving norms of international behavior are increasingly challenging those of state sovereignty, and that even though only states were parties, the treaty would not have been achieved without significant ICBL participation. It concludes that the ICBL generated and sustained government action by interacting and coordinating with other international actors, thereby ensuring the political environment for states to sign. In sum, the chapter reveals how NGO coalitions can achieve uncommon results, especially when working in partnership with other international actors, even in issue-areas, which have been typically monopolized by states, such as security and weapon development..

Chapter five examines how the ICBL members were able to utilize effectively communications and informational technologies to disseminate information to each other, the media, their respective governments and the public, all of which, in turn, generated

sufficient government support to obtain a landmine ban. Most importantly, communications technologies allowed NGOs to discuss contentious subjects among themselves and then take an agreed-upon position to their respective government delegations. Communications and informational technologies thus reduced coalition-building costs, especially among southern NGOs. Moreover, they allowed for information collection and dissemination in an issue area once monopolized by states, namely security. This chapter concludes that the ICBL's effective application and utilization of communications and informational technologies seems likely to provide a model for future NGO coalition-building and strategies toward working to create new norms irrespective of some sovereign states' interests.

Chapter six holds more policy-relevance than the three previous process chapters, and is therefore particularly important to policymakers involved with disarmament and arms control negotiations. It builds on the constructivist notion that norms affect state behavior through changing state identity and interests. This chapter makes two interrelated arguments regarding NGO strategies to gather public and state support for the landmine ban. First, NGO strategy entailed a conscious decision to focus on one issue. Rather than debate the military utility of other potentially indiscriminate weapons and weapons that cause unnecessary suffering, NGOs strictly concentrated on the issue of landmines. The second argument asserts that, because the NGOs proposed a simple, clear solution in the form of a comprehensive weapons prohibition, their policy position was



less difficult for international actors to understand and interpret the prohibition. There was no middle ground or exceptions. Anti-personnel landmines would be banned.

Chapter seven evaluates the dissertation's arguments and proffers concluding thoughts and broader implications of the study. It finds that under certain conditions, NGOs can contribute to creating international law, especially legal prohibitions on particular weapons, which, in turn, can affect state behavior. By explaining how NGOs facilitated attainment of the Ottawa Treaty, scope and impact of the NGO's role in international relations is more clearly realized. Furthermore, this achievement likely would not have been possible prior to a few decades ago. This study's conclusion suggests that the landmine case illustrates how NGOs can initiate a norm, promote its acceptance and translate it into a powerful instrument with lasting influence by controlling the international political agenda.

## C. Conclusion

This study contributes theoretical considerations to international relations by shedding insight into how NGOs can play salient roles in international affairs, especially in affecting high political issues such as weapons and national security. It also grants us greater explanatory power in understanding how new norm construction can occur. This understanding is applicable to other issue areas, such as humanitarian intervention, the use of force, and environmental issues. Moreover, the ICBL model may also help predict

the success or failure of current NGO efforts to create new norms, such as banning the use of child soldiers and restricting the use of small arms and light weapons. The broader implication of this study suggests that, under certain conditions, NGOs can contribute to creating international legal rules, which in turn can affect state behavioral changes. NGOs can germinate and plant the seeds for rules, which grow into international law formerly adopted by states.

Empirically, the dissertation reveals how NGOs persuaded governments, Intergovernmental Organizations (IGOs) and the world community to address the landmine issue in a particular way, which eventually culminated in international law. In explaining this proposition, the dissertation demonstrates how NGOs affected international legal rules on landmine use by transforming the debate from a political issue to a humanitarian concern, drawing media and public attention to the landmine issue, and ultimately educating states about the limited military utility and dramatic effects of landmines.

Plotting out the path through which NGOs work in constructing new norms has important substantive implications. Substantively, NGOs increasingly play an important international role in various other issue areas, such as the environment and human rights.<sup>23</sup> This dissertation provides a framework for studying the increasing number of transnational NGO campaigns on other issues, such as banning the use of child soldiers and attaining ratification of the international criminal court. It therefore holds several

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<sup>23</sup> See Nelson, 467-472; Wapner, 391-425.

implications for studying the NGO role in international relations. One practical policy implication is that NGO involvement may be required on international issues that states are either unable or unwilling to address, especially as more massively destructive weapons are developed, come on line, and are deployed. This project demonstrates that in the case of landmines, NGOs were critical to attaining the Mine Ban Treaty. It shows how NGOs created a landmine ban norm and altered state behavior in a very short time-period. And it reveals ways and means NGOs and other public agencies can work to bring about legally-binding rules for making the world a safe place.

## CHAPTER TWO: NGOS AND THE STATE

*“I welcome you to this historic conference. For the first time, the majority of the nations of the world will agree to ban a weapon which has been in military use by almost every country in the world.”*

Canadian Prime Minister Jean Chretien, on the occasion of the Treaty-Signing Conference for the Global Ban on Anti-Personnel Landmines, December 3, 1997.

### A. Introduction

Over dinner in an Italian restaurant in Ottawa in October 1996, Jody Williams, the International Campaign to Ban Landmines (ICBL) coordinator, told a Canadian diplomat, Robert Lawson, that she hoped thirty-six countries would return to Ottawa to sign the ban landmine convention in December 1997.<sup>1</sup> She thought that at best an additional twelve countries would join the twenty-four that had already declared a ban landmine policy. To her and the world’s surprise, 122 states signed the Convention fourteen months later. Williams and the more than 1000 NGOs comprising the ICBL were overjoyed. They had never predicted that so many countries would join the ban so fast when Canadian Foreign Minister Lloyd Axworthy made his October 1996 announcement that Canada would host a landmine ban convention signing in

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<sup>1</sup> Statement of Jody Williams, ICBL Coordinator, to the “A Global Ban on Landmines – treaty signing conference and

December 1997.

Williams led the ICBL to target banning landmines long before governments were ready to do so, and she and other ICBL leaders proposed most of the precepts of a formal landmine ban treaty and mobilized public pressure to force through a weapons prohibition.<sup>2</sup> Virtually no one thought a convention was possible when the ICBL was formed. The ICBL's success illustrates the difficulty in building transnational coalitions around a single issue. It is especially hard if the goal is to attain a nearly universal collection of NGOs from all states. Moreover, there are so many NGOs working on so many issues, with wide political ranging opinions and priorities, that any effort to create a unified coalition is bound to be onerous and protracted.<sup>3</sup>

In order to analyze the role of the ICBL in banning landmines, it is first necessary to develop a theoretical model and research framework to guide the study. The following section focuses on building a theoretical model, primarily based on the constructivist approach to international relations. The constructivist approach is needed because it says more about the role of agents in creating an international social structure than neo-realism and neo-liberalism. Since this project focuses on the NGO role in banning landmines, it would be more difficult and less

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mine action forum," December 3, 1997.

<sup>2</sup> This dissertation follows the traditional breaking of non-state actor (NSA) category into the following: Inter-governmental organizations (IGOs), multi-national corporations (MNCs), non-governmental organizations (NGOs) and other NSAs in order to avoid confusion of lumping rebel groups, NGOs, MNCs and IGOs all together.

<sup>3</sup> According to the Union of International Associations (UIA), there are 38,243 international NGOs working around the world and in a wide range of issue-areas. *Yearbook of International Organizations 1996-1997*, Union of International Associations, <http://www.uia.org/uiastats/stybv196.htm>. February 24, 2000.

satisfactory to use these approaches for its theoretical framework. Neo-realism and neo-liberalism do not factor non-state actors as major international influences in international relations, especially in the security issue area.

This project's main theoretical proposition is that NGOs can affect state behavior. Nevertheless, the project primarily provides an empirical analysis of how and why NGOs change state behavior toward landmines. They could not accomplish it by traditional diplomatic means, such as coercion and war. Instead, NGOs changed how states thought about landmines. Constructivism provides a useful approach for getting at those techniques used to change state beliefs. This project builds on fundamental insights of how NGOs can develop and affect legal rules by identifying conditions under which they can create norms to alter state thinking on certain issues.

After providing a brief overview of the model, the chapter then explains the model in more detail, while simultaneously relating it historically to the NGO involvement in the landmine issue. The chapter concludes by comparing theoretical viewpoints suggested by neo-realism, neo-liberalism and constructivist explanations.

## B. Dissertation Model Overview

While NGO experts initiated and generated the landmine ban issue, the ICBL formation became marked by an expansionist phase in which its principled beliefs were used to attract new members (see Table 2-1). Even though realists will argue that cultural effects are epiphenomenal of the distribution of power, the socialization and advocacy network literature argues that cultural effects have great autonomy.<sup>4</sup> Chemical and nuclear weapons taboos, for example, were reinforced not by intensive verification measures, but instead by the responsible behavior of states upholding specific cultural norms.<sup>5</sup> Such an emerging norm is precisely what the ICBL hoped to achieve.

*Table 2-1: Dissertation Theoretical Model*

<i>Constructivist Assumption</i>	<i>Information Stage</i>	<i>Recruiting Stage</i>	<i>Results</i>
NGOs circumvent inter-state relations and the State itself in advancing the landmine ban issue.	<b>Epistemic Community (EC):</b> NGO experts generating the issue with causal explanations and detailed information regarding the landmine problem.	<b>Activist Politics:</b> NGO Landmine EC initiating the landmine ban movement as the solution to the problems caused by landmines. Socializing other NGOs to view landmine use as illegal and to take action.	More than a 1000 member NGO coalition and 137 states supporting the ban in less than seven years.

<sup>4</sup> Ronald L. Jepperson, Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity, and Culture in National Security," in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (Columbia University Press: New York, 1996) 34.

<sup>5</sup> Richard Price and Nina Tannenwald, "Norms and Deterrence: The Nuclear and Chemical Weapons Taboos," in Katzenstein, 114-152.

By accepting a broader understanding of international relations, we can better understand why NGOs became intensely concerned with the landmine issue and subsequently how NGOs interacted with states and other international actors.<sup>6</sup> At a broader conceptual level, with the wider independent bases of public support that ICBL members commanded, they were better able than most other transnational NGO efforts to change state behavior toward landmines.

The landmine issue was born when NGOs experts in the landmine issue and in landmine-infested states decided to cooperate to ban these weapons use. NGO experts in the field identified landmines as a serious obstacle to their work. These groups viewed landmines as exacerbating regional conflicts, hindering post-conflict reconstruction, seriously undermining infrastructure, and denying land to civilian and agricultural use, thereby leading to extreme pressures on existing land.<sup>7</sup> They also considered landmine use a violation of humanitarian legal principles. Landmines are indiscriminate weapons – they cannot target their victims. Landmines killed more than 24,000 people each year during the 1990s,<sup>8</sup> which in itself may not be illegal, but a significant number of the victims are civilians. Moreover, landmine injuries cause unnecessary suffering, a key consideration of international humanitarian law. According to the U.S. State Department,

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<sup>6</sup> Paul Wapner, *Environmental Activism and World Civic Politics* (Albany, New York: State University of New York Press, 1996).

<sup>7</sup> *1998 Hidden Killers: The Global Landmine Crisis* (United States Department of State, Bureau of Political-Military Affairs, September 1998) 8-9, and 11.

<sup>8</sup> International Committee for the Red Cross, "Landmines Must Be Stopped," ICRC 1998, 16.



between 59-69 million landmines are currently deployed worldwide,<sup>9</sup> thereby making them “one of the most toxic and widespread pollution[s] facing mankind.”<sup>10</sup> Landmines have killed more people than biological, chemical and nuclear weapons combined.<sup>11</sup>

These problems escaped public and government attention until 1992, when the ICBL was launched by six NGOs. These NGOs believed that a comprehensive landmine ban provided the only realistic solution to the devastation caused by their use. In less than seven years, the ICBL grew to a organization encompassing more than 1000 NGOs in more than seventy countries.<sup>12</sup> More important, the ICBL effectively encouraged governments, international organizations, and other transnational actors to address the landmine issue and alter their views of landmine use.<sup>13</sup> The ICBL played the critical role in agenda setting and controlling the ban landmine issue, and moved the issue forward toward the eventual goal of a codified comprehensive ban, which was contained in the Mine Ban Treaty that was signed in December 1997.

While scholars have shown that non-state actors can establish norms,<sup>14</sup> and that norm

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<sup>9</sup> Ibid., 9.

<sup>10</sup> *1993 Hidden Killers: The Global Problem with Uncleared Landmines* (United States Department of State, Washington, D.C., July 1993), 2.

<sup>11</sup> *America's Defense Monitor*, PBS TV, Spring, 1994.

<sup>12</sup> International Campaign to Ban Landmines (ICBL) web site: [www.icbl.org](http://www.icbl.org)

<sup>13</sup> Other international actors include States and NSAs (see *supra* note 2).

<sup>14</sup> The concept of norms is defined here in the following manner “collective expectations about proper behavior for a given identity.” Ronald L. Jepperson, Alexander Wendt, and Peter J. Katzenstein, “Norms, Identity, and Culture in National Security,” in Katzenstein, 54.

creation “need not be limited to the interaction among states alone,”<sup>15</sup> they have not yet demonstrated how a group of expert NGOs, such as the founding members of the ICBL, can generate an international issue and then leverage it into a wide-ranging NGO coalition. Studies on the operation of successful broad-based NGO networks are even rarer. While attention is often given to the anti-apartheid or nuclear freeze movements, in both cases these coalitions were loosely organized and not nearly as universal as the landmine ban movement proved to be.

Unlike other transnational movements, the ICBL evolved into a truly unified and centrally directed campaign that achieved its main goal to ban landmines.<sup>16</sup> The remainder of this chapter treats the framework of reference for this study. It then briefly assesses two rationalistic approaches to international relations – neo-realism and neo-liberalism – and applies these approaches to forecast how they would explain the ban landmines case.

## C. Theoretical Overview

### I. The Constructivist Approach in International Relations

To understand the NGO role in banning landmines, it is necessary to conceptualize how and why NGOs participate in international politics. A non-rationalistic approach to understanding

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<sup>15</sup> Virginia Haufler, “Crossing the Boundary between Public and Private: International Regimes and Non-State Actors,” in Volker Rittberger, ed., *Regime Theory and International Relations* (Oxford: Clarendon Press, 1993), 97.

international relations helps to understand better the NGO role in influencing the ban landmine issue. The constructivist approach maintains that international politics is “constructed by human practice, and seeks to explain how this construction takes place.”<sup>17</sup> Nevertheless, constructivism is not a theory and therefore can not be set off theoretically from the rationalistic approaches of neo-realism and neo-liberalism. Rather it “is simply an alternative ontology, a redescription of the world.”<sup>18</sup> The constructivist approach strives to explain *how and why* certain behavior is neo-realist, neo-liberal or constructivist. Neo-realism and neo-liberalism cannot do this because they *assume* actor preferences. However, what constructivism can do is to explain why neo-realism and neo-liberalism exist.<sup>19</sup> In highlighting a structuralist ontology, neo-realism and neo-liberalism exclude actors other than the state from having an effect on society. The constructivist approach also grants greater explanatory power in understanding how new norm construction occurs. Examining the NGO role in banning landmines through a neo-realist or neo-liberal framework would be difficult, while constructivism is needed because it expands the role of non-states actors in international relations. It also provides a framework for allow how non-state actors influence the international social structure

While the constructivists may better explain international relations than neo-liberalism and

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<sup>16</sup> Some suggest that the Kyoto Convention is another example of NGO success.

<sup>17</sup> Vendulka Kubalkova, Nicholas Onuf, and Paul Kowert, “Constructing Constructivism,” in Vendulka Kubalkova, Nicholas Onuf, and Paul Kowert, eds., *International Relations in a Constructed World* (M.E. Sharpe: Amonk, New York, 1998) 20.

<sup>18</sup> Preface, in Kubalkova, et. al., xii.

neo-realism, it shares weaknesses of these approaches insofar as it thus far lacks a theory of how agents operate at the domestic and international nexus. As Jeffrey Checkel points out, this problem is compounded by the fact that constructivist scholars have written comparatively little about how and why agents, such as NGOs, contribute to international law and norms.<sup>20</sup> Most constructivist literature focuses on how structure (international legal norms and rules) affect state behavior, thereby over-emphasizing the effect of systemic forces on international behavior.<sup>21</sup> One of the most important constructivist scholars, Alexander Wendt, believes that state characteristics are “created and evolve through interaction with the international system.”<sup>22</sup> He contends that norms are socially constructed between states and the international structure.

Wendt claims that only through the coupling of a multiplicity of states and the international system can state identity and interests be changed, behavioral norms be generated, and the international structure be altered.<sup>23</sup> Therefore, in order to understand international relations, the constructivist view maintains, material resources must be understood along with

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<sup>19</sup> I would like to thank Dr. Thomas J. Johnson, American University, for bringing this point to my attention.

<sup>20</sup> Jeffrey T. Checkel, “The Constructivist Turn in International Relations Theory,” *World Politics* 50 (January 1998), 324-348.

<sup>21</sup> Anthony Clark Arend, “Toward an Understanding of International Legal Rules;” in Robert J. Beck, Anthony Clark Arend, and Robert D. Vander Lught, eds., *International Rules: Approaches from International Law and International Relations* (New York: Oxford University Press, 1996) 89-310; Andrew Hurrell, “International Society and the Study of Regimes: A Reflective Approach;” in *Ibid.* 206-226.

<sup>22</sup> Anthony Clark Arend, “Do Legal Rules Matter: International Law and International Politics,” *Virginia Journal of International Law*, Volume 38, Number 2, Winter 1998, 128.

<sup>23</sup> Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” in Friedrich Kratochwil and Edward Mansfield, eds., *International Organization: A Reader* (Harper Collins College Publishers: New York, 1994) 86-88.

non-material elements, such as shared knowledge and state practices.<sup>24</sup> It stresses that the fundamental structures of international relations are social as well as material and that these structures shape actors' identities and interests, rather than just their behavior.<sup>25</sup>

However, this particular vein of constructivist thought fails to explain why similarly situated states react differently to identical international legal norms.<sup>26</sup> Wendt does not explain where actor identity and interests come from, but simply that "anarchy is what states make of it."<sup>27</sup> While he does not say that he is presenting a blank slate for understanding agent identity and interests, he never explains why we look at identity and interests in a particular way. He does not say what generates state identity, or tells us why states behave as they do.

This dissertation takes a constructivist approach that differs from Wendt's conception and leans more toward Nicholas Onuf's view of international relations, which suggests that discourse and interaction among range of international agents, such as individuals, NGOs and states, explain international relations more aptly.<sup>28</sup> Onuf's ontology accepts the major premises of Wendt and other constructivist work, but does not rely on states as the *only* agents in the international

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<sup>24</sup> Alexander Wendt, "Constructing International Politics," *International Security*. Volume 20, Number 1, Summer 1995, 71-81.

<sup>25</sup> Arend, p. 128; Wendt, "Constructing International Politics," 1-72.

<sup>26</sup> There have been a few constructivist studies on the factors involved at the domestic-international nexus of state behavior. These include Jeffrey T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly* (1999) Volume 43, 83-114; Thomas Risse-Kappen, "Ideas Do Not Float Freely. Transnational Coalitions, Domestic Structures, and the End of the Cold War," *International Organization*, 48,2, (Spring 1994), 185-214.

<sup>27</sup> Alexander Wendt, "Anarchy is What States Make of It: The Social Construction of Power Politics," in Kratochwil and Mansfeld, 78-79.

system.<sup>29</sup> While he also believes that the ‘international structure’ is nothing more than a ‘social arrangement’ made of mutually constitutive rules developed among international actors,<sup>30</sup> Onuf differs from Wendt by including non-state actors into his ontology.

This approach, as purported by Onuf, does not concern itself with an “obsessive critique” of the rationalistic theories.<sup>31</sup> Rather, it opens a broad approach for including a host of issues that cannot be incorporated into the rationalistic approaches. In contrast to the rationalistic approaches, “Onuf’s framework makes it easy to understand concepts such as identity and culture, or the implications of the Information Age, concepts which are among the central issues of our time.”<sup>32</sup>

This form of “constructivism holds that people make society, and society makes people” and that these two elements are linked together by rules.<sup>33</sup> Onuf believes that rules “make the process by which people and society constitute each other continuous and reciprocal.”<sup>34</sup> He defines a rule as “a statement that tells people what we should do” that then results in “practices” by actors.<sup>35</sup> These practices eventually result in patterns, which become institutions.<sup>36</sup> For Onuf,

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<sup>28</sup> Nicholas Onuf, “Constructivism: A User’s Manuel,” in Kubalkova, et al., 58-78.

<sup>29</sup> Ibid., 63.

<sup>30</sup> Ibid., 63

<sup>31</sup> Vendulka Kubalkova, “The Twenty Years’ Catharsis: E.H. Carr and IR,” in Kubalkova, et. al., 52.

<sup>32</sup> Ibid., p. 53.

<sup>33</sup> Onuf, in Kubalkova, et. al., 59.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid., 61.

the sovereignty of actors is a matter of degrees as they are all mutually constitutive and affected by each other.

This dissertation substitutes the term “NGOs” for “agency” and “agents,” since their role in the landmine campaign is this study’s focus. The constructivist framework allows us to investigate NGOs acting collectively as a single agent or group of agents in international politics. Cynics have commented that achievement of the Mine Ban Treaty means little because states that did not use landmines agreed not to purchase them; and states that did not produce them agreed not to sell them. While there is an element of truth in this observation, it does not resolve the puzzle addressed in this study that the landmine ban was appealing to states even though this weapon retains a military utility. It examines why landmine use has significantly declined among all states, including those that did not sign or join the Convention, since the ICBL was formed. By using the constructivist approach as a base for explaining international relations, we are better able to explain the NGO role and state behavior in the landmine ban process. Moreover, since this ontology does not privilege states over other actors, it is possible to make a theoretical claim that NGOs have an important role in international politics.

The relationship between NGOs and international politics has been examined by a number of scholars who utilize a broader constructivist framework and are unsettled by a realist view of world politics. They feel constricted by realist definitions of power and the privileging of states at the expense of other international actors. Much of this literature concerns the NGO role in

environmental and human rights issues. Several variants of the constructivist literature utilized in this dissertation are examined below.

One variant is a “world civic politics” understanding of international relations developed by Paul Wapner. His research on environmental NGOs and international politics is particularly useful in providing a model of NGO and issue interaction because it places NGOs in a broader definition of world politics. He believes that interactions among NGOs and states result in a range of governing relationships that have constitutive effects and in turn, shape widespread NGO and state behavior. By accepting Wapner’s definition of a more fluid international political arena with a greater number of participants, the public can more clearly understand how and why NGOs operate in the spheres that they do and at what level.

Also applicable to this study is the argument that NGOs are not solely pressure groups as traditionally conceived, but also form an important dimension in international politics.<sup>37</sup> NGOs affect world politics by pressuring states *and* engaging in international politics, which, in turn, affect the governing structures of global society. Furthermore, since international politics is a “complex network of economic, cultural, and social practices based on friendship, custom, the market and voluntary affiliations,”<sup>38</sup> states have difficulty addressing certain issues of mutual concern. NGOs can facilitate that process.

While the six NGOs that founded the ICBL were experts in their individual fields –

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<sup>37</sup> Wapner, 10-11.



demining, human rights and physical rehabilitation – they were connected by a single cause: solving problems caused by landmines. They believed that banning landmines would end problems associated with mine use, specifically threatening humanitarian field operations and violating international humanitarian law. These NGOs could be classified as a group of experts sharing a common concern to influence policy. Such a network of experts believing in a causal effect is known in the international relations literature as an “epistemic community.”<sup>39</sup> As Peter Haas posits, an epistemic community shares knowledge and a “common set of cause-and-effect relationships” regarding a specific problem.<sup>40</sup> An epistemic community’s “members share knowledge about the causation of social or physical phenomena in an area for which they have a reputation for competence, and a common set of normative beliefs about what actions will benefit human welfare in such a domain. In particular, they are a group of professionals, often from a number of different disciplines,” who share a similar set of characteristics.<sup>41</sup>

NGO landmine experts initiated the landmine ban issue and then transformed themselves into leaders of an unprecedented global NGO effort to ban landmines. These NGOs first became aware of the consequences of landmine use in the early 1990s. Four of the founding member organizations, the Vietnam Veterans of American Foundation (VVAFA), Medico International of

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<sup>38</sup> Ibid., 4.

<sup>39</sup> Peter Haas, “Introduction: Epistemic Communities and International Policy Coordination,” *Knowledge, Power and International Policy Coordination*, special issue, *International Organization* 46 (Winter 1992), 1-36.

<sup>40</sup> Peter Haas, “Do Regimes Matter? Epistemic Communities and Mediterranean Pollution Control,” in Kratochwil and Mansfield, 128 and 138.

Germany, Handicap International of France, and Mines Advisory Group of Great Britain, had experience in treating landmine victims in hospitals abroad and knew first-hand the tragic effects of this weapon.<sup>42</sup> After visiting landmine-infested Cambodia, the other two founding members, Human Rights Watch (HRW) and Physicians for Human Rights (PHR) determined that landmine use violated current international humanitarian law.<sup>43</sup>

Until the NGOs began advocating for a ban, many governments were unable or unwilling to address the devastating consequences of landmine use. In the 1970s, for example, governments participating in the states 1980 Convention on Conventional Weapons (CCW) negotiations attempted to restrict landmine use in order to protect civilian populations. These attempts resulted in the Landmines Protocol (officially known as Protocol II), which placed limitations on their use. By the early 1990s it became evident to many NGOs working in landmine-infested areas that the protocol was not working properly. Increasing civilian landmine casualties and land denial due to landmine infestation indicated that states and other international actors had disregarded the Protocol and that the Protocol was an inadequate response to the growing humanitarian crisis caused by landmines. PHR and HRW wrote in 1993 that “the complete failure of the Landmines Protocol to control landmine use, its [the Protocol’s] failure to

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<sup>41</sup> Ibid., 179.

<sup>42</sup> Robert O. Muller, “New Partnerships for a New World Order: NGOs, State Actors, and International Law in the Post-Cold War World,” *Hofstra Law Review*, Fall 1998, Volume 27, Number 21, 1. <[www.http://web.lexis-nexis.com/univers...ae68bc5b69828b8cc037e6&taggedDocs](http://web.lexis-nexis.com/univers...ae68bc5b69828b8cc037e6&taggedDocs) > October 13, 1999.

<sup>43</sup> *Landmines in Cambodia: The Coward’s War*, Physicians for Human Rights and Asia Watch, September 1991.

conform to the requirements imposed by customary humanitarian law, and the extreme devastation that has resulted from mine warfare, supports a ban on the production, stockpiling, transfer and use of landmines.”<sup>44</sup> It was also evident to the NGOs that governments opposed addressing the landmine issue in a multitude of national, regional and international forums. In April 1996, the final Review CCW conference in Geneva ended without significant moves toward a ban. In the same month, Canada, with the ICBL’s support, announced that it would host a landmine strategy conference in Ottawa in October 1996. This conference, in turn, launched the “Ottawa Process,” which entailed fourteen months of swift negotiations with NGOs and pro-ban states, and eventually culminated in the December 1997 signing of the Convention.

## II. Epistemic Community – Knowledge As An Activist Tool

Epistemic communities, such as the NGO landmine experts in the ICBL, change state preferences and policies by obtaining and consolidating “influence in different governments.” Where epistemic communities have penetrated government bureaucracies, state preferences and policies will increasingly be more reflective of the epistemic community.<sup>45</sup> The epistemic argument

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<sup>44</sup> *Deadly Legacy*, 263.

<sup>45</sup> Peter M. Haas, “Epistemic Communities and the Dynamics of International Environmental Cooperation” in Volker

is that the new “negotiated regime would then reflect the casual and principled beliefs of the epistemic community.”<sup>46</sup> One well known epistemic community example treats scientific experts working together to encourage states around the Mediterranean Sea to promote pollution prevention policies.<sup>47</sup> A more recent study examines how prominent scientists and physicians formed networks to promote a nuclear showdown between the United States and the Soviet Union.<sup>48</sup> This approach also furnishes an excellent method to understand how a group of experts can bring a transnational issue to the international community’s attention while simultaneously proposing a specific solution.

The success of the NGO landmine experts in generating international political interest in the ban landmine issue is attributable to its control, management and use of landmine knowledge. The term “knowledge” may be defined as “the sum of technical information and of theories about that information which commands sufficient consensus at a given time among interested actors to serve as a guide to public policy designed to achieve some social goal.”<sup>49</sup> As the landmine issue rose on the international political agenda, many governments relied on NGOs for landmine information, including that concerning the situation in their own states.<sup>50</sup> Many governments and

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Rittberger, ed., *Regime Theory and International Relations* (Oxford: Clarendon Press, 1993), 188.

<sup>46</sup> *Ibid.*, 89.

<sup>47</sup> Peter M. Haas, “Do Regimes Matter? Epistemic Communities and Mediterranean Pollution Control,” 128-139.

<sup>48</sup> Matthew Evangelista, *Unarmed Forces: The Transnational Movement to End the Cold War* (Ithaca, New York: Cornell University Press, 1999).

<sup>49</sup> Ernst B. Haas, “Why Collaborate? Issue-Linkage and International Regimes,” in Kratochwil and Mansfield, p. 368.

<sup>50</sup> Statement of Steve Goose, Hague May 1999 Conference.

the United Nations also turned to NGOs to help draft the Ottawa Convention and to assist in organizing landmine conferences and meetings.

Governments seeking epistemic community support on technical issues, as in the landmines case, is not unprecedented. The epistemic community's involvement in the Mediterranean Plan in the early 1970s came at the request of several governments, which turned to the region's marine scientists to suggest environmental policies and draft an agreement to protect the Mediterranean Sea.<sup>51</sup> In the landmines case, the information provided by NGO experts showed governments that there was a landmine problem, which, in turn, generated a need among governments for more landmine information, which the NGO experts were better able to provide than most governments. Almost every piece of NGO information that governments received furnished a blistering criticism of continued landmine use. In fact practically every report that NGOs produced proffered solid information that suggested in a compelling manner that, under international law, AP mines were already illegal and should be prohibited.<sup>52</sup>

Peter Haas has observed that “[n]ew regime patterns may result from new information and as a consequence of self-reflection by various actors.”<sup>53</sup> If this new information is disseminated by

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<sup>51</sup> Peter Haas, “Do Regimes Matter? Epistemic Communities and Mediterranean Pollution Control,” p. 131.

<sup>52</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

<sup>52</sup> Statement of Chris Moon, ICBL Presentation to the Opening Session of the Ottawa Conference, October 3, 1996.

<sup>53</sup> Peter Haas, “Epistemic Communities and Regimes,” 170.

a dominant actor, he argues, “it may compel other actors to accept its preferred policies.”<sup>54</sup>

However, in the landmine case it was the new information disseminated by ICBL members to international organizations, states and other NGOs that ultimately prompted governments to change their behavior toward landmine use.

Consensual knowledge is spread by epistemic communities. According to Peter Haas, “[c]onsensual knowledge does not emerge in isolation, but rather it is created and spread by a transnational network of specialists” or “epistemic communities.”<sup>55</sup> Epistemic communities are important to landmine knowledge diffusion because, “[u]nder conditions of complex interdependence and generalized uncertainty, specialists play a significant role in attenuating such uncertainty for decision-makers.”<sup>56</sup> The NGO experts were able to persuade other NGOs not directly involved with the landmine issue to join the landmine ban movement under a common understanding that banning landmines was in their organization’s interest. Ernst Haas has observed that “[s]uccessful negotiations for institutionalizing collaboration depend on the congruence of interests as much as on changes in consensual knowledge.”<sup>57</sup> This proved the case in securing the landmine ban. By showing that there was a congruence of interests among the NGO community, the ICBL NGO landmine experts were able to expand and broaden the campaign. In particular, the ICBL’s NGO epistemic community had expertise in two areas: (1)

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<sup>54</sup> Ibid., 176.

<sup>55</sup> Ibid., 179.

<sup>56</sup> Ibid., 179.

operating in landmine infested states; and (2) landmine use and effects. Each of these expertise areas is briefly described below.

*A. Local Expertise.* The landmine problem was highlighted by NGOs and national campaigns operating in landmine-infested states. In general, NGOs are often the first to notice relational breakdowns within countries.<sup>58</sup> Because of their knowledge of local landmine situations, ICBL members were able to react quickly and lobby governments to adjust their landmine policies. Often times, the ICBL members' expertise was greater than that of the United Nations and states. ICBL members, for example, were often the major source of information for state delegations participating in the treaty-drafting conferences. Credibility garnered by NGOs in field operations in mine-infested governments contributed to influencing the debate, and provided states with detailed and specific information that directed the landmine discussion toward the humanitarian consequences of landmines. Moreover, according to arms control scholars, the ICBL utilized very effective spokespersons, such as "de-miners, mine victims and medical staff working with victims [which helped] enhance the ICBL leadership skills...[p]eople directly affected by mines make compelling speakers who are not easily dismissed by politicians, diplomats and the military."<sup>59</sup>

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<sup>57</sup> Ernst Haas, 369.

<sup>58</sup> Judy Mayotte, "NGOs and Diplomacy," in James P. Muldoon, Jr., JoAnn Fagot Aviel, Richard Retiano, and Earl Sullivan, eds., *Multilateral Diplomacy and the United Nations Today* (Westview Press: Boulder, 1999)167.

<sup>59</sup> Lora Lumpe and Jeff Donarski, *The Arms Trade Revealed: A Guide for Investigators and Activists* (Federation of American Scientists: Washington, D.C., 1998) 86.

*B. Landmine Expertise.* The ICBL also had the significant advantage in being able to “focus on a single issue or set of issues to the exclusion of all others,”<sup>60</sup> which increased their value to governments participating in the landmine discussions. Several times, the ICBL’s ability to focus on banning landmines saved the convention from becoming a non-comprehensive treaty with many loopholes. Perhaps the most important example among the ICBL efforts to preserve the convention’s comprehensive integrity was the elimination of the CCW definition of landmine – “a mine primarily designed to be exploded by the presence, proximity or contact of a person.”<sup>61</sup> What the ICBL advocated for and received from governments negotiating the Mine Ban Treaty was a definition that eliminated the word “primarily.” The ICBL’s main purpose here was to ensure that all landmines, including anti-tank and anti-vehicle mines, that endanger pedestrians, be banned. A CCW landmine definition containing “primarily” could have undermined the treaty by providing states with a range of anti-personnel weapons, including some landmines, as legal. HRW and PHR had the arms control expertise and experience to catch this loophole early on in the negotiating process and thus prevent it from being incorporated into the treaty. The ICBL landmine expertise proved a potent tool in keeping the Ottawa Process focused on a comprehensive ban, especially given that one word could have made such a significant difference in treaty interpretation.

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<sup>60</sup> JoAnn Fagot Aviel, “NGOs and International Affairs: A New Dimension of Diplomacy,” in Muldoon, Jr., 157.

<sup>61</sup> “President’s Text,” Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate



International attention to the landmine issue was initially brought by NGOs in the human rights and humanitarian fields, which were specifically affected by the issue. These organizations had expertise in working with landmine-disabled populations and in landmine infested areas. Some also had experience with weapons issues that directly affected civilians and were questionable under current international humanitarian law (see Table 2-2). The ICBL's first stage of formation stemmed from two humanitarian NGOs, the Vietnam Veterans of America Foundation (VVAF) and MEDICO, which focused on assisting amputees with rehabilitation. Based in Washington, D.C., VVAF was founded by Robert (Bobby) Mueller, a Marine veteran paralyzed in combat in Vietnam, in part to focus on helping to prevent the causes and alleviate consequences of war.<sup>62</sup> The other founding NGO member, MEDICO was a German-based NGO that also focused on helping people with disabilities in developing states. Its director asserted that landmines should be banned in light of the tragic consequences wrought in Cambodia, Vietnam, El Salvador and Kurdistan.<sup>63</sup>

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Effects." Geneva, January 15-19, 1996, CCW/CONF.I/WP.4/Rev.1, January 22, 1996.

<sup>62</sup> Susan Reed and Andrea Pawlyna, "A Marine's Reparation: Thanks to a Vietnam vet, Cambodia amputees have new legs and jobs," *PEOPLE*, December 11, 1995, 103.

<sup>63</sup> Statement of Thomas Gebauer, Director, MEDIO International, to the Oslo Landmines NGO-Forum, September 7-10, 1997 as quoted in the ICBL Report "NGO Forum on Landmines" Oslo, Norway, September 7-10, 1997, no page

*Table 2-2: Founding ICBL members and their expertise areas.*

<b>ICBL FOUNDING MEMBER</b>	<b>LANDMINE EXPERTISE AREA</b>	<b>LANDMINE INFESTED STATE AREA</b>	<b>HOME STATE</b>
Handicap International	Physical Rehabilitation	Cambodia, Vietnam, Mozambique	France
Human Rights Watch	Human Rights	Cambodia	USA
Medico International	Physical Rehabilitation	Angola, El Salvador	Germany
Mines Advisory Group	Demining	Afghanistan, Cambodia, Kurdistan	United Kingdom
Physicians for Human Rights	Medical Support and Human Rights	Bosnia, Cambodia	USA
Vietnam Veterans of America Foundation (VVAFA)	Physical Rehabilitation	Angola, Cambodia, Vietnam, El Salvador	USA

The epistemic community literature helps to provide a better understanding of the ICBL's efforts at educating other international actors and drawing attention to the issue.

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number.

### **III. ACTIVIST NETWORK**

By its second year, the ICBL recognized that the campaign's success depended upon broad public support that was still lacking.<sup>64</sup> Eventually the platform developed into a vertical campaign with organizational structure and goals. While MEDICO and VVAF decided in 1991 that landmines should be banned as a way to reduce civilian deaths after wars end and prevent more people losing limbs, the other founding NGOs did not join in the organized call until 1992.

The ICBL founders realized that they needed to create a broad-based international coalition in order to achieve a landmine ban.<sup>65</sup> The message they promoted centered on the premise that landmine use was inhumane and not legally justifiable, as the humanitarian impact was more severe than its military utility. Specifically, the NGOs agreed that the campaign's core identity should be focused on a basic, simple advocacy for a ban on the use, production and trade of antipersonnel landmines.<sup>66</sup> The ban goal was chosen over demining and mine victim assistance because the NGOs believed that the problems of mined areas and mine victims would not be solved until the prevention of mine deployment and production was permanently halted. By May 1994 they realized that campaign's success was due to wide-spread public pressure: ICBL

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<sup>64</sup> NGO Conference on Antipersonnel Mines, Report of the Final Plenary Session, London, May 26, 1993, 3.

<sup>65</sup> Jody Williams, Coordinator, Landmines Campaign, "Brief Assessment and Chronology of the Movement to Ban Landmines," Vietnam Veterans of America Foundation memo (undated, estimate of 1994).1.

<sup>66</sup> NGO Conference on Antipersonnel Mines, Report of the Final Plenary Session, London, May 26, 1993, 1.

leaders, therefore, decided that a public awareness campaign should be developed and emphasized.<sup>67</sup>

ICBL recruiting of non-expert NGOs was best characterized as a transnational activist movement based on a uniform principle. As explained above, the uniform principle of a landmine ban was created by NGO experts. With respect to recruiting, scholars stress the influence of transnational NGO movements that are centered on principles and norms.<sup>68</sup> This study expands beyond that approach by providing a more intensive investigation of the NGO role in the landmines issue and the NGOs ability to generate international action and control the agenda. In other words, the epistemic community literature has its limitations in explaining how the ICBL membership expanded to non- “expertise” NGOs. As the ICBL began to expand, the numbers of technical experts relative to the ICBL membership began to decline.

A majority of ICBL members neither worked in the major landmine infested states nor were affected directly by landmine use. Yet, they joined the campaign driven by the core belief that banning landmines was the right thing for governments to do. And they contributed not landmine expertise, but social power or moral authority. For example, NGOs grounded in religious beliefs joined after their leaders, such as Pope John II, issued letters in support of a landmine ban. While participant NGOs were labeled “utopian,” and their landmine ban goal was

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<sup>67</sup> Ibid., 3.

<sup>68</sup> Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy in International Politics* (Cornell University Press: Ithaca, New York, 1998).

branded as “impossible,” the ICBL gathered support from prominent persons, such as UN Secretary General Boutros Boutros Ghali, and former U.S. Secretary of State Cyrus Vance.<sup>69</sup> Former President Jimmy Carter also stated his opposition to continued landmine use,<sup>70</sup> while Diana, Princess of Wales, lent her public support in 1997.

The ICBL expert NGOs used a range of techniques to recruit other NGOs to the fold and pressure governments to ban landmines. These techniques included massive publicity campaigns and protest demonstrations. According to the ICBL conference and grassroots organizer, Liz Bernstein, “NGO lobbying entailed communicating to Government decision-makers and diplomats in various ways, such as personal conversations, writing, face-to-face meetings, and collecting and presenting petitions.”<sup>71</sup> As a result, a major focus of ICBL activities became public activities. The ICBL organizers encouraged national ban landmine campaigns to take public action through public demonstrations and events, which should be culturally specific and planned by the local campaign. NGOs were encouraged to customize and tailor the ban-landmine message to their own communities. In fact one factor propelling the ICBL towards success was its vertical, decentralized, and informal organizational structure, which allowed national landmine ban campaigns to determine the best strategies for getting their own governments on board. The ICBL

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<sup>69</sup> NGO Conference on Antipersonnel Mines, Report of the Final Plenary Session, London, May 26, 1993, 1.

<sup>70</sup> Letter from President Jimmy Carter to Senator Patrick Leahy, April 12, 1994.

<sup>71</sup> Statement by Liz Bernstein, ICBL Co-Coordinator, to the Panel Presentation and Discussion “Campaigning: Launching National Campaigns, Using the Media, Public Awareness Raising, Coalition Building, and Direct Action,” Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines,

leaders believed that “[p]ressure tactics that worked in Germany or Belgium would not necessarily be effective in Mozambique or Afghanistan.”<sup>72</sup>

Moreover, such a strategy empowered national campaigns to take the initiative, rather than wait for a decision to evolve through the consensus-based decision-making of the ICBL steering committee. As one international relations scholar commented, “localism is based on empowerment.”<sup>73</sup> A major force in the ICBL’s grassroots efforts was Liz Bernstein, who began her human rights work in Cambodia in the peace and conflict resolution issue-area. She later observed that locally inspired ban-landmine events were most appropriate for the ICBL, because no blueprint or formula existed for NGOs to persuade their respective governments to sign the treaty.<sup>74</sup>

A two-fold inter-related goal applied to public events: First, they allowed the ICBL to reach its goals of state signing and ratification of the convention, and second, they allowed the ICBL to reach these goals earlier.<sup>75</sup> The thrust of these events worked to push governmental decision-makers to “go from their brain to their heart” and to “help them see landmine victim

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International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 58.

<sup>72</sup> James Bandler, “Laureate in a minefield,” *The Boston Globe Magazine*, June 7, 1998, 28.

<sup>73</sup> Wapner, 115.

<sup>74</sup> Statement by Liz Bernstein, ICBL Co-Coordinator, to the Panel Presentation and Discussion “Campaigning: Launching National Campaigns, Using the Media, Public Awareness Raising, Coalition Building, and Direct Action,” Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 58.

<sup>75</sup> Statement of Dalma Foldes, ICBL Resource Coordinator, ICBL 2000 Landmine Monitor Researchers Meeting, Brussels, Belgium, January 30, 2000.

pictures and the landmine issue in a different way.”<sup>76</sup>

The ICBL’s membership included those NGOs concerned with a wide range of issues, including arms control and disarmament, economic and social development, human rights, and refugee assistance. Most important was that these NGOs gave the ICBL permission to speak for them, which resulted in the ICBL’s leaders being able to speak with a single, clear voice (see chapter 6). Rather than a cacophony of varied voices calling for a ban, with differences in ban definitions, the ICBL was allowed to represent the broad coalition, which thereby created a unified presence at international conferences and for state representatives and the media. Eventually, a multitude of voices arose with a single viewpoint on a narrow issue.

Margaret E. Keck and Kathryn Sikkink have argued that NGO transnational movements are challenging governments’ control of information and, therefore, the political agenda.<sup>77</sup> The coalescing of NGOs to work internationally on an issue amplifies their communication channels and influence. According to Keck and Sikkink, NGOs use information as a means to lobby and pressure governments to behave according to certain standards. One reason for the cessation of human rights violations in Latin America, they argue, was the work of human rights NGOs who disseminated important information on human rights violations to governments and international organizations, and encouraged them to take action to bring about change. More broadly, their thesis is that at the core of transnational NGO activity is the “production, exchange, and strategic

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<sup>76</sup> Ibid.

use of information.”<sup>78</sup> When NGOs capitalize on their expertise and are successful in their use of informational strategies, they can become “important sources of new ideas, norms, and identities in the international system.”<sup>79</sup> By working as an advocacy network these NGOs “contribute to changing perceptions that both state and societal actors may have of their identities, interests, and preferences to transforming their discursive positions, and ultimately to changing procedures, policies and behaviors.”<sup>80</sup> Sikkink argues elsewhere that these movements also reveal how NGOs can persuade other actors of the salience and value of new norms.<sup>81</sup>

Specifically, the ICBL pressured governments by providing media access to landmine-infested areas where NGOs were operating, documenting the landmine problem, and maintaining a strong and unified coalition. Scholars have researched various movements, such as the anti-apartheid campaign,<sup>82</sup> efforts to ban landmines,<sup>83</sup> the developing and implementing the laws of war.<sup>84</sup> Richard Price shows how NGOs in the ban landmine movement were able to delegitimize

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<sup>77</sup> Keck and Sikkink, 18-22.

<sup>78</sup> Ibid., vii-viii.

<sup>79</sup> Ibid., x.

<sup>80</sup> Ibid., 3.

<sup>81</sup> Kathryn Sikkink, “Transnational Politics, International Relations Theory, and Human Rights: A New Model of International Politics is needed to Explain the Politics of Human Rights,” *Political Science and Politics*, September 1998, 519.

<sup>82</sup> Audie Klotz, *Norms in International Relations: The Struggle against Apartheid* (Ithaca: Cornell University Press, 1995).

<sup>83</sup> Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines.” *International Organization* 52 (3) 1998, 615-617.

<sup>84</sup> Martha Finnemore, *National Interests in International Society* (Ithaca, New York: Cornell University Press, 1996) 69-88.



landmine use by relocating authority away from states. He gives an excellent explanation of the systemic origination of the ban landmine norm by highlighting “moral persuasion and the social pressure arising from identity politics and emulation.”<sup>85</sup> Yet, he does not provide a detailed analysis of exactly how and why NGOs were able to network among each other and other international actors in order to achieve the ban. While this project also suggests that emulation and moral persuasion were factors in states adopting the landmine ban norm, it also investigates sub-systemic sources for the norm. These sources includes the NGO epistemic community disseminating information to governments and the public, lobbying governments with international personalities, recruiting governments, international organizations and other NGOs to the campaign, and developing and guiding national landmine campaigns to promote the ban, generate media interest and increase public support.

The whole constructivist approach is a way of thinking about the process of norm creation and the role of non-state actors in interacting with the international social structure. The process examined here uses the constructivist approach as a framework for examining the NGO role in changing state behavior toward landmines. It emphasizes a few of the constituent parts of constructivism, such as the epistemic community and socialization network literature. All of these parts are under the constructivist umbrella, but they do not say much except that norms matter. This project shows not only why norms matter, but how the landmine ban norm was generated by

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<sup>85</sup> Price, 616.

NGOs, who, in turn, recruited states, international organizations and other NGOs to the campaign that ultimately resulted in the Mine Ban Treaty.

Now that we have examined the constructivist understanding of international politics and a potential framework for explaining the ban, it is worthwhile to investigate possible rationalistic explanations for the ban. While most realist scholars argue that the role of NGOs in international politics is little or non-existent, the neo-liberal variant believes that NGOs can make a difference on marginal or soft issues limited to “situations in which actions do not have obvious explanations in terms of more narrowly defined self-interest.”<sup>86</sup> Nevertheless, even these ‘liberal’ scholars argue that NGO influence in security and weapon issues are limited. This view toward the state as the only international actor privileged to operate in the security issue area is examined in the following sections.

## D. Alternative Explanations for the Landmine Ban

### I. Neo-realism

Neo-realists explain the international ban landmine norm as epiphenomenal, since

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<sup>86</sup> Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton:

international norms do not have independent effects on state behavior. For example, John Mearshimer argues that states do not follow international norms if the latter do not serve the former's self-interests.<sup>87</sup> Since neo-realists believe anarchy remains constant, and the units of an anarchic system are functionally undifferentiated, they focus on material capabilities as the most identifiable characteristics of the states, rather than sociological influences such as norms. Therefore, according to neo-realist principles, those states banning landmines do so because they perceive some relative gains to be made in prohibiting landmine use. The written compact is a means to ensure their own survival, and signing and ratifying a treaty is merely an easy way for states to help achieve their goal of survival. The neo-realist assumption is that norms do not impinge on state actions, so therefore neo-realists need not address international norms. The existence of an international norm simply reflects the interests of these states adhering to it.

Similarly, neo-realism considers NGOs as a non-factor in international relations. Although some non-state actors (NSAs) have some capabilities of states, neo-realists believe that NGOs need the support and at least acquiescence of the principal states concerned with the matters at hand; otherwise, NGOs are powerless. Kenneth Waltz argues that international relations theories that deny "the central importance of states" can be discounted as inaccurate reflections of international relations until "non-state actors develop to the point of rivaling or surpassing the

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Princeton University Press, 1984), 125.

<sup>87</sup> John Mearshimer, "The False Promise of Institutions," in Michael E. Brown, Sean M. Lynn Jones, and Steven Miller, eds., *The Perils of Anarchy: Contemporary Realism and International Security* (Cambridge: The MIT Press, 1995),

great powers, not just a few minor ones.”<sup>88</sup> Furthermore, “When the crunch time comes, states remake the rules by which other actors operate...one may be struck by the ability of weak states to impede the operation of strong MNCs and NGOs and by the attention the latter pay to the wishes of the former.”<sup>89</sup>

Given the neo-realist understanding of international relations, how can the achievement of the landmine ban be explained? Unfortunately, neo-realists have failed to address the landmine issue, as well as a host of other international legal issues. Nevertheless, their understanding of international relations can be applied to the ban landmine case. Based on their logic, the following three potential explanations are set out within a neo-realist perspective.

**a. Landmines have no military utility to enhance or threaten a state’s security interests.**

Neo-realists can argue that many states banned landmines because these weapons no longer have the utility that they once had; therefore, their prohibition does not appreciably affect state interests.<sup>90</sup> According to neo-realists, it is easy to achieve an international agreement when no one’s interests are threatened or when states do not care deeply about relative gains.<sup>91</sup> The

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<sup>88</sup> Kenneth N. Waltz, *Theory of International Politics* (New York: McGraw-Hill, 1979) 95.

<sup>89</sup> *Ibid.*, 95.

<sup>90</sup> Price draws the same implication.614.

<sup>91</sup> Mearshimer, 346-351.

main reason for the achievement of the treaty is the simple fact that landmines do not win wars and are not essential to many states' national security. Many non-party states did not sign the treaty because they still employ landmines for national security purposes (see Table 2-3), while many signatory states have relatively little security concerns and thus do not require landmines (see Table 2-4).

*Table 2-3: State Security Positions of Some Non-Signatory States<sup>92</sup>*

<b>Non-Signatory State</b>	<b>Security Status<sup>93</sup></b>
<b>AFRICA REGION</b>	
CONGO (BRAZZAVILLE)	Civil War
DEMOCRATIC REPUBLIC OF CONGO	Civil War
ERITREA	War with Ethiopia
LIBERIA	Internal Conflict
<b>AMERICAS REGION</b>	
CUBA	Conflict with United States
<b>ASIA-PACIFIC REGION</b>	
AFGHANISTAN	Civil War
INDIA	Conflict with Pakistan
DEMOCRATIC REPUBLIC OF KOREA	Border Tension
REPUBLIC OF KOREA	Border Tension
PAKISTAN	Conflict with India

<sup>92</sup> These data are drawn from *Landmine Monitor Report 1999: Toward a Mine Free World*.

<sup>93</sup> Security status means whether or not the state is stable or unstable, such as experiencing a high level of threat to its national security.

<b>SRI LANKA</b>	<b>Civil War</b>
<b>EUROPE/CENTRAL ASIA</b>	
<b>ARMENIA</b>	<b>Conflict with Azerbaijan</b>
<b>AZERBAIJAN</b>	<b>Conflict with Armenia</b>
<b>GEORGIA</b>	<b>Civil War</b>
<b>YUGOSLAVIA</b>	<b>Civil War</b>
<b>MIDDLE EAST/NORTH AFRICA</b>	
<b>IRAQ</b>	<b>Civil Unrest/Border Tension</b>
<b>ISRAEL</b>	<b>Border Tension</b>
<b>MOROCCO</b>	<b>Civil War</b>

*Table 2-4: State Security Positions of Some Signatory States<sup>94</sup>*

<b>Signatory State</b>	<b>Security Status</b>
<b>AFRICA REGION</b>	
<b>BENIN</b>	<b>Stable</b>
<b>MALAWI</b>	<b>Stable</b>
<b>NAMIBIA</b>	<b>Stable</b>
<b>SWAZILAND</b>	<b>Stable</b>
<b>AMERICAS REGION</b>	
<b>BAHAMAS</b>	<b>Stable</b>
<b>ASIA-PACIFIC REGION</b>	
<b>AUSTRALIA</b>	<b>Stable</b>
<b>FIJI</b>	<b>Stable</b>
<b>MALAYSIA</b>	<b>Stable</b>
<b>MALDIVES</b>	<b>Stable</b>
<b>JAPAN</b>	<b>Stable</b>
<b>VANUATU</b>	<b>Stable</b>

<sup>94</sup> Ibid.

<b>EUROPE/CENTRAL ASIA</b>	
AUSTRIA	Stable
BELGIUM	Stable
SLOVENIA	Stable
SPAIN	Stable
<b>MIDDLE EAST/NORTH AFRICA</b>	
JORDAN	Stable
QATAR	Stable
YEMEN	Internal Tension

Table 2-5 highlights regional opposition to the ban. A greater percentage of states oppose the treaty in regions where security tensions are high. For example, more than seventy-one percent of the states in the Middle East oppose the treaty, while fewer than seven percent of the American states oppose the treaty. A neo-realist would assert that this divergence most likely reflects more stable governments, recognized borders and low levels of security tension in the American states.

*Table 2-5: Regional Opposition for the Ottawa Treaty*

<b>REGION</b>	<b>States in Region</b>	<b>Non-Signatory States</b>	<b>Percentage of States not Signing</b>
<b>Africa Region</b>	48	8	17%
<b>Americas Region</b>	35	2	6%
<b>Asia-Pacific Region</b>	35	21	60%
<b>Europe/Central Asia Region</b>	43	4	8%
<b>Middle East/North Africa Region</b>	17	12	71%

*State support for the treaty as of March 1999. These data are drawn from Landmine Monitor Report 1999: Toward a Mine Free World.*

#### **b. Multipolar International System**

Neo-realists assert that the end of bi-polarity and the beginning of a multi-polar international system signal the onset of irresponsible behavior by small and middle states because these governments no longer feel beholden to major powers. Those states banning landmines are showing a lack of concern for their own security by not following the lead of the non-signatory major powers, such as China, Russia and the United States. By banning landmine use -- weapons that retain a military utility on the battlefield -- these states are acting foolishly. Meanwhile, major powers continue to feel responsible for their own security requirements and relative gain concerns, and they therefore refuse to give up landmines. For example, the United States said



that it will not give up mines because of the Korea situation, while Pakistan and India will not give up mines because of the Kashmir conflict. In this respect, Kenneth Waltz predicts that a multi-polar system will be even more unpredictable than a bipolar system because major powers have less flexibility to balance the system, and weaker states have greater flexibility to act irresponsibly concerning their security interests.<sup>95</sup>

According to neo-realist principles, the ban norm could not have been achieved during the bipolarity of the Cold War because relative gains would have been more important than they are now. In a multi-polar world weaker states fear war less and “all of them can more freely run the risk of suffering a relative loss.”<sup>96</sup> This helps to explain why even though Russia and the United States did not sign the treaty, most of the NATO and former Warsaw Pact allies did so (see Tables 2-6 and 2-7). This situation would never have occurred during the Cold War years.

*Table 2-6: NATO and Former Warsaw Pact States Supporting the Ottawa Treaty*<sup>97</sup>

<b>PRE-1997 NATO STATES SIGNING OTTAWA TREATY</b>	<b>EX-WARSAW PACT STATES SIGNING OTTAWA TREATY</b>
Canada, Belgium, Denmark, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, The Netherlands, Norway, Portugal, Spain, United Kingdom.	Bulgaria, Czechoslovakia, <sup>98</sup> Hungary, Poland, Romania

<sup>95</sup> Kenneth N. Waltz, “The Origins of War in Neo-Realist Theory,” in Richard K. Betts, *Conflict After the Cold War: Arguments on Causes of Peace* (Boston: Allyn and Bacon, 1994), 92-95.

<sup>96</sup> Waltz, *Theory of International Politics*, 71.

<sup>97</sup> *Landmine Monitor Report 1999: Toward a Mine Free World*

<sup>98</sup> Both the Czech and Slovak Republics have signed the treaty.

*Table 2-7: NATO and former Warsaw Pact States not Supporting the Ottawa Treaty<sup>99</sup>*

<b>PRE-1997 NATO STATES NOT SIGNING OTTAWA TREATY</b>	<b>EX-WARSAW PACT STATES OR RESULTING ENTITIES NOT SIGNING OTTAWA TREATY</b>
Turkey, United States	Russia

**c. If the Great Powers do not support the prohibition regime, then the prohibition is meaningless.**

While most smaller and mid-size states support the ban regime, major powers, such as China, India, Pakistan, Russia and the United States, did not sign because it was perceived not to be in their interest to do so (see Table 2-8). According to neo-realists, therefore the Ottawa Treaty is mitigating. Waltz says that “[a] general theory of international politics is necessarily based on great powers” [and that] “[s]o long as major states are major actors, the structure of international politics is defined in terms of them. States set the scene in which, they, along with non-state actors, stage dramas or carry on their humdrum affairs.”<sup>100</sup>

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<sup>99</sup> *Landmine Monitor Report 1999: Toward a Mine Free World*, 318, 802 and 818.

Table 2-8: Major State Opposition to the Ottawa Treaty

MAJOR STATE	GIVEN REASON FOR NOT SIGNING OTTAWA TREATY
China	“[P]reventing foreign military interference and aggression so as to maintain national unity and territorial integrity and safeguard the people’s well-being.” <sup>101</sup>
India	“India does not subscribe to the treaty due to security reasons.” <sup>102</sup>
Pakistan	“Pakistan’s peculiar security requirements do not permit [it] to accept a ban on the use of landmines.” <sup>103</sup>
Russia	1. Protect nuclear plants; <sup>104</sup> 2. Protect borders. <sup>105</sup>
United States	1. “Security situation” in Korea. <sup>106</sup> 2. Maintenance of mixed landmine systems. <sup>107</sup>

Neo-realists contend that major states may not participate directly in the affairs of weaker states, but they “nevertheless set the terms of the intercourse, whether by passively permitting

<sup>100</sup> Waltz. *Theory of International Politics*, 73 and 94.

<sup>101</sup> “The Issue of Anti-Personnel Landmines.” China National Defense White Paper, Information Office of the States Council, The Peoples Republic of China, July 27, 1998, <<http://www.China-embassy.org/cgi-Bin/Pressipl?wparms>>.

<sup>102</sup> “India Calls for Int’l Consensus on Banning Landmines,” Xinhua English Newswire, November, 15, 1998.

<sup>103</sup> BBC Worldwide Monitoring Source, Radio Pakistan external service, March 17, 1999.

<sup>104</sup> Timothy Heritage, “Russia Rebuffs Calls to Sign Landmine Treaty,” Reuters, May 27, 1998,

[http://customnews.cnn.com/cnews/pna.show\\_story](http://customnews.cnn.com/cnews/pna.show_story)

<sup>105</sup> Ibid; Michelle Kelemen, “Russia/Landmines,” Voice of America, May 27, 1998, <[gopher://gopher.voa.gov:70/00/newswire/wed/RUSSIA-LANDMINES](mailto:gopher://gopher.voa.gov:70/00/newswire/wed/RUSSIA-LANDMINES)>.

<sup>106</sup> Statement by the Press Secretary on “Anti-Personnel Landmines,” The White House, may 16, 1997.

<sup>107</sup> President Clinton letter to Marissa A. Vitagliano, Acting Coordinator, U.S. Campaign to Ban Landmines, August 31, 1998. Mixed mine systems are combinations of anti-tank mines packaged with anti-personnel munitions, which the ICBL categorizes as anti-personnel landmines.

informal rules to develop or by actively intervening to change rules that no longer suit them.”<sup>108</sup> In the meantime, weaker states “enjoy the freedom of the irresponsible since their security is mainly provided by the efforts of others.”<sup>109</sup>

In concluding this brief review of neo-realist explanations, it seems that they do explain much, but puzzles still remain. These puzzles include why a majority of the countries of the world banned landmines, and why that major powers have instituted unilateral measures restricting landmine activities. These puzzles will be discussed more fully in section E below.

## II. Neo-liberalism

The neo-liberal view of international relations adopts many neo-realist assumptions, especially that of the anarchic structure of international relations. Unlike neo-realists, however, neo-liberals believe that international institutions and regimes can alter state behavior, primarily in low-politics issues, such as economics and the environment.<sup>110</sup> Robert Keohane and other neo-liberals argue that institutions and regimes allow state long-term interests to be served, albeit sometimes at the expense of the state’s short-term interest. They accomplish this by changing the

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<sup>108</sup> Ibid., 94.

<sup>109</sup> Ibid., 184-185.

environment in which inter-state relationships occur, thereby allowing inter-state cooperation by altering the payoff structure, lengthening the shadow of the future and changing the number of players. In neo-liberalist theory, the NGO role is limited to serving state needs in facilitating inter-state cooperation within certain international institutions and regimes primarily with issues NOT closely related to national security.<sup>111</sup> Three possible neo-liberal explanations for the landmine ban appear plausible.

#### **a. Banning landmines reduces uncertainty**

Neo-liberals would suggest that a state's decision to ban landmines comes as the result of perceived state interest in cooperating over the elimination of a particular weapon that is considered neither strategic nor necessary. More than 40% of the signatory states to the Ottawa Convention, for example, have never exported, produced, stockpiled, or used landmines.<sup>112</sup> Moreover, other governments may have signed on to the treaty to reduce uncertainty about landmine use because it alleviates verification problems, and it stabilizes expectations about the landmine arsenals of other states through the provision of information.<sup>113</sup> According to a potential

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<sup>110</sup> Keohane, 49-109; Stephen D. Kranser, "Sovereignty, Regimes, and Human Rights" in Rittberger, 139-167.

<sup>111</sup> The service roles of NSAs are discussed in Keohane.

<sup>112</sup> Fifty-one states have never been associated with landmines. *Landmine Monitor Report 1999: Toward a Mine Free World*.

<sup>113</sup> The Treaty addresses transparency measures in Article 7 and facilitation and clarification of compliance in Article 8.

neo-liberal argument, therefore, state behavior toward banning landmines is explained by the belief that the landmine ban does not financially or strategically affect many states that increases transparency and reduces uncertainty regarding a weapon does not have significant military utility.

#### **b. Slice-up/Cross-link issues**

Neo-liberals could argue that the Ottawa Treaty helped encourage long-term state support for the ban by slicing up and cross-linking the issue with financial incentives, such as financial assistance for de-mining, stockpile destruction and victim assistance, thereby making signature to the treaty more appealing to a greater range of states. Neo-liberals argue that “[s]trategies of issue-linkage can be used to alter payoff structures and to interject elements of iterativeness into single-play situations.”<sup>114</sup> The main drivers for incorporating de-mining and victim-assistance language into the treaty were NGOs active in those issue areas. For example, two of the founding members of the ICBL, VVAF and Handicapped International (HI), work with landmine victims, while another founding member, the Mines Advisory Group (MAG), is among the preeminent de-mining NGOs in the world.

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The Ottawa Convention, September 18, 1997.

<sup>114</sup> Kenneth Oye, “Explaining Cooperation under Anarchy: Hypotheses and Strategies,” in Kenneth Oye, ed., *Cooperation Under Anarchy* (Princeton University Press: Princeton, New Jersey, 1986) 17.

Pushing for increased resources to mine-infested states had the consequence, whether intended or not, of encouraging universalization of the treaty. It also helped create greater interdependence among state parties, so cheating on one part of the treaty is less likely.<sup>115</sup> For example, some of the weakest of the mine-infested states were interested in joining the treaty for mine victim and de-mining assistance side payments, while other governments no longer wanted mines in their arsenals because they were increasingly expensive to maintain.<sup>116</sup> The Cambodian Minister of Foreign Affairs and International Cooperation emphasized that “continued financial and technical assistance of the international community remains essential” to Cambodia and that “global support for mine clearance, victim assistance and rehabilitation, which are all key parts of the Convention, is an essential step in ridding humanity of this scourge.”<sup>117</sup> This follows neo-liberal arguments that institutions provide cheap and effective ways for weaker states to ask for and receive benefits. Such institutions also provide a forum in which weaker states can link unrelated issues as “a means of extracting concessions or side payments from rich and powerful states.”<sup>118</sup> Neo-liberals could argue that asymmetric distribution of absolute gains helped the

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<sup>115</sup> The Ottawa Treaty requires signatory states to financially help those mine-infested states that require victim and demining assistance. While not in the treaty, those signatory states in a position to do so give preferences in assistance to mine-infested states that are signatories to and abiding by the Convention.

<sup>116</sup> Landmine infested states and/or states maintaining stockpiles were encouraged to sign in order to get financial assistance as obligated under article six of the treaty that ensured “those states in a position to do so” will help assist states with landmine problems.

<sup>117</sup> Written statement by His Excellency Mr. Ung Huot, Minister of Foreign Affairs and International Cooperation at the Anti-Personnel Mine Convention Signing Ceremony, Ottawa, Canada, December 2-4, 1997.

<sup>118</sup> Robert O. Keohane and Joseph S. Nye, “Power and Independence,” in Richard K. Betts, ed. *Conflicts After the Cold War: Arguments on Causes of War and Peace* (Boston: Allyn and Bacon, 1994). 155.

process of the Ottawa Treaty because these distributions are a pre-requisite for striking cooperative agreements among different-sized states concerned about relative gains.<sup>119</sup>

**c. There are differing levels of state interest in the weapons issue**

Neo-liberalism, like neo-realism, suggests that state divergence on support for the ban is a result of cooperation to enhance their state-own individual interests. Since states are pre-occupied with survival, they can still cooperate on issues that are not at the center of state security interests. Neo-liberals would argue that the landmine issue fits this category, and that international institutions only encourage significant inter-state cooperative behavior in low political issues. Therefore, perhaps for the major states and other non-signatories, the continued use of that weapon remains a higher political issue than for those states that did sign the treaty. For signatory states, moreover, the use of force as a primary policy is declining as an effective instrument,<sup>120</sup> and when the use of force is not an issue, cooperation emerges.<sup>121</sup>

This short assessment of neo-liberal explanations for the mine ban treaty describes little and problems still linger. These problems will be presented in the following section.

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<sup>119</sup> Robert Keohane, "International Theory and the Realist Challenge after the Cold War," in David A. Baldwin, ed., *Neorealism and Neoliberalism: The Contemporary Debate* (New York: Columbia University Press, 1993), 276.

<sup>120</sup> Keohane and Nye, 155.

<sup>121</sup> Robert Powell, "Absolute and Relative Gains in International Relations Theory," in Baldwin, 226.



## E. Critique of Neo-Realism and Neo-Liberalism

The neo-realist and neo-liberal ontologies skirt a key issue in international relations: When and under what conditions do NGOs help shape international behavior? Because their ontologies privilege states to the exclusion of other international actors, it is not possible to assign a major NGO role in achieving the ban. As discussed above, neo-liberals accord a service role to NGOs, but limit it to facilitating cooperation among self-interested actors. Meanwhile, neo-realists believe that NGOs themselves are dependent upon underlying power distributions. The constructivist approach questions these arguments and assumptions. It explains state interest and identity formation in part through the transmission of international norms that carry social content and are often independent of power distributions. Norms provide agents/states with understandings of interests, and do not merely constrain behavior. In recent years, empirical work along these lines has convincingly demonstrated that norms can have such constitutive effects.<sup>122</sup>

A key problem confronting neo-realists and neo-liberals in explaining the NGO role in the achievement of the landmine ban is their focus on the causal mechanisms at the systemic level. Since neo-liberals and neo-realists do not privilege NGOs, they would say NGOs have no role in the ban. Nevertheless, subsequent to the ICBL's founding, more than 135 states have signed the

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<sup>122</sup> Ethan A. Nadelmann, "Global prohibition regimes: the evolution of norms in international society," *International*

Mine Ban Treaty and the major states have changed their landmine policies. The following table summarizes the changes in the major state landmines positions since the treaty's signing (see Table 2-10).

Most major arms control and disarmament treaties negotiated militarily were initiated by major powers. Unlike all previous international arms control agreements, the landmine ban is not a result of hegemonic influence, as evidenced by the absence of major states among state signatories.<sup>123</sup> In addition, the role of NGOs in establishing the Mine Ban Treaty absent hegemon sponsorship constitutes a substantial challenge to theories that suggest hegemonic leadership is necessary as a condition for regime formation. This hegemonic literature focuses on states and regime creation and maintenance. This dissertation, however, focuses on NGOs and the creation of the mine ban regime. In other words, the argument made in this study is that a non-hegemonic agent, as represented by the NGO mine ban movement, initiated and development the mine ban regime.

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*Organization*, 44, 4, Autumn 1990.

<sup>123</sup> Every major multilateral arms control agreement in the twentieth century has entailed major power participation in its creation, development and implementation. See Rutherford, "The Hague and Ottawa Conventions: A Model For

Table 2-10: Major States Changing Landmine Policies Since ICBL Founding in 1991

MAJOR STATE	TREATY POSITION	CHANGE IN LANDMINE POLICY SINCE ICBL FOUNDING
China	Non-Signatory	Unilateral landmine export moratorium. <sup>124</sup>
India	Non-Signatory	Support for ban on all landmine transfers. <sup>125</sup>
Pakistan	Non-Signatory	In light of humanitarian concerns, Pakistan observes "high standard of regulating use." <sup>126</sup>
Russia	Non-Signatory	Unilateral landmine export moratorium. <sup>127</sup>
United States	Non-Signatory	1. Unilateral landmine export moratorium. <sup>128</sup> 2. Cap on landmine stockpiles. <sup>129</sup> 3. Cessation of landmine use in 2006 if "suitable alternatives to APLs and mixed munitions" are identified and fielded. <sup>130</sup>

Similar to the weaknesses inherent in the neo-realist explanation of the landmine ban, neo-liberals are unable to account for the NGO role in developing, negotiating and implementing the treaty. Creation of the Mine Ban Treaty weakens the neo-liberal claim that regime construction is usually attached to previous existing regimes.<sup>131</sup> Instead, other international institutions, such as

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Future Weapon Ban Regimes," *The Nonproliferation Review*, Spring-Summer 1999.

<sup>124</sup> "The Issue of Anti-Personnel Landmines," China National Defense White Paper.

<sup>125</sup> "India Calls for Int'l Consensus on Banning Landmines," Xinhua English Newswire, November, 15, 1998.

<sup>126</sup> BBC Worldwide Monitoring Source, Radio Pakistan external service, March 17, 1999.

<sup>127</sup> "Yeltsin affirms support for ban on mines," Reuters, October 29, 1997, <[http://www2/nando.net/newsroom/ntn/world/102097/world6\\_468\\_norrames.htm](http://www2/nando.net/newsroom/ntn/world/102097/world6_468_norrames.htm)>; "Landmines: A media round-up," British Broadcasting Service, December 2, 1997, <[http://news.bbc.co.uk:80/hi/english/world/monitoring/newsid\\_36000/36510.stm](http://news.bbc.co.uk:80/hi/english/world/monitoring/newsid_36000/36510.stm)>.

<sup>128</sup> "Suspension of Transfers of Anti-Personnel Mines," U.S. National Defense Authorization Act for Fiscal Year 1993, U.S. Federal Register, Volume 57, 228, November 25, 1992.

<sup>129</sup> Statement by the Press Secretary, The White House, May 16, 1997.

<sup>130</sup> President Clinton letter to Marissa A. Vitagliano, August 31, 1998.

<sup>131</sup> Price, 614.

the Conference on Disarmament (CD) and Convention on Conventional Weapons (CCW) actively attempted to impede the ban. The Ottawa Convention's creation contravenes one of the basic neo-liberal theoretical precepts that ad hoc regime building does not happen. Robert Keohane says that it would count against neo-liberal theory if most agreements made among states were developed and negotiated not within the framework of an existing international regimes, but on an ad hoc basis.<sup>132</sup> In the post-Cold War international system, neo-liberals "expect existing international institutions to adept quite easily to new purposes, within limits set by basic interest."<sup>133</sup> Keohane argues that "existing organizations should adopt new tasks more easily than new organizations can be created."<sup>134</sup> The NGOs not only made landmines an international issue, they also started a movement outside existing international legal institutions, such as the CCW and CD, and well before states and international institutions took up the issue on their agendas.

## F. Conclusion

This project's primary argument is that the NGO epistemic community initiated and guided the landmine ban issue on the international agenda. They also produced expert landmine

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<sup>132</sup> Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* , 219.

<sup>133</sup> Robert Keohane, "International Theory and the Realist Challenge after the Cold War," 286.

information and disseminated it to the international community. The epistemic community approach, however, does not go far enough in explaining the NGO role in the landmine ban treaty and the treaty's attainment. It is not able to explain why so many non-expert NGOs joined the campaign and why states changed their landmine policies due to pressure from NGOs. Since NGOs could not change government policies by traditional diplomatic means, such as coercion and war, they had to rely on educating other NGOs about the landmine ban issue and then recruiting them to the campaign. While the constructivist approach provides a more useful framework than the rationalistic approaches for understanding the NGO role in creating a landmine ban norm, it does not provide a detailed understanding of how this process works. This project addresses this question by building upon fundamental insights of how NGOs can build and effect norms by identifying conditions under which they can create norms to alter state thinking on certain issues. Specifically, this project examines the processes of how and why NGOs were able to change state behavior to support a landmine ban.

The constructivist approach explains *how* and *why* certain state behavior is neo-realist, neo-liberal, or constructivist, while neo-realism and neo-liberalism merely *assume* actor preferences. Both neo-realism and neo-liberalism assert that the genesis of international relations and the independent variables of states are given, which, in turn, affects the dependent variable – state behavior. On the other hand, constructivism discusses where independent variables came

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<sup>134</sup> Ibid., 286.

from. Furthermore, in highlighting the ontology, neo-realism and neo-liberalism exclude actors other than the state in having an effect on international society. Therefore, constructivism also provides a way to incorporate non-state actors, such as individuals, NGOs and international organizations to understand international society in general and international actor behavior in particular (see Table 2-11). Constructivism generates a different causal mechanism for explaining state behavior than neo-realism and neo-liberalism.

*Table 2-11: Framework for Comparing Theoretical Explanatory Power of the Ban Landmine Norm:*

	<b>NGO Role in International Relations</b>	<b>International Law role in International Relations</b>	<b>Power to Explain</b>
<b>Neo-Realism</b>	None	None	Weak
<b>Neo-Liberalism</b>	Limited	Limited to Certain Issues	Limited
<b>Constructivism</b>	Important	Depends on how and why the particular law was constructed	Potentially revealing

Constructivism allows us to look at the discursive effects of mutual relationships among international actors, and helps to explain actor behavior and strategy. Finally, because the constructivist approach is broad and flexible, it is more able to tie the varying literature together in

explaining the landmine case. The world civic politics, epistemic community, and advocacy network models together highlight the distinct stages of how NGOs helped formulate an international treaty banning landmines.

1. **Epistemic Community** of NGO landmine experts initiating the issue through information provision and recruitment of other NGOs to the ban.
2. **Activist Network** of NGOs pressuring states to ban landmines.
3. A **world civic politics** view of the NGO role in international relations.

This conclusion, however, neither necessarily impinges on neo-realism and neo-liberal approaches nor confirms the constructivist approach as the most appropriate avenue for the investigation of all international phenomena. The landmine case itself might be a “least likely” case for the rationalistic theories and a “most likely” for the constructivist theory.<sup>135</sup> Neo-realism, for example, may better explain why more strategic weapons, such as missiles and aircraft carriers, have not been banned, and neo-liberals may have something to say about other international institutions or disarmament arrangements such as bilateral treaties. Realists would also say that stability (peace) is likely when (a) balance of power politics prevails and (b) harmony

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<sup>135</sup> Harry Eckstein, “Case Studies and Theory in Political Science,” in Fred Greenstein and Nelson Polsby, eds., *Handbook of Political Science* (Reading, Mass.: Addison Wesley, 1975).

of values exists. Not even hard-core neo-realists, however, would claim that foreign policy of states is solely a function of the international distribution of power.<sup>136</sup> Also, landmines are a security issue, which would ordinarily be considered a more likely venue for neo-realism.

Nevertheless, international structures do not just consist of power hierarchies. As a condition of participation in the international system, states tend to follow communal norms and rules in a range of issue areas,<sup>137</sup> which in the landmines case were initiated and created by NGOs. Moreover, we should instead focus on rules that link actors and society rather than structure. The empirical evidence in the landmine case shows that most governments support the landmine ban norm and that even non-signatory states, especially major powers, have adjusted their landmine policies as a result of the achievement of the Ottawa Convention. The large numbers of state parties, combined with the increasing practice among the major state non-signatories of implementing unilateral export moratoria, strongly suggests that an international norm stigmatizing landmine use has emerged in the last decade.

The constructivist approach contends that norms are socially constructed, therefore allowing for a NGO role in educating and pressuring other international actors. This assisted in establishing the landmine ban issue on the international political agenda. Furthermore, unlike neo-

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<sup>136</sup> Waltz, "Anarchic Orders and BOP," in Keohane, ed., *Neo-realism and its Critics*, 98-130. "BOP theory is a theory about the results produced by the uncoordinated actions of states...what it does explain are the constraints that confine all states. The clear perception of constraints provides many clues to the expected reactions, but by itself the theory cannot explain those reactions."

<sup>137</sup> Ronald J. Jepperson, Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity, and Culture in National Security,



realism and neo-liberalism, this approach allows non-material relationships, such as political discourse, to take place among a variety of international actors, including individuals and NGOs. The constructivist approach also grants greater explanatory power in understanding how new norm construction occurs. Examining the NGO role in banning landmines through a rationalistic framework would be difficult, while constructivism is needed because it expands the role of non-states actors in international relations. It also provides a framework for allow how non-state actors influence the international social structure

Nevertheless, the constructivist approach has weaknesses in explaining the process of norm creation because it lacks a theory of how agents operate at the domestic and international nexus. This is primarily because constructivist scholars have written comparatively little about how and why agents, such as NGOs, contribute to international law and norms. Moreover, most constructivist literature focuses on how structure (international legal norms and rules) affect state behavior, thereby over-emphasizing the effect of systemic forces on international behavior.

This project's contribution to constructivism and international relations theory is that it explores how the norm creation process works by focusing on how NGOs helped fashion a landmine ban norm that resulted in altering state behavior. While constructivism is not able to explain the actual role of agents in the norm creation process, this project does so. It explains how NGO experts initiated and then helped develop the Mine Ban Treaty. It does this by

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in Katzenstein, 45.

extending the epistemic community literature to the role of NGO experts in generating the landmine ban issue and then socializing states, international organizations and other NGOs to view landmines in a different way.

## CHAPTER THREE: NGOs AND AGENDA SETTING

*“No other issue in recent times has mobilized such a broad and diverse coalition of countries, governments and non-governmental organizations. Much of this momentum has been the result of the tremendous efforts made by NGOs to advance the cause to ban AP mines. Their commitment and dedication have contributed to the emergence of a truly global partnership.”*

Canadian Foreign Minister Lloyd Axworthy, in “AP Mine Ban: Progress Report,” A Regular Report Provided by Canada on the Anti-personnel Mine Ban. Number 1, February 1997.

### A. INTRODUCTION

Plotting out the process through which NGOs set the international political agenda in order to get certain issues addressed has important substantive and theoretical implications. This chapter reveals how NGOs played an important role in getting the landmine issue onto the international political agenda,<sup>1</sup> and how NGOs were able to control and guide the landmine issue

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<sup>1</sup> Paul J. Nelson, “Deliberation, Leverage or Coercion? The World Bank, NGOs, and Global Environmental Politics,” *Journal of Peace Research*, Volume 34, Number 4, 1997, 467-472; William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine* (St. Martin’s Press: New York, 1998). Paul Wapner, “Politics Beyond the State: Environmental Activism and World Civic Politics,” *World Politics* 47, 1995 391-425.

on the international agenda toward the Ottawa Convention. Theoretically, it explains how the International Campaign to Ban Landmine (ICBL) epistemic community placed the landmine issue on the international agenda by using cognitive influencing arguments. It also explains how, once the landmine issue was on the agenda, the ICBL grassroots membership – the activist campaign – transformed the debate into a normative issue of concern for the international community. The analysis may also add insights into the success or failure of current NGO efforts to address other humanitarian issues, such as banning child soldiers or restricting the use of small arms and light weapons. If NGOs play a significant role in getting the international community to deal with the landmine issue, it becomes more relevant to examine the conditions under which NGOs affect the international political agenda. The broader implication is that under certain conditions, NGOs can contribute to setting the international political agenda, especially in seeking to obtain legal prohibitions on weapons, which in turn can affect state behavioral changes.

This chapter makes two inter-related arguments: First, ICBL members with expertise in landmines initiated the landmine ban by placing it on the international political agenda resulting in intense media and public attention to the landmine issue. The term ‘agenda’ is defined here as “objects accorded saliency in the media content or in people’s consciousness.”<sup>2</sup> Second, ICBL experts helped transfer the landmine issue to the broader ICBL campaign membership that

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<sup>2</sup> Toshio Takeshita, “Exploring the Media’s Roles in Defining Reality: From Issue-Agenda Setting to Attribute – Agenda Setting,” in Maxwell McCombs, Donald L. Shaw, and David Weaver, eds., *Communication and Democracy: Exploring the Intellectual Frontiers in Agenda-Setting Theory* (Lawrence Erlbaum Associates: London, 1997), 20.

allowed its members to lobby governments to ban landmines. Their main arguments were based on moral authority in order to attract the attention of the media and mass public. Specifically, the activist campaign members helped articulate and codify banning landmines into international law by changing how governments perceived the legality of landmines and viewed the effects of landmine use. Both these arguments lend insight into why the Mine Ban Treaty was initiated by NGOs expert in the landmine issue and who in turn socialized, through education and networking, other NGOs into helping change government behavior toward landmines. In comparison most other major arms control and disarmament treaties, such as the Biological Weapons Convention (BWC), Chemical Weapons Convention (CWC) and Nuclear Non-Proliferation Treaty (NPT), were typically negotiated at the behest of major powers, and agenda setting processes, including the negotiations, did not incorporate NGOs.<sup>3</sup>

These arguments address the agency question concerning NGOs in international politics by showing how NGOs persuaded governments to address the landmine issue such that those efforts eventually culminated in the creation of new international law. NGOs affected international legal rules on landmine use by changing the debate from a political to a humanitarian issue by drawing media and public attention to landmines, and ultimately, by educating governmental decision-makers about the limited military utility and dramatic humanitarian costs of landmines. The landmine case illustrates how NGOs can give rise to a norm and translate it into a

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<sup>3</sup> Rutherford, 38-39, 45.

powerful instrument with lasting influence by placing and guiding it on the international political agenda.

Understanding agenda-setting dynamics is central to understanding attainment of the landmine ban. The landmine agenda-setting process concerns transferring noticeable attention, in varying degrees, to governments, which, in turn, helped the ICBL ban landmines. Recent agenda-setting studies suggest that media coverage can shape how the public thinks about American domestic politics.<sup>4</sup> This research helps explain how and why the landmine issue arrived on the international agenda and attracted state attention. NGO advocacy and policy work helped generate international attention by frequently and prominently featuring landmine victims. NGOs were able to change states' conception of landmines use in a very short time by working with high profile individuals in and out of government. The combination of NGOs, mid-size states and high profile individuals resulted in tremendous social power in getting governments to change their landmine policies.

This chapter is organized in two parts: Part I focuses on level-one agenda setting, which is labeled "cognitive agenda-setting" because ICBL experts brought the landmine issue to international attention. The epistemic community literature provides an insightful framework for understanding how a group of experts can raise an issue to the international political level. The

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<sup>4</sup> Joseph N. Cappella and Kathleen Hall Jamieson, *Spiral of Cynicism: The Press and the Public Good* (New York: Oxford University Press, 1997), Matthew Robert Kerbel, *Remote & Controlled: Media Politics in a Cynical Age* (Boulder, Colorado: Westview Press).

second part addresses level-two agenda setting, which is labeled as “norm agenda-setting” because of the NGO role in changing state conception of landmines. The sections are distinct: The first section investigates how the ICBL experts placed the landmine issue on the governmental and public agenda, and the second section discusses the ICBL activist campaign members’ influence in highlighting the particular elements of the landmine issue on the governmental and public’s agenda. Put otherwise, first level aimed at getting governments and public to think about landmines, while second level aimed to influence what they think about them. When governments and the public proclaim that landmines are an important issue facing the nation, it is a first-level question. But when the governments and public describe how to address the problem then it is a second-level question. The epistemic community approach does not go far enough in explaining why non-experts would get involved in an issue. Consequently, the framework used in this section draws more from the advocacy network literature (See Table 3-1).

*Table 3-1: Agenda Setting Levels*

<b>Cognitive Influence (Agenda Setting One)</b>	<b>Norm Creation (Agenda Setting Two)</b>
Placing of the landmine issue on the governmental and public agenda – Epistemic Community Understanding	Influence of Particular Elements of the Landmine Issue on governments and the public – Advocacy Network Understanding

Three other components to agenda-setting are also be addressed in each section:

1. *Framing* involves the selection of elements within a particular issue. These elements are used “to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described.”<sup>5</sup> The way an issue is presented or framed affects how people will think about that issue in a certain and particular way. This transference of the salience of attributes is the core of the second level of agenda-setting, while at the same time holding some implications for level one agenda-setting.
2. *Schema* is a concept closely linked to framing, but it focuses more on how people organize their thinking.<sup>6</sup> It reduces complicated info into a manageable number of frames in order to handle and process information.<sup>7</sup>
3. *Priming* is “the process by which the schemas are activated.”<sup>8</sup> It assumes that frequency, prominence or feature of a stimulus activates previously learned cognitive structures and influences interpretations of an ambiguous stimulus. Its key factors are frequency and intensity of media exposure.

Evaluating the NGO role in creating and establishing the Ottawa Treaty is salient to the study of international politics because it lies at the heart of constructivist arguments concerning the importance of agency in international relations. A clearer understanding of the NGO role in propelling the landmine-ban norm through an agenda setting-framework may help us to better

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<sup>5</sup> R Entman, *Democracy without citizens: Media and the decay of American politics* (New York: Oxford University Press, 1989), quoted in Salma Ghanem, “Filling in the Tapestry: The Second Level of Agenda Setting,” in McCombs, et al., 6.

<sup>6</sup> Ibid., quoted in Salma Ghanem, 8.

<sup>7</sup> D. Graber, *Mass media in American Politics* (4<sup>th</sup> edition), (Washington, D.C.: Congressional Quarterly Press), quoted in Ghanem, in McCombs, et al., 8.

<sup>8</sup> J. McLeod, S. Sun, Chi, H., & Pan, Z., “Metaphor and the media: What shapes public understanding of the “war” against drugs,” paper presented at the Association for Education in Journalism and Mass Communication, Minneapolis, Minnesota, August 1990, quoted in Ghanem in McCombs, et al., 9.



understand the construction of the norm. Table 3-2 presents specific framing, schema and priming issues relevant to the landmine ban. It also recognizes that NGOs tried to set the agenda in one way, while their pro-ban opponents in another way.

*Table 3-2: NGO Agenda Setting in the Landmine Issue*

<b>AGENDA SETTING COMPONENTS</b>	<b>LEVEL ONE: COGNITIVE AGENDA SETTING</b>	<b>LEVEL TWO: NORM AGENDA SETTING</b>
FRAMING	Landmines as a New Issue: Getting people to think about landmines as a humanitarian issue vs. military may need landmines	Horrible effects and disproportionate consequences vs. military utility in protecting soldiers.
SCHEMA	Outrageous Landmine Statistics vs. statistics on their safety when deployed appropriately, such as in the DMZ in Korea.	Leadership Games to Control the Landmine Issue: Solution is to ban landmines vs. solution is to limit their deployment and focus on victims' assistance and demining.
PRIMING	Landmine Victim Stories vs. stories of military units saved by landmines.	Incoherent Arguments among Anti-Ban States vs. Each military has their own unique needs requiring landmines.

## **B. Agenda setting**

### **I. Level One: Cognitive Agenda Setting**

Level-One Agenda-Setting explains the NGO role in persuading governments and the public to consider landmines an important issue. This level deals with the transfer of landmines as an issue from the NGO to the international political arena, and getting governments to think about landmine use as a major international humanitarian problem. NGOs helped to expedite the treaty's realization by condensing negotiations from the usual time-frame of decades to negotiating arms control agreements only within several months. The broader argument is that the greater the governmental and public attention created by the NGOs the faster an issue gets on the international political agenda, the more quickly it is addressed by states.

#### **A. Framing: New Issue**

As a new issue, landmines attracted tremendous international attention. According to one governmental diplomat central to the treaty negotiations, with the end of the Cold War the international arms control agenda was bare and therefore arms control negotiators were

undistracted from the NGO call for a landmine ban.<sup>9</sup> Even critics of the landmine-ban movement credited NGOs with bringing the landmine issue to international prominence. One critic observed that, “Despite its considerable history, little has been recorded about the use of these weapons [landmines]” until they “attracted the attention of the media and humanitarian groups.”<sup>10</sup>

Compared to other controversial weapons, such as biological and chemical weapons, poison gas and nuclear weapons, the legality of landmine use remained an obscure issue for governmental policymakers until the early 1990s. For example, according to Lieutenant Colonel Burris M. Carnahan, only one US military manual existed regarding the use of landmines and international humanitarian law by the early 1980s.<sup>11</sup> Most of the legal literature on landmines was generated after the ICBL’s creation in 1992.

Initial NGO interest in the landmine issue began in the 1970’s when the ICRC determined that some weapons should be restricted in order to curtail the injuring and killing of non-combatants. Suffices it to say that the ICRC discussions in the 1970s eventually resulted in minimal international legal restrictions on landmine use through the Landmines Protocol of the

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<sup>9</sup> Statement of Mark Gwozdecky, Co-ordinator of the Mine Action Team in the Canadian Department of Foreign Affairs and International Trade, at the Ottawa Process Forum, Ottawa, Canada, December 5, 1997.

<sup>10</sup> Mike Croll, *The History of Landmines* (Leo Cooper, Barnsley, United Kingdom, 1998) x-xi.

<sup>11</sup> The US military manual is *The Conduct of Armed Conflict and Air Operations*, U.S. Department of the Air Force, Pamphlet Number 110-31, 1976. paragraphs 6-6d, quoted in Lieutenant Colonel Burris M. Carnahan, “The Law of Land Mine Warfare: Protocol II To The United Nations Convention On Certain Conventional Weapons,” *Military Law Review*, pamphlet # 110-31 (Summer 1984), 73.

1980 Convention on Conventional Weapons (CCW).<sup>12</sup> This particular protocol was strengthened, as the Amended Protocol II adopted at the final CCW Review Conference in Geneva on May 6, 1996, when it became apparent that NGOs had the public will to push through a ban.<sup>13</sup> From the signing of the CCW in 1980 to the early 1990s, landmine use was not a topic of concern for the media, NGOs, or policymakers. Possible explanations for the placement of the landmine issue on the international political agenda are described below, though the NGO role in getting states to address the landmine problem appears a more important cause.

## **1. Explanations for Landmines Agenda Setting**

**Explanation One: Terrorism and Non-State Actor Use.** Some observers claim that initial legal interest toward restricting landmine use was driven in part by the U.S. military to limit

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<sup>12</sup> The Convention on Conventional Weapons is officially known as the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to have Indiscriminate Effects. The convention's purpose was to codify and develop prohibitions or regulations on certain weapons based on principles of international humanitarian law.

<sup>13</sup> The Landmines Protocol attached to the CCW as Protocol II is officially known as the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices. The two other Protocols were Non-detectable Fragments (Protocol I) and Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III). The CCW Review held in Vienna in September 1996 adopted Protocol IV, which called for restrictions on the use of laser weapons, while the landmines protocol was amended at the third and final CCW review held in Geneva. The four protocols are regulated by the provisions of the Weapons Convention.

terrorist access to landmines and other time-delayed weapons, such as booby traps.<sup>14</sup> Landmines traditionally were used by state militaries for defensive purposes, primarily to protect strategic locations. In the last few decades, however, landmine use had become more offensive in military practice and destructive in humanitarian costs, which were compounded by landmine proliferation among sub-state militaries, who used them to create social chaos in the hope of bringing down states and particular groups. Even so, while millions of mines “were randomly laid, with limited tactical rationale, and often deployed simply to terrorize and demoralize local populations,”<sup>15</sup> terrorists did not deploy them in United States’ soil or on that of its allies. Most current landmines are not deployed by or for terrorist purposes. They are used indiscriminately by inadequately trained soldiers or undisciplined militias.

During the 1990s, there were only a few cases of landmines being deployed by professional troops that purposely targeted civilians. The most notable cases were those in Bosnia in 1993-94, when Bosnian Croatian and Serb forces used mines to discourage the return of refugees by other ethnic groups.<sup>16</sup> Another notable case was in Kosovo in 1999, when Serbian forces used mines to harm returning Kosovar refugees.<sup>17</sup>

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<sup>14</sup> Carnahan, 74.

<sup>15</sup> *Landmine Monitor Report 1999: Toward a Mine-Free World*. International Campaign to Ban Landmines, (New York: Human Rights Watch, 1999) 14.

<sup>16</sup> Ken Rutherford and Sue Eitel, *Landmine Awareness in Bosnia: General Overview*, Report prepared for US Department of Defense under a contract with the Landmine Survivors Network, April 1998, 1.

<sup>17</sup> Serb paramilitary forces deployed “nuisance mines” to terrorize civilian populations and limit their mobility. United Nations Mine Action Service, “UN coordination central to Kosovo clearance,” in *Safelane: Canada’s Landmine Ban*

Nevertheless, the deployment of large numbers of landmines by non-professional forces greatly contributed to generating attention among states to the landmine ban issue. Minefield mapping and marking and mine-awareness education were practically non-existent, which thereby compounded the landmine threat to civilians in these areas. To emphasize the point, the top three states hosting landmine disabled populations – Afghanistan, Angola and Cambodia – are recently emerging from decades of internal conflict that involved the use of mines by all parties,<sup>18</sup> yet mine awareness and rehabilitative programs are just recently becoming known.

This, however, does not provide a complete answer. Landmines were used irresponsibly in the 1980s by the Soviets in Afghanistan, in greater numbers than in the Balkans in the 1990s. Still the issue did not generate attention. Cambodia, too, was plagued by massive landmine deployment in the 1980s, yet no international steps were taken to curtail its use. It was only in the early 1990s, when NGOs drew international attention that state behavior toward landmine use changed.

**Explanation Two: Technology.** Another purported reason for international attention to the landmine issue is that technological developments have increased the ease with which landmines are deployed and obtained. Through better technology, more states are now able to produce more landmines more easily, and at a greater profit. Also newer mines are harder to

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*Report*, Winter 1999-2000, Number 10, 4; Lucian Kim, "Making Kosovo Safe From Thousands of Land Mines," *Christian Science Monitor*, July 15, 1999, 7.

<sup>18</sup> The ICRC estimates that Afghanistan, Angola and Cambodia host the largest numbers of landmine disabled.

detect. In addition, landmines can now be deployed through aerial dispersal, such as by airplane and artillery, which leads to greater deployment in a shorter time. Some more advanced remote delivery systems can now deploy thousands of landmines in minutes.<sup>19</sup> According to this logic, not only has technology resulted in more landmines and faster deployments, but as a result, they are being deployed more indiscriminately, since accurate recording is not possible with aerial delivery systems.<sup>20</sup> Such use, it is claimed, is increasing because many militaries, especially the United States, fear casualties among their own forces, therefore leading to greater emphasis on air power.<sup>21</sup> As one American reporter opines, Americans have “placed extraordinary value on preserving lives of our pilots, sometimes at the possible expense of civilians on the ground.”<sup>22</sup> Therefore, it seems apparent that in the future, aerially delivered mines will increasingly replace manually deployed mines, especially among states fearing ground casualties.

Militaries also believe that mines deployed by air in large numbers “have the ability to deploy rapidly and to position a considerable obstacle to enemy movement.”<sup>23</sup> During the last few

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<sup>19</sup> One example is the United Kingdom's "Ranger, which can fire 1296 mines in one minute." Lt. Col. C.E.E. Sloan, RE, *Mine Warfare on Land*, (Brassey's Defense Publishers, 1986), 38 quoted in Shawn Roberts and Jody Williams, *After the Guns Fall Silent: The Enduring Legacy of Landmines*, Vietnam Veterans of America Foundation (Washington, D.C.: 1995) 7; Another example would be the Italian SO-AT system, which allows a helicopter to drop 2,496 landmines. Alder, "Modern Land Mine Warfare," *Armada International*, 6 (1980), quoted in Carnahan, 79. This is contrast to minefield laying "only a few years ago, it might have required up to eight hours work by a full company of troops." quoted in Carnahan, 79.

<sup>20</sup> Peter J. Ekberg, "Remotely Delivered Land Mines and International Law," *Columbia Journal of Transnational Law*, volume 33, number 1, 1995, 151; Carnahan, 74.

<sup>21</sup> *Ibid.*, 153.

<sup>22</sup> Michael Dobbs, "A War-Torn Reporter Reflects," *Washington Post*, July 11, 1999, B1.

<sup>23</sup> Ekberg, p. 156.

decades, the American military expanded this technology by packaging anti-personnel and anti-tank mines together, because studies showed that sowing AP mines with AT mines significantly slows down enemy minefield breaching and protects the AT mines from enemy lifting.<sup>24</sup>

While the NGOs complained that such packages confuse the difference between antitank and antipersonnel systems,<sup>25</sup> these clusters are neither the principal cause of landmine casualties nor land-denial problems.<sup>26</sup> Contrary to the claim that technology is the prime mover of the landmine issue, aurally-deployed mines do not comprise a significant percentage of mines currently deployed or represent most landmine injuries or deaths.<sup>27</sup> Regardless, the Clinton Administration still felt public and international pressure regarding their mixed systems. It thus attempted to change the definition of the anti-personnel landmines sowed in the mixed systems by re-classifying them as “submunitions” and “anti-handling devices” for anti-tank mines.<sup>28</sup> These mixed systems and other aurally-deployed munitions do not account for the humanitarian disaster caused by mines, and are not central for explaining why the landmine issue was put on the international political agenda. That accomplishment belongs more to serious NGO efforts than

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<sup>24</sup> Statement of Captain Michael Doubleday, U.S. Defense Department at Defense Department regular briefing, August 19, 1997.

<sup>25</sup> “Campaign Criticizes Deceptions in Clinton’s Landmine Statement,” International Campaign to Ban Landmine press release, September 19, 1997.

<sup>26</sup> These “mixed mine” systems are one of the major obstacles to the United States signing the Ottawa Treaty.

<sup>27</sup> Significant majorities of today’s deployed landmines were deployed by hand and not through aerial mechanisms. Peter J. Ekberg claims that remotely delivered landmines are significant contributors” the landmine crisis.” Peter J. Ekberg, “Remotely Delivered Landmines and International Law,” *Columbia Journal of Transnational Law*, 1995, 149.

<sup>28</sup> United States Campaign to Ban Landmines press release, “When is an Antipersonnel Landmine not a Mine? – When it is American,” September 9, 1997.



types of ordinance.

## **2. Emboldened NGOs Setting the International Agenda**

Even though the landmines protocol of the CCW was signed in 1980, it remains relatively unnoticed by the international community. After thirteen years, only 36 states were party to the CCW.<sup>29</sup> Upset by the lack of universal support for the CCW and the tragic effects of landmines, the ICBL was formed in 1991 when the Washington, D.C.-based Vietnam Veterans of American Foundation (VVAF) and the German medical NGO MEDICO (MI) decided to form a broad-based international campaign to speak with one voice supporting a ban. The arrangement was officially launched in October 1992, when six NGOs issued a joint call to ban landmines and offered to host the first NGO-sponsored international conference on landmines in May 1993.<sup>30</sup>

The ICBL knew that they needed to galvanize international attention to the landmine issue. It made this appeal, in the words of Ken Anderson, “on a moral basis”<sup>31</sup> thus shifting the landmine debate from a political to a humanitarian issue. This issue transformation in other areas helped orient the problem to the attention of persons in government.<sup>32</sup> The process of

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<sup>29</sup> The Arms Project of Human Rights Watch and Physicians for Human Rights, *Landmines: A Deadly Legacy*, p. 261.

<sup>30</sup> The six NGOs were Handicap International (France), Human Rights Watch (United States), Medico International (Germany), Mines Advisory Group (United Kingdom), Physicians for Human Rights (United States), and the Vietnam Veterans of America Foundation (United States). *Ibid.*, 22.

<sup>31</sup> Statement of Kenneth Anderson, Director, Arms Project, Human Rights Watch, at The Global Landmine Crisis Hearing before a Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994.

<sup>32</sup> *Ibid.*, 21.

transformation on the landmine issue started in January 1991, when the Women's Commission for Refugee Women and Children called for a landmine ban in testimony before the US Senate, particular regard to the plight of landmine survivors in the Cambodia border refugee camps.<sup>33</sup> This marked the first time that landmine use was addressed publicly as a humanitarian concern, rather than a security issue, in the United States.

## **B. SCHEMA: OUTRAGEOUS STATISTICS**

To get governments to recognize the landmine issue, the ICBL used statistics to demonstrate that a problem existed. These statistics resonated with the media, the public and policymakers because they were so outrageous that the gravity of the issue could no longer be ignored. This strategy to garner attention resembles the premise that people encourage action by promoting systematic indicators, such as crises and disasters, or by feedback from ongoing programs.<sup>34</sup> Recent changes in these indicators usually highlight that there is a problem in the system because “[a] steady state is viewed as less problematic than changing figures.”<sup>35</sup> Policy makers use these indicators to decide whether to address an issue by first assessing the magnitude

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<sup>33</sup> Williams and Goose in Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, eds., *To Walk Without Fear: The Global Movement to Ban Landmines* (Oxford University Press: Toronto, 1998) 20.

<sup>34</sup> John W. Kingdon, *Agendas, Alternatives, and Public Policies* (Scott, Foresman and Company, Glenview, Illinois: 1984) 20-21.

<sup>35</sup> *Ibid.*, 96.

of the problem, and second by becoming aware of changes in the problem.<sup>36</sup>

As part of the schema, the prime indicator used by NGOs was that landmines kill and maim more than 26,000 people each year, of whom an estimated 80 percent are civilians.<sup>37</sup> The claim is also made that this carnage will not end anytime soon given that 200 million landmines may be scattered in at least sixty-four countries,<sup>38</sup> making them “one of the most toxic and widespread pollution[s] facing mankind.”<sup>39</sup>

NGOs emphasized, moreover, that in many places the nature of war had changed from targeting an enemy’s professional military of the enemy to targeting its civilians. According to HI, “More than 600,000 civilians have been maimed by a mine since 20 years, a greater number have died, emptied of their blood, for lack of relief, and in unbearable sufferings.”<sup>40</sup> Compounded by the nature of the landmine injury — usually amputation, if not death — countries infested by landmines host the largest amputee populations in the world. For example, a consultant to HW

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<sup>36</sup> Ibid.. 96.

<sup>37</sup> Gino Strada, “The Horror of Land Mines,” *Scientific American*, May 1996, 42; It is also argued that most of the landmine victims are women and children. Donovan Webster, “One Leg, One Life At a Time,” *New York Times Magazine*, January 23, 1994, 33.; *Hidden Killers*, V.

<sup>38</sup> Patrick M. Blagden, United Nations Demining Expert, estimates that there may be more than 200 million in “Summary of United Nations Demining,” *Symposium on Anti-personnel Mines*, Montreux 21-23, April 1993, (Geneva, ICRC) p. 117. The U.S. Department of State estimates that there are 80-110 million A/P mines in 64 countries. United States Department of State, *Hidden Killers: The Global Landmine Crisis*, 1994 Report to the U.S. Congress on the Problem with Uncleared Landmines and the United States Strategy for Debiting and Control, (Department of State Publication 10225), December 1994, v.

<sup>39</sup> 1993 *Hidden Killers: The Global Problem with Uncleared Landmines* (U.S. Department of State, Washington, D.C., July 1993), 2.

<sup>40</sup> “To ban slaughtering in peace time: Facts and chronologies,” Handicap International, published by Handicap International, Lyon, France (September, 1995) 13.

and PHR estimated that of Cambodia's 8.5 million inhabitants, more than 30,000 are amputees, and an additional 5,000 amputees inhabit refugee camps along the Thai border."<sup>41</sup>

The promulgation of statistics was also carried out by UN personnel. UN de-mining expert Peter Blagden estimated that a 50-fold increase in the world's mine-clearing capability is needed to "stabilize" the current situation.<sup>42</sup> Such an effort would require training 170,000 to 200,000 new mine clearers worldwide, costing \$1.02 billion to \$1.2 billion every year.<sup>43</sup> He warned, however, that under current practices, accidents happen at an astonishing rate: "A fifty fold increase in manual mines clearance would probably cause a death and injury toll among mine clearers of about 2,000 per year, a rate that in the long term may not be supportable."<sup>44</sup> A case in point is Kuwait. Within in the first week after the 1991 Gulf War, all five Kuwaiti mine-clearing experts were killed attempting to clear landmines.<sup>45</sup> By 1995, nearly 100 international mine clearance experts had been killed conducting the same activity in Kuwait.<sup>46</sup>

Another schema strategy used by NGOs to help policymakers process the landmine issue and encourage the media and public to get involved entailed comparing the effects of landmine use to more commonly despised and feared weapon systems: Biological, chemical and nuclear weapons. NGOs estimate that more people have been killed and maimed by landmines than

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<sup>41</sup> Eric Stover and Dan Charles, "The Killing Minefields of Cambodia," *New Scientist*, October 19, 1991, 27.

<sup>42</sup> Patrick Blagden, "The Use of Mines and the Impact of Technology," in Cahill, 114. FULL CITE

<sup>43</sup> *Ibid.*, 114-115.

<sup>44</sup> *Ibid.*, 115.

<sup>45</sup> Webster, 29.

biological, chemical and nuclear weapons combined.<sup>47</sup>

Many of the NGO-generated statistics themselves, however, are inflated. More significantly, many are regurgitated by the media and policymakers without proper fact checking and research. In the early stages, ban proponents had the advantage that opposing experts were not focused on the issue or assertive in seeking out the media. Some inflated figures became so commonly recited that original sources and methodological data collection techniques were unknown, while others were repeated so frequently that they become regarded as fact.<sup>48</sup> The more common inflated claims concern the number of currently deployed landmines, such as in Afghanistan, where 35 million were initially estimated, but were then later reduced to only 10 million “as a conveniently round figure.”<sup>49</sup> Even this figure is suspect, as it would have required that the Soviets deploy “3,000 mines per day, every day of the nine-year occupation, which, given the mountainous nature of the terrain and the style of conflict, was unrealistically high.”<sup>50</sup> The low-estimate range of landmines in Angola is also questionable. As one Red Cross de-miner stated, “For there to be so many mines in Angola would have required four jumbo jets of mines arriving daily for 20 years.”<sup>51</sup> In the Gulf War, it was initially estimated that 9 million landmines

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<sup>46</sup> Ibid., 29.

<sup>47</sup> *America's Defense Monitor*, PBS TV, Spring, 1994.

<sup>48</sup> Laurie H. Boulden, “A Mine Field, Statistically Speaking: The Dangers of Inflating the Problem,” *Washington Post*, February 8, 1998, C2.

<sup>49</sup> Croll, 131.

<sup>50</sup> Ibid., 131.

<sup>51</sup> Christina Lamb, “Number of land mines challenged: Report calls U.N. global estimate of 110 million exaggerated,”

were laid by Iraqi forces immediately preceding and during Operation Desert Storm.<sup>52</sup> A few years after the war, a survey showed only around 1.7 million mines had been emplaced.<sup>53</sup>

These statistics, promoted on the Internet and through conference mechanisms, particularly speeches and prepared reports, were immediately picked up by the media, which, in turn, became a source of information for the public and governments. As recently as September 1999, CNN was still quoting NGO figures that more than 40,000 landmines were being deployed each week,<sup>54</sup> though this figure has no factual basis and no longer is used by NGOs, including the ICBL. Since CNN reports are broadcast around the world and remain an important informational source for millions of people, the report certainly will be the source for more people to learn about landmines. In fact, while Bernard Shaw, the CNN TV *World News* anchor, attributed the statistic to ICRC, the lesser used CNN web site did not refer to the deployment rate. The CNN broadcast report used outdated ICRC statistics, which were rough estimates at best. It is generally believed that current weekly rates of deployment are significantly less than the initial estimates that more mines were being emplaced than taken out each year, which have been reckoned to be 80,000 per year.<sup>55</sup> The CNN report used the un-verified statistic as the lead in to the news story to grab the viewer's attention. This example highlights how information and media

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*Washington Times*, November 30, 1998, A1.

<sup>52</sup> International Committee for the Red Cross, *Anti-personnel Landmines Friend or Foe? A study of the military use and effectiveness of anti-personnel mines*, Geneva, March 1996, 37.

<sup>53</sup> *Landmine Monitor Report 1999*, 15.

<sup>54</sup> Bernard Shaw, CNN "World News Tonight," September 6, 1999.

technologies were used to prod the public to pay attention to the landmine issue by highlighting dramatic statistics, irrespective of their accuracy.<sup>56</sup>

These statistics were not seriously questioned until much later in the agenda-setting process, primarily in the months leading up to the Ottawa Treaty signing in December 1997,<sup>57</sup> which was by then too late to divert attention from the landmine issue. The issue was already on the international political agenda, and had already attracted tremendous media and public attention. An ICBL critic wrote that the campaign continually used “powerful images of dreadfully wounded civilians and calling attention to the (exaggerated) scale of the problem.” which, in turn, “rapidly galvanized public opinion and prompted a number of countries to restrict or prohibit the use of anti-personnel mines unilaterally.”<sup>58</sup>

### C. Priming: Landmine Victim Stories

The schema strategy to get people to think about landmines was primed primarily by landmine victim stories. If policymakers and the public did not completely understand the

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<sup>55</sup> Landmine Monitor, 3.

<sup>56</sup> See Ken Rutherford, “NGOs and Information Technologies: Movement to Ban Landmines Case Study,” unpublished manuscript, Nautilus Institute for Security and Sustainable Development. [www.info.axioms.org](http://www.info.axioms.org)

<sup>57</sup> Croll, 151.

<sup>58</sup> *Ibid.*, 35

statistics of a horrible humanitarian disaster, then many did when confronted by the stories of thousands of landmine victims. The ICBL and ICRC continually featured these stories, which were picked up and played up by the media and pro-ban governments.

A key point of the campaign became the role landmines play in dismembering people. Many landmine design features stress maiming and not killing, which, in turn, results in horrific injuries. (The conventional wisdom behind this strategy is that a wounded enemy soldier is more costly to the enemy than a dead one). NGO health workers highlighted the maiming effects of landmines on people. To advance the issue, ICBL members used these statistics. For example, medical doctors, estimated that "[v]ictims of mine blasts are more likely to require amputation<sup>59</sup> and are likely to remain in the hospital longer,"<sup>60</sup> while humanitarian doctors concluded from a blood use study of ICRC hospitals that "overall, for every 100 wounded, 44.9 units of blood were required, while every 100 mine injuries required 103.2 units."<sup>61</sup>

In addition, many media stories and NGO reports highlighted the negative social impact of landmines on many marginalized populations.<sup>62</sup> ICBL leader Rae McGrath of the Mines Advisory

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<sup>59</sup> J. Rautio, Paavolainen, "Afghan War Wounded: Experience with 200 Cases," *Journal of Trauma* (1988): 523-25, quoted in Chris Giannour, M.D., and J. Jack Geiger, M.D., "The Medical Lessons of Land Mine Injuries," in Cahill, 115.

<sup>60</sup> D. Johnson, J. Crum, and S. Lumjiak, "Medical Consequences of the Various Weapons Systems Used in Combat in Thailand," *Military Medicine* 146 (1981): 632-34, quoted in Giannou and Geiger, in Cahill, 115

<sup>61</sup> B. Eshaya-Chauvin and R.M. Coupland, "Transfusion Requirements for the Management of War Injured: The Experience of the International Committee of the Red Cross," *British Journal of Anesthesia* 68 (1992): 221-223 quoted Giannou and Geiger, in Cahill, 140.

<sup>62</sup> For example, see generally Paul Davies, *War Of The Mines: Cambodia, Landmines and the Improvishment of a Nation* (Pluto Press: Boulder, Colorado, 1994); Roberts and Williams, Phillip C. Winslow, *Sowing The Dragon's*



Group argued that the “deaths and injuries caused to innocent people, and the denial of ground for agricultural and other civilian purposes as a result of the presence of mines, made it inevitable that the aid community must face up to the issue.”<sup>63</sup> The ICBL and ICRC continually featured landmine victims prominently in their educational, fund-raising, and promotional literature, and sponsored their participation at international conferences.<sup>64</sup> This strategy took advantage of the media, especially television’s interest in graphic and emotionally arresting images.<sup>65</sup> They mounted an effective public education and media campaign that made it politically difficult for governments to turn away from the landmine issue. As summarized by two of the major ICBL leaders, Steve Goose of HRW and ICBL Coordinator Jody Williams, “Most of the early news on AP mines was focused on the victim side of the equation and the tremendous difficulties faced by humanitarian deminers.”<sup>66</sup>

As principal sponsors of the landmine ban, the Canadian government and other core group policymakers also featured landmine victims prominently in their policy statements to attract more states to signing the Ottawa Treaty. Canadian Prime Minister Jean Chretien asserted that

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*Teeth: Land Mines and the Global Legacy of War*, (Beacon Press: Boston, 1997).

<sup>63</sup> Rae McGrath, *Landmines: Legacy of Conflict: A manual for development workers* (Oxfam: United Kingdom, 1994), 2.

<sup>64</sup> For examples, see International Committee for the Red Cross, *ICRC Overview 1998: Landmines Must Be Stopped*; International Campaign to Ban Landmines, *Landmine Monitor Report 1999*; ICBL Brochures.

<sup>65</sup> Agenda setting research has shown that when television is a large part of the viewer’s information source, it becomes a dominant factor in his or her outlook of subjective reality. Anat First, “Television and the Construction of Social Reality: An Israeli Case Study, in Maxwell McCombs, Donald L. Shaw, and David Weaver, eds., *Communication and Democracy: Exploring the Intellectual Frontiers in Agenda-Setting Theory* (Mahwah, New Jersey: Lawrence Erlbaum Associates, Publishers, 1997) 42.

“[a]t international conferences, there is always a great deal of talk and debate. But the most powerful voices here in Ottawa will not be the ones inside this conference site. They will be the cries of the victims of landmines – from the ricefields of Cambodia, to the suburbs of Kabul; from the mountainsides of Sarajevo to the plains of Mozambique. A chorus of millions of voices, pleading with the world, demanding the elimination of anti-personnel landmines.”<sup>67</sup>

Such a priming strategy may well explain when the movement to ban landmines garnered so much international political action and attention so rapidly. The landmine ban forces positioned landmine victims as the priming tool, with the assumption that frequency, prominence, or feature of the international community’s humanitarian impulse would generate highlighted international attention of the issue. Even an opponent of the ban commented that the strategy worked: “The misery and suffering caused by mines in developing countries caught the imagination of the media and the Western World.”<sup>68</sup>

The lack of victim participation in the pervasive NGO effort to ban nuclear weapons may explain why that movement has proved less than successful as the landmine campaign in attracting international attention.<sup>69</sup> The failure to move and sustain the nuclear weapons issue on the

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<sup>66</sup> Williams and Goose, 23.

<sup>67</sup> Statement of Canadian Prime Minister Jean Chretien on the occasion of the Treaty-Signing Conference for the Global Ban on Anti-Personnel Landmines, Ottawa, Canada, December 3, 1997.

<sup>68</sup> Croll, 129.

<sup>69</sup> There are currently three NGO efforts to ban nuclear weapons: 1) Abolition 2000: A Global Network to Eliminate

international political agenda may be due to NGO movements composed mainly of lawyers and scientists arguing from legal and medical points of view, which fail to resonate with the public and government representatives. Another possible explanation for the failure of these movements is that using landmines may not be as important to states as maintaining arsenals of nuclear weapons. Violations of a landmine ban would not fundamentally threaten national security, while an undetected violation of a nuclear weapon ban could pose a serious threat.

## II. Level Two: Norm Agenda Setting

Once the ICBL accomplished the first level of agenda setting – getting landmine use noticed as an international issue – the campaign turned to the next level, which required altering how governments viewed landmines. Having placed the landmine issue on the international political agenda, the task for the ICBL became to encourage the non-expert members to engage governments in order to change government perspectives of landmines.

Getting people to alter their views on a certain issue after it has been noticed rises to level two agenda setting. This type of strategy addresses the influence of attribute salience of the ICBL landmine activities among governmental policymakers and the public. The level's main theme is

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Nuclear Weapons, c/o Waging Peace [www.napf.org/abolition2000](http://www.napf.org/abolition2000); The Middle Powers Initiative (MPI) – Fast track to Zero Nuclear Weapons [www.napf.org/mpi](http://www.napf.org/mpi); and IALANA – Nuclear Weapons: Dismantling by Law [www.ddh.nl.org/ialana](http://www.ddh.nl.org/ialana).

the manner in which NGOs promoted the landmine ban, and how it changed policymakers' perceptions about landmine use. It discusses how the ICBL, both experts and non-experts persuaded governmental policymakers to understand landmines in a different manner and, subsequently, why state landmine policies changed. The more that ICBL could convince governments that the effects caused by landmine use were horrible, especially when coupled with disproportionate civilian casualties, the better opportunity there was for changing state use and governmental perception of landmine use.

#### A. Framing: Horrible Effects and Disproportionate Consequences

The main framing mechanism to encourage policymakers to view landmines differently was to label landmines as illegal under *current* international humanitarian law, primarily because their use caused disproportionate casualties among non-combatants and unnecessary suffering to military and civilian casualties. NGOs based their landmine ban arguments on already established norms and principles. The key agenda-setting argument used by NGOs to support the landmine ban concerned proportionality. The 1977 Protocol I to the 1949 Geneva Convention requires belligerents to weigh the expected military utility of a particular weapon against the humanitarian costs.<sup>70</sup> Essentially, the law says that an attack that might cause more harm to noncombatants

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<sup>70</sup> 1977 Additional Protocol I Relating to the Protection of Victims of International Armed Conflicts) to the 1949

than is necessary to fulfill the military objective is illegal. The use of landmines violates this principle in two ways: (1) When the proportionality rule is applied to the whole landmine system, the humanitarian costs outweigh the military demands; and (2) The time delay feature of smart mines, which are mines that automatically self-explode at a set time does not allow the military commander to make accurate proportionality calculations.<sup>71</sup>

The NGOs also used the international humanitarian legal argument that landmines are inherently indiscriminate because they cannot target their victims. Anti-ban forces were able to dispute this contention more efficiently than the proportionality argument. For example, the U.S. position was that landmines could be discriminately used since landmines were like other “legal” weapons, such as artillery shells, missiles, and air-delivered bombs, whose targets might include civilians. Robert Sherman from the U.S. Arms Control and Disarmament Agency (ACDA) responded to the indiscriminate argument in the following manner:

I frequently hear it said that landmines are indiscriminate; they can't tell the difference between a child or a soldier. That's true, but it's also true of other weapon[s] of war. The shell, bomb, missile that can tell the difference between a child and a soldier has yet to be invented. The military would love it if it were but it doesn't exist and won't in the foreseeable future.<sup>72</sup>

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Geneva Convention, Article 51 (4). UNGA Doc. A/32/144.

<sup>71</sup> Ekberg, 166.; The Arms Project, quoted in Robert and Williams, 490-491

<sup>72</sup> “Banning Anti-Personnel Land Mines: The Ottawa Process and Beyond,” *Disarmament: The Future of Disarmament*, Edited transcripts of the forums held in the United Nations on 10 April, 23 September and 21-23 October 1997 by the NGO Committee on Disarmament, in cooperation with the UN Centre for Disarmament Affairs and the UN Department of Public Information, and the NGO presentations made during the NPT PrepCom on 16 April 1997, 106.

In contrast, even the most ardent critics of the ban admitted that landmines caused a humanitarian problem as evidenced by the great *proportion* of civilian casualties among the victims. In *The History of Landmines*, Mike Croll claims that the movement to ban landmines was “unlikely to be beneficial,” but that the landmine issue itself came about because of the ICBL’s success in attracting international attention to a moral issue.<sup>73</sup> The landmine issue itself so smacks of humanitarian impulses that even Croll and Sherman – both ardent ban opponents – defended their positions by admitting there was a serious humanitarian problem caused by landmines. While Sherman says the problem induced by landmines as “not a unique humanitarian problem” when compared to the effects of other weapons, he goes on to say that, unlike other weapons, the “time factor” of landmines makes them last a very long time after the war, resulting in “a lot of mines left behind and a lot of civilian casualties.” Similarly, Croll observes that

Today it is impossible to cover this subject without reference to the humanitarian perspective and without having one’s morals scrutinized. It certainly has not been my objective to glorify what is surely one of the most insidious weapons ever developed nor to condone the suffering of the many innocent people killed and injured by them.<sup>74</sup>

By transforming the landmine-use issue from a strictly political- military issue to a humanitarian concern, NGOs created for themselves the diplomatic space to play important roles

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<sup>73</sup> Croll, xi and 151.

<sup>74</sup> *Ibid.*, xi.

in disseminating information about landmines to the media, policymakers, and the public. Even governmental arms control negotiators considered it a humanitarian issue, as Sheridan stated, “I’m going to make a plea that we treat this not as a political issue but as a humanitarian issue.”<sup>75</sup> While the laws of armed conflict must always wrestle with the unclear balances between military demands and humanitarian standards, NGOs contended that a complete prohibition on landmines was the only political and practical way to eliminate the harm caused by landmines to civilian populations and the environment. This also had the effect within governments of moving the “action channel” of decision-makers on mines out of Defense Ministries alone and into diplomatic and humanitarian aid ministries. That argument in the end proved compelling.

Noticeably, the ICBL never denied that antipersonnel landmine might be useful in certain situations,<sup>76</sup> although the United States Campaign to Ban Landmines (USCBL) recently averred that landmines “have no military value.”<sup>77</sup> The USCBL mis-statement may be due to the ignorance of recent landmine ban activists about the genesis of the issue and previous arguments to get governments to discuss landmines as a humanitarian issue. The indirect consequence, however, is that such statements served to shift the landmine debate back to the military realm, precisely the situation that the NGOs wanted to avoid.

Contrary to recent activist claims, many of the ICBL leaders and pro-ban state diplomats

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<sup>75</sup> *Disarmament: The Future of Disarmament*, 109.

<sup>76</sup> Statement of Jody Williams, ICBL Ambassador, at the Duke University Conference on Land Mines, May 1, 1998.

<sup>77</sup> Statement of Joe Mettimano, Chair of the U.S. Campaign, in the “Statement of the United States Campaign to Ban

understand that people use landmines for several reasons, among them protecting strategic locations, channeling enemy forces, denying certain positions to the enemy, and slowing down enemy movement.<sup>78</sup> In attempting to steer away from landmine utility arguments, Canadian and other pro-ban state policymakers emulated the NGO strategy of focusing strictly on the humanitarian and legal aspects of the debate, rather than engaging militaries in a debate over the utility of landmines. The pro-ban governments leading the negotiations also wanted to avoid controversies over the utility of landmines on the battlefield, which they thought could derail the treaty's progressive development by shifting landmine discussions to the consensus based CCW and Conference on Disarmament (CD) negotiating forums.<sup>79</sup> Given that landmines are considered a useful military tool, the major powers and many military leaders believed that taking the landmine issue to the CCW and CD was more appropriate and conducive to discussing further use restrictions and/or a ban, especially since they are the only international forums that address disarmament issues.<sup>80</sup>

There is a genuine downside to negotiating the ban in the CCW or CD, as will be explained later in this strategy. Both forum processes are protracted and lengthy, primarily

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Landmines Condemning Yugoslav Landmine Aggression in Kosovo," April 15, 1999.

<sup>78</sup> Statement of Jody Williams, ICBL Ambassador, at the Duke University Conference on Land Mines, May 1, 1998.

<sup>79</sup> The Conference on Disarmament (CD) was created by the United Nations to negotiate arms control agreements. The CD usually discusses weapons of mass destruction rather than conventional weapons, which is why the UN created the CCW outside the auspices of the CD.

<sup>80</sup> Robert J. Lawson, Mark Gwozdecky, Jill Sinclair, and Ralph Lysyshyn, in Cameron, et al, 165. For explanation on the negative consequences of consensus based negotiating for weapon issues see Steve Goose, "Antipersonnel Landmines and the Conference on Disarmament," Human Rights Watch- Arms Project; [www.hrw.org](http://www.hrw.org). and Rutherford,



because they are consensus-based. This could entail decades of negotiations. In 1997, for example, Mexico alone blocked an attempt to put the landmine issue on the CD agenda. Since several other states in the CD also oppose putting landmines on the agenda, or imposing an immediate landmine ban, it is not feasible to discuss the landmine issue within the CD. Similarly, it was impossible to get a landmine ban played on the CCW agenda because many states, “such as Russia, India, China and the United States, say they still need landmines to protect international borders, and therefore preferred to discuss landmines in the context of restrictions rather than implementing a ban.”<sup>81</sup> Regardless of their true motivations, such governmental attitudes can only stymie progress toward a ban.

While the ICBL did not dispute the military utility of landmines, it questioned whether their utility outweighed the humanitarian costs. To provide political cover to governmental policymakers, several NGOs sought collaboration with military leaders in arguing that the military utility of landmines is minimal. On April 3, 1996, VVAF sponsored a full page *New York Times* letter to President Clinton signed by fifteen retired military leaders, including General Norman Schwarzkopf, Commander of Operation Desert Storm, supporting a ban. One month earlier, the ICRC had released “a study of the military use and effectiveness of anti-personnel mines” endorsed by more than ten active and retired international leaders from nine countries that concluded:

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“Hague and Ottawa Conventions: A Model For Future Weapons Ban Regimes?” 44-45.

The military utility of AP mines is far outweighed by the appalling humanitarian consequences of their use in actual conflicts. On this basis their prohibition and elimination should be pursued as a matter of utmost urgency by governments and the entire international community.<sup>82</sup>

Furthermore, the ICBL assisted Canada and other pro-ban states in the treaty negotiating process by developing and delivering public support for the ban, and providing valuable information and analytical reports of that information. In particular, the ICBL planned and conducted conferences in Asia, Africa, Europe and Latin America to generate public and governmental support for the ban and to draft recommendations for the leading pro-ban states drafting the treaty. It also participated as an active member in these draft treaty working conferences, which took place in 1996 and 1997 in Austria, Belgium and Oslo. The ICBL was allowed to do so primarily because the conferences “had not been held hostage to rule by consensus,” which, in turn, allowed “for the first time, smaller and middle-sized powers” to “come together, to work in close cooperation with NGOs to achieve, for the first time, a ban on a weapon in widespread use.”<sup>83</sup> Canada’s Foreign Minister Lloyd Axworthy recognized the importance of the NGOs in helping to create the regime when he stated at the Ottawa Conference in October 1996 that the NGOs “are largely responsible for our being here today. The same

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<sup>81</sup> Philippe Naughton, “Landmine pact to go ahead after Pakistan backs down,” Reuters, May 3, 1996.

<sup>82</sup> International Committee for the Red Cross, *Anti-personnel Landmines: Friend or Foe? A Study of the military use and effectiveness of anti-personnel landmines*, Geneva, March 1996.

<sup>83</sup> Williams and Goose, 45.

effective arguments you used to get us here must now be put to work to get foreign ministers here to sign the treaty.”<sup>84</sup>

Human rights NGOs, such as Human Rights Watch (HRW) and Physicians for Human Rights (PHR), also invoked human rights treaties, many of which are considered customary law,<sup>85</sup> highlighting the proportionality argument. The use of human rights arguments in banning landmines follows the expansion of international NGO human rights activities from the early 1990s to economic and social rights.<sup>86</sup> This partially stems from developing states becoming increasingly focused on social and economic rights, which also helped bridge a North-South coalition atypical for arms control and disarmament treaties. Moreover, grafting the issue to previously agreed-to universal norms, such as human rights, helped to ensure that the landmine issue would receive sustained attention,<sup>87</sup> unlike more complex international issues, such as global warming.

### B. Schema: Question Of Leadership

The main schema for the policy agenda-setting level entailed a struggle over who would

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<sup>84</sup> Statement by the Honorable Lloyd Axworthy, Minister of Foreign Affairs, at the closing session of the International Strategy Conference “Towards a Global Ban on Anti-Personnel Mines,” Ottawa, Canada, October 5, 1996.

<sup>85</sup> Susan Benesch, Glenn McGory, Christina Rodriguez, and Robert Sloane, “International Customary Law and Antipersonnel Landmines: Emergence of a New Customary Norm,” *Landmine Monitor Report 1999*, 1032.

<sup>86</sup> Korey, 16.

assume the leadership role in addressing humanitarian aspects of the landmine issue. The answer to the question pitted major powers, especially the United States, against the ICBL and other NGOs, such as the ICRC, and their state allies, such as Canada and South Africa. The ICBL members continually argued that major powers were not necessary for achieving the treaty, while constantly pressuring powerful states to join the treaty. While there were other leadership questions within the ICBL, between the ICBL and ICRC, and among the pro-ban states to direct the movement, the major leadership contest was between the United States and the pro-ban coalition. Eventually the media joined this particular leadership 'game schema' because, once they supported the concept of landmine ban, they "increasingly recognized the compelling story behind the global humanitarian crisis and the 'David and Goliath' nature of NGOs taking on governments and militaries to ban a weapon used by armies for decades."<sup>88</sup>

The leadership schema that evolved contrasted the major powers, in particular as the United States, and NGOs and their middle state allies, such as Canada, Great Britain and South Africa supporting the Ottawa Treaty. The leadership turning points for each of these states was directly tied to individuals who worked at the initiation of NGOs to get their governments to ban landmines. In four key cases, the United States, Great Britain, South Africa, and Canada, NGOs joined forces with their "policy entrepreneurs" who had elements of decision-making authority, moral authority, and/or celebrity. Each of these is addressed in turn.

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<sup>87</sup> Price, 627-631.

## **1. UNITED STATES: Senator Leahy and Vietnam Veterans of America Foundation**

The United States came late to the Ottawa Treaty negotiations when it joined the final treaty drafting conference in Oslo in September 1997. This conference took place less than three months away from the treaty signing date, scheduled for early December in Ottawa. The U.S. delegation attempted unsuccessfully to break the treaty package already put together and presented to the state delegates in Oslo by coming to the conference with a series of requests that it wanted to incorporate into the treaty.<sup>89</sup> The U.S. proposal was not well received by other states and was rejected by the ICBL, primarily because the Americans wanted a treaty exception for mixed anti-tank and anti-personnel landmine systems. After its rejection, President Clinton explained U.S. opposition to the treaty by merely saying that the United States “implored the people there [at the Oslo Final Drafting Treaty Conference] to give us the exceptions we needed.”<sup>90</sup>

Non-signatory states, such as Russia and the United States, have difficulty developing a coherent landmine policy due to the transformation of the landmine debate from a security to a

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<sup>88</sup> Williams and Goose, 23.

<sup>89</sup> The U.S. demands were presented in a take it or leave it package and consisted of five interlocking components: Exception for landmine use in Korea, deferral of the treaty’s entrance into force, changes in the definition of an anti-personnel landmines, more intensive verification measures, and a withdrawal clause from the treaty in cases of national emergency.

<sup>90</sup> Lineuvid Gollust, “Clinton/Canada/Landmines,” *Voice of America*  
gopher://gopher.voa.gov:70/00/newswire/sun/CLINTON\_\_CANADA\_\_LAND\_MINES, November 23, 1997.

humanitarian issue, and the speed of the issue rising up the international political agenda caught them by surprise. Opening the debate up to humanitarian issues allows significant access to non-traditional foreign and security policy decision-making actors, such as refugee, religious and human rights interests, into the public policy making process. Transforming the debate expands the scope of conflict about landmine policy, thereby helping to increase the visibility of the issue to the American public and, in turn, involving them more actively in policy discourse.<sup>91</sup> The effect is a weakening of the monopoly held by certain government agencies on security and tactical weapon policy. For example, Secretary of Defense William Cohen asserted that, “The mass media’s coverage of the recent talks in Oslo on land mines could easily leave the impression that the United States is largely responsible for this humanitarian tragedy, or at least stands in the way of international efforts to stop the dying and maiming. Such an impression is simply wrong.”<sup>92</sup>

The main force behind the U.S. need to underscore humanitarian aspects of the landmine debate came from the Democratic Senator from Vermont, Patrick Leahy, and the Vietnam Veterans of America Foundation (VVAF). Leahy became interested in the humanitarian aspects of the landmine issue in the early 1990s, when he and his wife visited Central America, where they met several landmine-disabled children. Soon thereafter, he became the first U.S. public official to

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<sup>91</sup> E.E. Schattschneider argues that the expansion of conflict signifies a healthy democracy because it allows for increased public participation, usually through “responsible leaders and organizations,” into the policy process. E.E. Schattschneider, *The Semisovereign People: A Realist's View of Democracy in America* (Holt, Rinehart and Winston, New York: 1976). Quote is taken from page 142.

<sup>92</sup> William S. Cohen, “Necessary and Right,” *Washington Post*, September 19, 1997, A23.

label landmines as illegal. Since then, he has been the key legislator to introduce measures against landmines, and ultimately moved the United States into a leadership role between 1992 and 1994. During this period, Leahy worked closely with Bobby Mueller, VVAF's Executive Director, on landmine legislation. Leahy later said about Mueller and VVAF's efforts at the first ever U.S. Senate hearing on landmines that

I think he [Mueller] has done more and had more responsibility for the global campaign against landmines than anybody I know....So, I just want to say publicly that without not only the constant inspiration but the constant push from Bobby Mueller I do not know if we would be even having this hearing today.<sup>93</sup>

In 1992, the VVAF and other NGO allies, such as Human Rights Watch, encouraged the Senate to pass Leahy's amendment to ban the export of all landmines.<sup>94</sup> The following year the Senate unanimously passed (100-0) a three-year extension, which is now permanent.<sup>95</sup> In 1994, President Clinton was the first international leader to address the United Nations about the need for a ban, endorsing the goal of the eventual ban on anti-personnel landmines.<sup>96</sup> As part of

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<sup>93</sup> Statement of Senator Patrick Leahy at "The Global Landmine Crisis" hearing before a Subcommittee of the Committee of Appropriations, United States Senate, May 13, 1994, 66-67.

<sup>94</sup> U.S. Federal Register, Volume 57, 228, November 25, 1992; "Suspension of Transfers of Anti-Personnel Mines" (regulations implementing the Landmine Moratorium Act); U.S. National Defense Authorization Act for Fiscal Year 1993, Publication No. 102-484, sec. 1365 (The Landmines Moratorium Act). Since that time he has proposed additional amendments to control landmines.

<sup>95</sup> Statement of Senator Patrick Leahy, "The Global Landmine Crisis Hearing."

<sup>96</sup> President Clinton in his September 26, 1996 speech to the UN General Assembly. *Fact Sheet on a Landmine Control Regime*, The White House Office of the Press Secretary, September 26, 1994.

establishing landmines on the international agenda, Leahy convened the “The Global Landmine Crisis.” hearing on May 13, 1994, in which several American landmine victims and representatives of humanitarian NGOs were invited to testify about the effects of landmines.<sup>97</sup> Since then, he has introduced new landmine legislation every year, working closely with the ICBL in pushing the United States position closer to a ban, and encouraging other states, such as France, to take their own steps toward a ban.<sup>98</sup>

However, since these early victories, Leahy and his NGO allies have failed to prevent the Clinton administration from backtracking in its leadership role by enacting international and domestic legislative measures alleviating landmine use. After the Clinton administration’s declared opposition to the treaty, Leahy argued that holding various states to different standards would defeat the power of stigmatization force that a comprehensive treaty could deliver. As he posited during the final treaty negotiations that “An effective international agreement that is based on stigmatizing a weapon cannot have different standards for different nations.”<sup>99</sup> The ICBL members agreed with Leahy’s position, and continued to work with him in order to get the United States to support the ban.

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<sup>97</sup> *The Global Landmine Crisis*, Hearing Before a Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994. The author was one of those providing testimony. Other speakers included representatives from international NGOs, domestic interest groups, and the Department of State. Department of Defense (DOD) declined its invitation to attend.

<sup>98</sup> Senator Patrick Leahy letter to Handicap International encouraging the French Government to call for a review of the landmines protocol to the CCW. January 18, 1993, in Handicap International, *To ban slaughtering in peace time*

<sup>99</sup> Senator Patrick Leahy, “Seize the Moment,” *ICBL Ban Treaty News*, September 9, 1997, 1. quoted in Lawson, et al “The Ottawa Process,” 178, in Lawson, et, al.



## **2. GREAT BRITAIN: Diana, Princess of Wales and British Red Cross, Mines Advisory Group and Landmine Survivors Network**

Until mid-1997, Great Britain ranked among the strongest opponents to the anti-ban treaty. It came as a major surprise to anti-ban supporters when the British landmine policy completely reversed itself in a few months. The landmine issue in Great Britain initially gathered attention in January 1997, when Princess Diana visited Angola as the guest of the British Red Cross and Halo Trust, a British NGO working to clear landmines. During that visit, she called on the British government to ban landmines, averring it to be the only humanitarian option. When she made this statement, the British position resembled that of the United States in supporting the continued use of landmines. Princess Diana's remarks "produced a telling conflict with some decision-makers in the government, since her position in favor of a total ban on land mines deviated from official policy."<sup>100</sup> After condemning her suggestion, one governmental official called the Princess a "loose cannon."<sup>101</sup> The effects of her Angolan visit with the British NGOs created more publicity about British policy toward landmines than it had ever experienced before.

A Conservative member of Parliament, Peter Viggers, said that Princess Diana's call for Great Britain to ban landmines during her trip to Angola was "ill-informed" because "It doesn't

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<sup>100</sup> Fred Barbash, "Royal Spin," *Washington Post*, February 14, 1997, A23.

<sup>101</sup> *Ibid.*

help simply to point at the amputees and say how terrible it is.”<sup>102</sup> Several months after Princess Diana’s Angola trip, a British Government official David Davis announced that Great Britain would support a ban. Furthermore, in a complete reversal of policy, the British government began to praise Princess Diana’s influence on the issue. The newly appointed International Development Secretary, Clare Short, stated that “[w]e need a worldwide ban and the more the Princess can do to bring that about, the better. The Princess has drawn the world’s attention to this problem.”<sup>103</sup> Responding to past Conservative Party criticism about her involvement into what was then perceived to be a security issue, Princess Diana said

I am not a political figure. I’d like to reiterate now, my interests are humanitarian. That is why I felt drawn to this human tragedy. That is why I wanted to play my part in working towards a worldwide ban on these weapons.<sup>104</sup>

Great Britain’s opposition to the ban disappeared soon after the election victory by Tony Blair’s Labor Party, which made banning landmines a principal campaign platform goal. Even so, it took British NGOs, especially Princess Diana both as Patron of the British Red Cross and by association with British de-mining NGOs, such as The Halo Trust and Mines Advisory Group

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<sup>102</sup> Ruaridh Nicoll, Rebecca Smithers, and Kamal Ahmed, “Diana dons armor as Tory attacks continue,” *The Guardian* January 16, 1997, 1; Alice Thomson and Alan Hamilton, “Princess’s call for mines ban upsets ministers,” *The Times*, January 15, 1997, 1.

<sup>103</sup> Robert Hardman, “Princess calls for greater efforts to clear landmines,” *The Daily Telegraph* (London) June 13, 1997. 10.

(MAG), and her visit to Bosnia with the American humanitarian NGO Landmine Survivors Network (LSN), to encourage the British public to support a ban and Blair to follow through on his campaign pledge. Upon taking office, the Blair Government did announce a ban, but included significant reservations, among them “the right to use mines in exceptional circumstances.”<sup>105</sup> This directly contravened the ICBL’s goals. Blair’s government announced a complete ban soon after British NGOs and Princess Diana demanded that his government follow through on its campaign promise. The Blair government feared that once the landmine issue was placed squarely on the political agenda as a humanitarian issue, British policy for continued landmine use would be unsustainable. That indeed proved to be the case.

Princess Diana’s involvement with the NGOs helped encourage a change in British landmine policy, which, in turn, fostered the Ottawa Treaty’s success in two ways: First, it helped engender Great Britain’s support for a ban. This tarnished the U.S. position because, up until that time, Great Britain and the United States had similar policy stands. Great Britain’s change in policy resulted in isolating the United States from its allies and other NATO members, except Turkey.

Second, Princess Diana’s support of NGOs and their arguments to ban landmines helped transfer the issue from a political to a humanitarian problem. Moreover, she was able to leverage the international media into covering the landmine issue from various locations, such as Angola

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<sup>104</sup> Ibid.

and Bosnia, thereby helping to marshal public support for the ban. Each of her trips to landmine-infested states were organized and planned by humanitarian NGOs. Several days after her death on August 31, 1997, the Oslo Conference began finalizing the treaty. As recognition of her tremendous influence over the landmine issue, the UN Secretary-General Kofi Annan said the death of Princess Diana “has robbed our global cause of one of the most compelling voices...She showed the world that one voice speaking as part of a global grass-roots movement can truly make a difference.”<sup>106</sup>

### **3. SOUTH AFRICA: Nelson Mandela and South African Campaign to Ban Landmines**

In February 1997, on the eve of the ICBL Conference in Maputo, Mozambique, the South African government announced that they would impose an immediate ban on the use, production, export, and transit of landmines, thereby becoming one of the earliest African states to declare a unilateral ban.<sup>107</sup> This announcement soon led to a cascade of African states supporting the Ottawa Process.<sup>108</sup> The South African government’s decision was brought about by pressure

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<sup>105</sup> Tim Butcher, “Labour bans landmines from 2005,” *Electronic Telegraph* (London) Issue 727, May 22, 1997.

<sup>106</sup> Address of the UN Secretary-General Kofi Annan to the Diplomatic Conference on Landmines, Oslo, Norway, September 3, 1997.

<sup>107</sup> Lawson, et al, in Cameron et al, 172.

<sup>108</sup> In addition to encouraging other African states to join the treaty, South Africa’s landmine position was significant for two other reasons. First, it was the major arms producer, including landmines, in Africa, which is the most heavily mined continent in the world. Second, South Africa used mines extensively in neighboring states, helping the southern

from South African NGOs, under the auspices of the South African Campaign to Ban Landmines (SACBL), a coalition of more than 100 South African NGOs.

The SACBL was able to achieve their government's support for a ban by placing it on the agenda as a humanitarian issue through two avenues. First, humanitarian NGOs and student associations started campaigning for a ban in 1993.<sup>109</sup> This racially diverse coalition, coupled with the coming to power of Nelson Mandela and the first democratically elected government in 1994, allowed "unprecedented access to senior political and bureaucratic officials" that "greatly facilitated the eventual symbiosis of governmental and non-governmental activities and policy positions."<sup>110</sup> There were many common bonds and friendships between SACBL members and governmental officials, including Nelson Mandela, because they were "historical partners" in the anti-apartheid struggle.<sup>111</sup> Second, even foreign NGOs influenced the South African Government's decision to act on the landmine issue. The South African Defense Minister, Joe Modise, said that South Africa's decision to ban landmines was greatly impacted by United States General Norman Schwarzkopf's support for a landmine ban, which ran in the VVAF's full page ban landmine advertisement in the New York Times.<sup>112</sup> The implication of South African's landmine ban announcement is that in its wake, many other African countries soon joined the

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African region to become the most mine infested region in the world.

<sup>109</sup> Noel Stott, "The South African Campaign," in Cameron, et al., 68.

<sup>110</sup> Ibid., 72.

<sup>111</sup> Ibid., 74.

<sup>112</sup> Discussion with the author at Alkantapan testing range, Northern Cape Province, South Africa, May 21, 1997.

campaign, thereby further lending international moral authority to the ICBL.

#### **4. CANADA: Lloyd Axworthy and Mines Action Canada**

In 1993, pressured and supported by Canadian NGOs, especially human rights groups, the newly elected Liberal government in Canada transformed its foreign policy decision-making process to include more NGO consultations.<sup>113</sup> This policy change allowed a coalition of NGOs, working under the auspices of Mines Action Canada (MAC), to directly influence Canada's landmine position by placing the issue on the government's agenda. It also allowed them to encourage Canadian Foreign Minister Lloyd Axworthy to take the lead in helping to alleviate the international social problem.<sup>114</sup> The initial meetings between Canadian NGO and the Government "produced little common ground from which discussions could progress" once the issue was placed on the agenda.<sup>115</sup> However, these meetings gave the NGOs an opportunity to educate government officials on the tragic humanitarian problems caused by landmines, and thus produced legitimacy for their arguments and detracted from military and strategic arguments opposing a ban.

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<sup>113</sup> Canadian Government of Foreign Affairs and International Trade, "Canada in the World: Government Statement, Communications Group, 1995, 48-49, quoted in Maxwell A. Cameron, "Democratization of Foreign Policy: The Ottawa Process as a Model," in Cameron, et al, 433; Valerie Warmington and Celina Tuttle, "The Canadian Campaign," in Cameron, et al, 49.

<sup>114</sup> Warmington and Tuttle, 48-59.

Canadian NGOs continued to promote the landmine issue in several ways after it was placed on the government's agenda. They instituted a toll-free telephone number that people could call for information; they recruited Canadian celebrities, such as singer Bruce Cockburn, to the cause; they instituted a letter writing campaign to government officials; and they gave landmine victims an opportunity to present personal testimonies before governments and on television.<sup>116</sup> Government officials, especially in the foreign ministry, became more open to the idea of a ban, they invited MAC representatives to join the Canadian CCW negotiating delegations in 1995 and 1996. Subsequently, Axworthy took the international lead in banning landmines by initiating and encouraging the Ottawa Process, which precipitated a dramatic transformation of Canada's international role from a faithful NATO arms control follower during the Cold War to a disarmament leader in the post-Cold War world. However, Axworthy needed, however, the support of MAC and other Canadian NGOs in order to mobilize public opinion to motivate Canadians to press for this foreign policy change.<sup>117</sup>

While the work of Axworthy, Leahy, Mandela and the Princess of Wales provide excellent examples that highlighted requisite state action, these individuals needed NGOs to help pressure governments on several fronts (See Table 3-3). The issue of whether landmines were lawful touched upon many constituencies, among them environmental, human rights and refugee NGOs.

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<sup>115</sup> Ibid., 49.

<sup>116</sup> Ibid., 54.

<sup>117</sup> Ibid., 51.

These NGOs provided information, public opinion support and resources to these leaders to highlight the landmine issue and to pressure governments into changing their national landmine policies.

*Table 3-3: Individual and NGO relationships*

<b>STATE</b>	<b>INDIVIDUAL</b>	<b>POSITION</b>	<b>NGOs</b>	<b>NATURE OF RELATIONSHIP</b>
Canada	Lloyd Axworthy	Foreign Minister	Mines Action Canada	Information and political support
Great Britain	Diana, Princess of Wales	Royal Family	British Red Cross, Mines Advisory Group (MAG), Landmine Survivors Network (LSN)	Information, visits to mine infested countries, Angola and Bosnia, and forums to give speeches.
South Africa	Nelson Mandela	President	South African Campaign to Ban Landmines (SACBL)	Information and political support
United States	Patrick Leahy	Senator	Vietnam Veterans of America Foundation (VVAFA)	Information, political support, and forums to give speeches

Widespread cynicism on modern governments also helped NGOs transform the landmine issue from a policy to a normative issue. It may also have contributed toward muting of the landmine ban opposition as well. Some media scholars suggest that rising levels of mistrust and cynicism in the public are correlated to the public's consumption of more media information,



especially from television.<sup>118</sup> Unknowingly, NGOs capitalized on these cynical views using the media to promote landmine victim stories, embarrass “bad guys,” and isolate governments not supporting the ban. For example, the ICBL developed a “good guys” list as part of a strategy to move the landmine ban issue forward at the CCW conferences.<sup>119</sup> This list was circulated to the media, which publicized it, which in turn, pressured those governments. Media coverage data show “that whereas mine incidents were rarely reported upon before the campaign to ban landmines reached prominence, since that time they have been treated increasingly as newsworthy events deserving of political attention.”<sup>120</sup> The conclusion is that NGO use of the media as a information dissemination tool also helped pressure governments to address the landmine issue.

The assistance given by NGOs to key individuals through information and political support helped to assure that the landmine issue would be addressed once put on the agenda. While Senator Leahy may not have been successful in securing U.S. signature on the treaty, he did move policy and, most importantly, promoted domestic legislation, such as the export moratorium that was later modeled by other states and the United Nations. The personal experiences of Senator Leahy, Princess Diana, Foreign Minister Axworthy, and President Mandela working with humanitarian NGOs demonstrated that individuals can truly make a difference in policy agenda

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<sup>118</sup> Joseph N. Cappella and Kathleen Hall Jamieson, *Spiral of Cynicism: The Press and the Public Good* (New York: Oxford University Press, 1997), Matthew Robert Kerbel, *Remote & Controlled: Media Politics in a Cynical Age* (Boulder, Colorado: Westview Press).

<sup>119</sup> Williams and Goose, 31.

<sup>120</sup> Richard Price and Daniel Hope, “Media Coverage of Landmines,” in *Landmine Monitor Report 1999*, 1048.

setting. Some international relations theorists argue that transnational entrepreneurs need to be important decision-makers themselves, or have the ability to influence such decision makers to move an issue into the international arena.<sup>121</sup> Some of these individuals (Axworthy and Leahy) were in government and had power, some (Princess Diana) were out of government but had celebrity and moral authority, and some (Mandela) had both. These individuals seem to fit that description. They could not have achieved landmine policy results, however, without NGO advice, encouragement and support. Princess Diana, for example, required NGOs to help plan her Angola and Bosnia trips, especially since the British Government opposed her landmine views, and in the later case denied her Bosnian travel visa as a member of the Royal family.<sup>122</sup>

### C. Priming: Incoherent Arguments

Forces supporting the landmine ban used victims as the priming tool, not only to get the landmine issue on the international agenda, but also as moral evidence to stigmatize the weapon and anyone who supported its continued use. This strategy proved extremely helpful in countering anti-ban arguments that landmines were legitimate military weapons under

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<sup>121</sup> See e.g., Ethan Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," *International Organization* 44 (Autumn 1990), 479-524.

<sup>122</sup> Author's conversation with staff of Princess Diana during her trip to Bosnia.

international humanitarian law. By featuring landmine victims frequently and prominently in their promotional literature and reports, and promoting them in speeches and conferences, the NGO strategy largely consisted of emotional arguments brought by and on the behalf of victims. No real attempt was made by governments opposed to the ban to dispute the humanitarian arguments. Instead, these states proffered strong military and political arguments as to why landmines should not be banned, while at the same time expressing humanitarian concern for the landmine victims. These latter strategies produced incoherent policies not compatible with how and why the landmine issue was established on the international agenda. They served, moreover, to underscore the NGO position that landmine cause severe unnecessary suffering of innocent persons in an indiscriminate fashion.

Governmental policymakers hesitated to publicly oppose a ban in light of the media and public opinion condemning landmine use as the main cause of the humanitarian problem. A 1996 poll revealed that the international public was increasingly united in the belief that landmines were horrific and indiscriminate killers and should be banned. In response to the question "Would you personally be in favor or against your country signing the landmine ban treaty," the percentage in favor was overwhelming. Of the 21 states surveyed, Japan and the United States scored the lowest in approval at still the relatively high rates of 58% and 60% respectively, while Denmark (at 92%) and Spain (at 91%) scored the highest. Even citizens of other major power states, such

as Russia (at 83%) and India (at 82%), favored signing a landmine ban treaty.<sup>123</sup>

## C. Conclusion

The NGO role in setting and managing the arms control agenda on landmines demonstrates that governments need information and services that NGOs can provide. The implication is that states should learn to become team players with NGOs, rather than continue to remain isolated in a state-centric process. The exclusion of NGOs from setting the international political agenda on weapons may no longer be a feasible policy. Closed-door negotiating forums, such as the UN CCW and UN CD, may no longer be sufficient for the international community to solve its problems and reach cooperative agreements. In the landmine case, NGOs were able to bring first hand information and experience to the issue, which most of the governments weighed in determining their landmine policies.

The ICBL role in setting and controlling the landmine issue on the international political agenda also illustrates a distinctive form of world politics. This is a collaborative process between moderate states and transnational NGOs to produce “a new internationalism” that is evident in other settings. This form of world politics provides a process model that might be useful in current and future efforts to promote security and prohibitions and restrictions. For example, the

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<sup>123</sup> Gallup International Opinion Research, Spring 1996, April 17, 1996.

Coalition to Stop the Use of Child Soldiers is currently attempting to attach an optional protocol that would ban the recruitment and participation of child soldiers to the Convention on the Rights of the Child.<sup>124</sup> Because the issue is being negotiated in a consensus forum, the United States and or any other governments can block its adoption. Most likely, the NGO coalition and its state allies will be forced to mirror the ICBL agenda-setting process. That is, NGO experts must garner the international community's attention to seize the issue, and then emphasize the activist campaign membership to safeguard and guide the conception and perception of that issue. This analysis suggests that NGOs can be productive players in the evolving arms control agenda by identifying weapons or other security practices that are contrary to humanitarian principles. For example, NGOs can help target weapons currently in development, in order to reduce political opposition and lower implementation costs. Perhaps a clearer obligation would exist for states to review their weapons currently on-line. NGOs can be integral to the agenda-setting process by identifying these weapons, and placing and controlling the issue on the international political agenda. The ICBL role in placing the landmine issue on the international political agenda and controlling it once it got there suggests one way that international society can address important transnational issues in a timely and unified manner. Chapter 5 will address further how the ICBL effectively used the nature of modern media and Internet based communications to convey its

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<sup>124</sup> Coalition to Stop the Use of Child Soldiers, [www.child-soldiers.org](http://www.child-soldiers.org) The coalition is working to ban the use of child soldiers under the age of 18 in armed conflicts. It hopes to add this provision as an optional protocol to the Convention on the Rights of the Child; <sup>124</sup> Nelson, 467-472; Paul Wapner, "Politics Beyond the State: Environmental Activism and

message.

The following chapters examine other factors that contributed to the ICBL an effective NGO coalition that successfully attained its goals. Chapter 4 will examine how the ICBL network operates among governments and their own members to facilitate the international community's negotiation of the landmine ban treaty. The next chapter will examine how recent advances in communications technologies helped the ICBL build a NGO coalition and disseminate information to the international community, and enabled the ICBL's strategies to focus on a single weapon and present it as an uncomplicated issue. The implications may provide a process model for current and future NGO-state collaborative efforts to alleviate the negative effects of international issues that states are either unwilling or unable to address. Since the norm to ban landmines originated at the sub-state level and not top-down from major governments, these treatments should help to explain why some issues take off in the international public domain, while others do not.

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World Civic Politics," *World Politics* 47 (1995), 391-425.

## CHAPTER FOUR: NGOS AND NETWORKING

*“[T]he receipt of the Nobel Peace Prize is recognition of the accomplishment of this Campaign. It is recognition of the fact that NGOs have worked in close cooperation with governments for the first time on an arms control issue, with the United Nations, with the International Committee for the Red Cross. Together, we have set a precedent. Together, we have changed history.”*

Statement by Jody Williams, ICBL Coordinator, Nobel Lecture, Oslo, Norway, December 10, 1997.

*“The global alliance that created this Convention is an alliance made up of individuals and governments, of grassroots movements and global humanitarian organizations. It is an alliance that has shamed the world and enlightened it, unmasked its excuses and revealed its potential. It has held up a mirror to us all, revealing the wickedness of human folly and the wisdom of courage.”*

Statement by Kofi Annan, United Nations Secretary-General, to the Signing Ceremony of the Anti-Personnel Mines Convention, Ottawa, Canada, December 3, 1997.

### A. Introduction

In launching the ban landmine issue at the international level, the NGO landmine epistemic community, represented by the six founding organizations of the ICBL, utilized their networking skills to recruit other NGOs to the campaign and to convince

governments to ban landmines. The previous chapter showed the agenda-setting process of how NGOs created the landmine issue in the early 1990s and why “governments began seriously to address the deepening humanitarian crisis.”<sup>1</sup> The resultant increase in the profile of the ban landmine issue added credibility and legitimacy to NGOs as they interacted with states and international organizations. States are more likely to react to issues on the international political agenda than those that are not. Especially conducive to prompt state action are those issues that attract public attention quickly. For example, in discussing the formulation of state behavior toward the environment, Peter Haas observes that “regimes are most likely to be created following widely publicized environmental disasters which mobilize the demands of the public and of experts for governmental action.”<sup>2</sup> Following a standard international relations terminology the mine ban treaty may be regarded as a “regime,” that is, the creation of normative behavioral standards regarding certain issues for states to consider and follow.<sup>3</sup> The

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<sup>1</sup> *The United Nations Disarmament Yearbook*, Volume 22: 1997, (New York: United Nations Publications, 1998) 105.

<sup>2</sup> Peter M. Haas, “Epistemic Communities and Regimes,” in Fredrich Kratochwil and Edward D. Mansfield, eds., *International Organization: A Reader* (New York: Harper Collins, 1994), 188.

<sup>3</sup> The dissertation uses the term “regime” as defined by Stephen D. Krasner. He defines regimes as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actor’s expectations converge in a given area of international relations.” Stephen D. Krasner, “Structural Causes and Regime Consequences: Regimes as Intervening Variables,” in *Ibid.*, 97.



norms established by regimes imply prescriptive statements of obligation and rules.<sup>4</sup>

which, in turn, provide norms of behavior for states to follow.<sup>5</sup>

In this chapter, I refer to the ICBL activities in generating a ban landmine norm as “regime creation,” making two general arguments. The first is that the ICBL founders – the NGO landmine epistemic community – provided expert information to governments and international organizations, thereby initiating state knowledge of and attention to the landmine ban. This expert information detailed the negative humanitarian effects of landmines, which in turn, initiated international action toward banning landmines. Capitalizing on the changing attitudes of international organizations, NGOs, and governments toward the landmine issue, the epistemic community was able to generate legitimacy and support for the ban. These NGOs, moreover, were able to provide information, which contributed to persuading governments to view landmine use differently. This information also provided decision-makers with arguments on why their state or organization should agree to ban landmines.

The second argument is that the ICBL was able to broaden and expand campaign membership to non-expert NGOs through its focus on strategic planning and universalization of the landmine ban norm. Because international networking is generally difficult and expensive, the ICBL’s ability to build a coalition of over 1000 NGOs in

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<sup>4</sup> Antonio Handler Chayes and Abram Chayes, “Regime Architecture: Elements and Principles,” in Janne Nolan, ed., *Global Engagement: Cooperation and Security in the 21<sup>st</sup> Century* (Washington, D.C: The Brookings Institution, (1994), 68.

<sup>5</sup> Dorothy W. Jones, *Code of Peace: Ethics and Security in the World of Warlord States* (Chicago: University of Chicago Press, 1991), 115.

more than 70 countries made its success even more striking. The ICBL's networking prowess enabled it to combine its expertise, governmental connections, and financial resources to maximize its strength through recruiting more members, thereby increasing its influence. The argument made here contrasts with the epistemic community theme, which claims that epistemic communities frequently couch themselves in international organizations or government bureaucracies.<sup>6</sup>

These two arguments refer to the information and recruiting state of the ICBL. They represent different stages of NGOs initiation of the landmine ban issue and development of the Mine Ban Treaty on the international agenda. They also represent the agency and process in international relations that constructivism has been debating. This chapter shows how the NGO networking strategies affected the NGO information and recruiting stages, which in turn helped change the process toward creating an international landmine ban norm. The presentation of the two-stage process reveals how NGOs (or agents) can affect the international structure by relating it to constructivist ideas of the role of agency in international relations.

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<sup>6</sup> Haas, 189.

*Table 4-1: Dissertation Theoretical Model and ICBL Networking*

<i>Constructivist Assumption</i>	<i>Information Stage</i>	<i>Recruiting Stage</i>	<i>Results</i>
NGOs circumvent inter-state relations and the State itself in advancing the landmine ban issue.	<b>Epistemic Community (EC):</b> NGO experts generating the issue with causal explanations and detailed information regarding the landmine problem.	<b>Activist Politics:</b> NGO Landmine EC initiating the landmine ban movement as the solution to the problems caused by landmines. Socializing other NGOs to view landmine use as illegal and to take action.	More than a 1000 member NGO coalition and 137 states supporting the ban in less than seven years.

While this chapter examines the chronological history of the ICBL through its networking activities, it does not seek to evaluate the efficacy of the ICBL's networking structure or campaign strategy. These are important issues that are discussed in two subsequent chapters, but the goal here is to highlight chronologically the process of how the ICBL encouraged and pressured NGOs and governments to join its landmine ban crusade from its inception in 1991 to the treaty signing in 1997.

## B. The Beginning --- 1991

The contemporary movement toward a ban began in January 1991, when members of the New York City-based NGO Women's Commission for Refugee Women and Children testified before the U.S. Senate and called for a landmine ban. While the

focus of the Commission's work drew attention to women and children living as refugees, it also spoke out on issues affecting these populations.<sup>7</sup> The Commission members had just returned from a visit to Cambodia, where they witnessed the horrifying effects wrought by landmines on the women and children refugees. Several delegation members were doctors and educators, who had the expertise and contacts to disseminate this information. For example, one of the Commission's Board members, Dr. Anne Goldfeld, was an assistant professor of medicine at Harvard Medical School. Besides testifying in support of a ban, Goldfeld and Holly Myers, also a Women's Commission board member, promoted the ban landmine issue through newspaper editorials and initiating ban landmine action among U.S. based NGOs. Several years later, in February 1995, the Women's Commission Board "approved a plan for the active participation of the Women's Commission to spearhead a petition and letter writing campaign in the United States as part of the International Campaign to Ban Landmines."<sup>8</sup>

In February 1991, one month after Goldfeld's testimony, the Mines Advisory Group (MAG), a UK-based NGO focusing on de-mining and landmine awareness programming, released the Afghanistan Mines Survey, touted as the first "comprehensive survey of the impact of landmines on people, their animals, their agricultural land, irrigation systems, farming implements and access routes."<sup>9</sup> In September 1991, two U.S. based NGOs, Asia Watch (A program within the Human Rights Watch

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<sup>7</sup> [www.intrescom.org/wcrwc/wc\\_factswhat.html](http://www.intrescom.org/wcrwc/wc_factswhat.html)

<sup>8</sup> Letter from Holly Myers and Anne Goldfeld to Women's Commission Members, July 5, 1995.

organization) and Physicians for Human Rights (PHR), jointly issued their report on landmines in Cambodia. Entitled *The Coward's War: Landmines in Cambodia*, this was the first report about the humanitarian effects of landmines, and was written by a delegation of experts who had visited Cambodia. The report found that Cambodia “has the highest percentage of physically disabled inhabitants of any country in the world,” that nearly 50% of landmine victims die before reaching medical help, and that most landmine victims are civilians “who stepped on mines while gathering firewood, harvesting rice, herding animals, or fishing.”<sup>10</sup> In addition to these grim statistics, the reprint also claimed that the “Cambodian conflict may be the first war in history in which land mines have claimed more victims – combatants and noncombatants alike – than any other weapon.”<sup>11</sup>

Among the authors of *The Coward's War* were Rae McGrath, Director of MAG, Eric Stover, human rights activist and consultant to HRW and PHR, and Dr. James C. Cobey, a Red Cross consultant and an orthopedic surgeon. In April 1991, MAG, HRW and PHR joined the ICBL's steering committee and remained a significant component of the campaign well past the signing of the Mine Ban Treaty more than six years later. In addition to highlighting these statistics, the report's authors encouraged the international community to take two primary actions. First, they called upon the United Nations and

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<sup>9</sup> Letter from Lou McGrath, MAG Executive Director, welcoming visitors to the MAG website: [www.mag.uk.org](http://www.mag.uk.org)

<sup>10</sup> Asia Watch and Physicians for Human Rights, *The Coward's War*, (Human Rights Watch and Physicians for Human Rights: New York, 1991), 2.

<sup>11</sup> *Ibid.*, 2.

the International Committee of the Red Cross (ICRC) to re-evaluate the effectiveness of the 1980 CCW landmine protocol. They also urged governments to “seek advice from representatives of relief, medical, demining and military organizations.”<sup>12</sup> Furthermore, governments “should base their review on epidemiological data on the use of land mines and their effects on civilian populations in countries that have recently experienced or are in the grip of international or internal conflict.”<sup>13</sup> The second recommended action encouraged “the United Nations and ICRC [to] consider an unconditional ban on the manufacture, possession, transfer, sale and use of land mines.”<sup>14</sup> It is probably not coincidental that three weeks following the release of *The Coward's War*, Prince Sihanouk of Cambodia called for a landmine ban while speaking at the United Nations concerning the Cambodian Peace Agreement.<sup>15</sup> The process toward galvanizing world public awareness of the landmine threat had begun.

One of *The Coward's War* authors, Eric Stover, reiterated PHR and HRW's call for a ban when he wrote that “all attempts to make mines more humane or more discriminating weapons of war have failed.”<sup>16</sup> Moreover, “[n]o one interviewed during the trip, with the exception of Red Cross workers, had ever heard of the UN protocol on

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<sup>12</sup> *The Coward's War*, 102.

<sup>13</sup> *Ibid.*, 102.

<sup>14</sup> *Ibid.*, 102-103.

<sup>15</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” published by the Centre for Negotiation and Dispute Resolution, The Norman Paterson School of International Affairs, Carleton University, Ottawa, Canada, 10.

<sup>16</sup> Eric Stover and Dan Charles, “The killing minefields of Cambodia,” *New Scientist*, October 19, 1991, 26.

mines [Landmines Protocol].”<sup>17</sup> In short, Stover re-emphasized the argument in *The Coward’s War* that international law concerning landmines will not only not be followed, but also will not work, unless landmines are banned just as bombing civilian areas and torturing prisoners of war had been prohibited previously.<sup>18</sup>

The ICBL started in October 1991 at La Tomate restaurant on Connecticut Avenue in Washington, D.C. It was there, that over lunch, Robert (Bobby) Mueller, executive director of the Washington, D.C.-based VVAF, and Thomas Gebauer, director of the Frankfurt-based Medico International (MI), decided to form a worldwide movement to ban landmines.<sup>19</sup> They believed that by bringing “together the NGO voices that were increasingly being heard on the issue in a coordinated effort to ban landmines” they could form an unified worldwide movement.<sup>20</sup> Their belief proved to be well-founded.

Mueller and Gebauer’s idea for banning landmines started with MI and VVAF’s experiences in landmine-infested countries working to rehabilitate landmine victims. MI worked in health and rehabilitative services with landmine victims in Cambodia, Vietnam, El Salvador and Kurdistan,<sup>21</sup> while VVAF, which had been founded by U.S. veterans, aimed to provide “the lands where they fought with reconciliation,

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<sup>17</sup> Ibid., 27.

<sup>18</sup> Ibid., 30.

<sup>19</sup> Caryle Murphy, “The Nobel Prize Fight,” *Washington Post*, March 22, 1998, F4.

<sup>20</sup> Jody Williams, “Brief Assessment and Chronology of the Movement to Ban Landmines,” Vietnam Veterans of America Foundation, undated documents, [not dated], 1.

rehabilitation, and reconstruction.”<sup>22</sup> According to Gebauer, at the time of the ICBL’s founding, MI’s goal “with respect to mines may seem utopic – like health; it was about the creation of social justice guaranteeing by itself that conflicts are no longer carried out in such a murderous way.”<sup>23</sup> During the campaign, MI continued its mine rehabilitation programs, especially in Angola, where it developed a wide-ranging project for survivors. It also supported the ICBL’s campaign for information dissemination by providing expertise for landmine victim rehabilitation and updated victim statistics, both necessary for drawing policy-maker and media attention to the issue. Nevertheless, it had gained its expertise in treating mine victims in the 1980s and early 1990s in Cambodia, Vietnam, El Salvador and Kurdistan. One of the project components was the development of local newsletters and support for the national campaign of the Angolan Campaign to Ban Landmines.<sup>24</sup>

MI remained at the forefront of international efforts in developing guidelines for mine victim rehabilitation and integrated mine action programs. On June 23 and 24, 1997 it hosted the International NGO Symposium on Mine Action in Bad Honnef, Germany, where MI launched “Guidelines for Mine Action Programmes from a

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<sup>21</sup> Statement of Thomas Gebauer, MEDICO International, in a speech entitled “On the way from a legal prohibition to an effective abolition of mines: Remarks on Integrating Mine Action,” at the Oslo Landmines NGO Forum, Oslo, Norway, September 7-10, 1997.

<sup>22</sup> VVAF “Campaign for a Landmine Free World....turning tragedy into hope” brochure. Not dated.

<sup>23</sup> Statement of Thomas Gebauer, September 7-10, 1997.

<sup>24</sup> Medico International brochure, “Integrated Mine Action, Luena/Moxico, Angola: Comprehensive Mine Rehabilitation Program.” Not dated.



development-oriented point of view” now known as the Bad Honnef guidelines.<sup>25</sup> The main point of MI’s Bad Honnef guidelines and its activity in the ICBL’s ban landmine efforts was to help landmine victims at the grassroots level.<sup>26</sup> MI’s concern for survivor rehabilitation continued throughout the campaign, with Gebauer even hinting at impatience near the convention’s signing in December 1997 with the political process of banning landmines, saying it interfered with landmine victim assistance. Gebauer commented that “[d]espite all the attention which is focused at this time on a ban of anti-personnel mines, despite the Ottawa process and all the conferences and meetings, which take place almost every week all around, there is not sufficient concern for the people who have become disabled.”<sup>27</sup>

Similarly, VVAF’s experience with landmines and its desire to ban their use came through its rehabilitative programs that provided prostheses for landmine victim amputees. VVAF’s initial experience with landmines came in 1984, when Mueller went to Cambodia to tour rehabilitative facilities. As a disabled Vietnam War veteran, he was shocked at the effects of landmines on the local population. After returning to the United States, he commented that “Vietnam was brutal, but it wasn’t the absolute insanity that took place in Cambodia. Here the landmine became the principal weapon of war.”<sup>28</sup>

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<sup>25</sup> Statement of Thomas Gebauer, September 7-10, 1997.

<sup>26</sup> “Guidelines for Mine Action Programmes from a development-oriented point of view,” revised version integrating proposals made at the International-NGO symposium from Bad Honnef, Germany, June 23-24, 1997.

<sup>27</sup> Statement by Thomas Gebauer, September 7-10, 1997.

<sup>28</sup> Quoted in Susan Reed and Andrea Pawlyna, “A Marine’s Reparation: Thanks to a Vietnam vet, Cambodian amputees have new legs and jobs,” *PEOPLE*, December 11, 1995, 103.

Mueller's resultant feelings for the disabled remained with him throughout the campaign as he started to broaden VVAF's prosthetic work to other mine-infested countries, especially Angola and Vietnam.

Mueller started working on U.S. landmine policy with Senator Patrick J. Leahy (D-VT), who had first come into contact with mine victims in the 1980s and thus was sympathetic to wanting to alleviate the suffering caused from landmines. After his meeting with landmine survivors in Central America, Leahy decided to battle against landmines on two fronts: At Mueller's suggestion, Leahy introduced a legislative measure against landmine use, beginning with a one-year unilateral export ban. Later, Senator Leahy remarked that

If American children walking to school were getting their arms and legs blown off, you can bet we would have all 100 senators doing everything possible to stop it. That is what is going on all over the world today in country after country after country.<sup>29</sup>

Second, he introduced legislation to start a fund for war victims. This measure resulted in the creation of the War Victims Fund, housed at the U.S. Agency for International Development and established with congressional bipartisan support in 1989 "to provide prosthetics to amputees in developing countries."<sup>30</sup> One medical

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<sup>29</sup> Quoted in Edward Ruiz, "Cambodia: land of mines and amputees," Salt Lake Deseret News (Salt Lake City), September 7, 1995.

<sup>30</sup> "Portfolio Synopsis: Patrick J. Leahy War Victims Fund," USAID Document, October 1997, 1.

rehabilitation magazine called Leahy “America’s number one war victims advocate.”<sup>31</sup> In recognition of Leahy’s tremendous efforts to help war victims, the fund’s name was later changed to the ‘Senator Patrick J. Leahy War Victims Fund.’<sup>32</sup> VVAF was one of the first financial beneficiaries of the fund, as it received aid for rehabilitative programs in Southeast Asia. In 1989, VVAF “opened its first rehabilitation clinic to provide assistance to the civilian victims of war – primarily landmine victims – in Cambodia.”<sup>33</sup> With War Victim fund support,<sup>34</sup> VVAF opened clinics in Vietnam (1993) and Angola (1997).<sup>35</sup> VVAF also started a rehabilitation clinic in El Salvador in 1994.

While the landmine issue was gaining momentum in the U.S., the issue was stalled on the international level. Both Mueller and Gebauer realized that the landmine ban idea was already floating in the international community, but nobody was acting on it, especially in a coordinated fashion. Jody Williams later remarked that the ICBL’s goal “belongs to no one in particular. There were many organizations, many individuals who knew about this problem, who were living with this problem. but it hadn’t come together yet as an organized effort to change policy, doctrine, and take landmines away from the military.”<sup>36</sup> Nevertheless, at the end of 1991, Mueller and Gebauer considered their

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<sup>31</sup> Edwin Black, “The War Victims Fund,” *Biomechanics: The Magazine of Lower Extremity Movement*, Volume III, Number 9, October 1996, 22.

<sup>32</sup> *Ibid.*, 22.

<sup>33</sup> VVAF document entitled “Vietnam Veterans of America Foundation: A Short History” Not dated.

<sup>34</sup> “Portfolio Synopsis: Patrick J. Leahy War Victims Fund,” 5 and 31.

<sup>35</sup> “Vietnam Veterans of America Foundation: A Short History” Published by VVAF. n.d.

<sup>36</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

landmine ban goal to be “far-reaching. Impossible. Utopian.”<sup>37</sup> The next year would determine whether the impossible dream could become a practical reality.

### C. The Mobilization – 1992

Events in France in May 1992 greatly propelled momentum toward a global landmine ban. These events were sparked and sustained by Handicap International (HI), a French NGO based in Lyon. Similar to MAG’s field experiences in landmine-infested countries, MI and VVAF, HI became involved in the landmine issue through treatment of civilian populations injured by landmines. By calling for a landmine ban, HI exceeded their mandate of helping “handicapped individuals who were victims of conflicts and/or in underdeveloped countries.”<sup>38</sup> Nevertheless, the three HI directors no longer could ignore the indiscriminate use of landmines and the horrible injuries they inflicted on people where HI field projects were based.

In May 1992, HI started landmine discussions by hosting a conference in Paris. During the conference, HI released the French edition of *The Coward's War*, but with added information written by HI and MAG staff after two research trips to Cambodia.<sup>39</sup> HI’s book was distributed to all members of the European Parliament, the President of

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<sup>37</sup> Williams, 1.

<sup>38</sup> Philippe Chabasse, “The French Campaign” in Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, eds., *To Walk Without Fear: The Global Movement to Ban Landmines* (Oxford University Press: Toronto, 1998) 60.

<sup>39</sup> *Ibid.*, 60.

the European Parliament, Simone Weil, and two Belgian Senators, who took up the landmine ban cause in their respective legislatures. In December 1992, the European Parliament passed a resolution declaring “as an emergency measure a five-year moratorium on the export of mines”<sup>40</sup> and in March 1995, Belgium became the first country to pass a domestic law that banned landmine-related activities, including their use and production. HI also presented the report to all French Parliamentarians through Michel Noir, House of Representatives and Mayor of Lyon, the city of HI’s headquarters.<sup>41</sup>

HI also announced that, with MAG and PHR, it was initiating a call for the “the collection of signatures to Stop the Coward’s War.”<sup>42</sup> The collection of signatures in support of a ban soon became a key NGO advocacy tool around the world in drawing policy-makers’ attention to the landmine ban issue. Besides Weil, among the first signatures collected were Elie Wiesel and former UN Secretary-General Perez de Cuellar.<sup>43</sup> After the May conference, HI continued to play an important role in French and international efforts to ban landmines by subsequently acting as a “permanent link”

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<sup>40</sup> Prepared statement of Bobby Mueller, Executive Director, VVAF, “Chronology of the Movement to Ban Landmines.” submitted to the Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994.

<sup>41</sup> Handicap International, “Antipersonnel landmines: For the banning of massacres of civilians in time of peace – Facts and chronologies (2<sup>nd</sup> Edition), not dated, p. 58.

<sup>42</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 1.

<sup>43</sup> Chabasse, 61

among French “political leaders and high-ranking officials on one side, the media, public opinion and members of Parliament on the other.”<sup>44</sup>

Several months after the HI Paris Conference, on October 2, 1992, the ICBL was formally launched in the New York City office of Human Rights Watch by HI, HRW, MEDICO, MAG, PHR and VVAF.<sup>45</sup> These six NGOs were inter-connected through their landmine expertise, such as prosthetic and de-mining programs, or legal and medical research. HI rehabilitation specialist Susan Walker put it well when she said that, “We felt that what we needed to do, as medical professionals, was prevention. The only way to prevent a mine accident, and it is not an accident, it does exactly what it is intended to do, is to ban landmines, clear landmines and help the survivors.”<sup>46</sup> The participants agreed “to coordinate campaigning efforts and co-sponsor the first NGO conference on landmines in London in 1993.”<sup>47</sup> The meeting also produced the decision to design “a public launching of the ban campaign” and to plan “a second event in December to mark the 10<sup>th</sup> anniversary of the entering into force of the 1980 [CCW] convention,” preferably to be launched in Italy, one of the world’s leading landmine producers.<sup>48</sup>

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<sup>44</sup> Ibid., 60.

<sup>45</sup> Jody Williams and Stephen Goose, “The International Campaign to Ban Landmines,” in Cameron, et al, 31.

<sup>46</sup> Quoted in *Ban Landmines: The Ottawa Process and the International Movement to Ban Landmines*, a compact disc produced by the Canadian Department of Foreign Affairs and International Trade, 1998.

<sup>47</sup> Prepared statement of Bobby Mueller, May 13, 1994.

<sup>48</sup> “Report of the Final Plenary Session,” NGO Conference on Antipersonnel Mines, London, May 26, 1993, pp. 4 and 5.

The NGOs' first major decision was approving VVAF's Jody Williams as the ICBL's coordinator.<sup>49</sup> Williams had cut her teeth on tough, and sometimes life-threatening, human rights work in Central America in the 1980s. While her work as ICBL coordinator (and later its ambassador) would not be life threatening, it would prove to be tough and gritty. She took on the job of coordinating and managing an international movement that aimed to ban a weapon that states used frequently and that still retained a military utility. In summarizing the London meeting and why these six NGOs banded together, Williams observed that "Unless you address the root cause, unless you take the weapon out of the arsenals of the world, you never would have the possibility of getting a leg up on the contamination, the on-going sowing of the mines."<sup>50</sup> The ICBL provided the mechanism for getting that leg up.

While Williams worked for the ICBL, she was based primarily near her home in rural Vermont and in VVAF's headquarters in Washington, D.C. During the ICBL's early years, Williams focused on recruiting other NGOs to the ICBL, engaging international policymakers on the issue, and providing the media with ICBL landmine information and analysis. In these early years, her main communication tools were telephones and faxes, and later e-mail, all which could be accomplished from her Vermont home. As the campaign advanced, she started traveling internationally, eventually becoming a roving representative and rarely spending time in Vermont. As

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<sup>49</sup> *Ban Landmines: The Ottawa Process and the International Movement to Ban Landmines*, a compact disc produced by the Canadian Department of Foreign Affairs and International Trade, 1998.

<sup>50</sup> Quoted in *ibid.*

Williams learned, personal appearances produced personal reflection and a generated great public sympathy for the cause.

The NGOs mirrored the wide range of problems caused by landmines. First, they had the ability to conduct landmine-specific research, as all were based or had access to operations in mine-infested states. Each NGO brought differing landmine expertise to the ICBL. As discussed above, HRW, MAG and PHR brought expertise their human rights, law, de-mining and international medical treatment together to write and release *The Coward's War*. Meanwhile, HI initiated ban landmine national campaigns in Belgium and France, while at the same time contributing with MAG on the revised version of *The Coward's War*. Finally, HI, MAG, MI, and VVAF continued their extensive rehabilitative work with landmine victims and de-mining in Africa, Asia, and Central America, while at the same time initiating national campaigns in their own countries.

Of the initial six steering committee members, MAG was the only one that actually cleared landmines, thereby giving them the unique role of speaking to the issue of landmine deployment, de-mining operations and rehabilitating mine-infested land for civilians to return. According to MAG's organizational mission, they are a "British registered charity that works in many conflict-affected countries training teams of local deminers to clear mines, booby-traps and unexploded bombs – making land safe for some



of the world's poorest communities so they can safely grow food, collect water and go to school."<sup>51</sup>

The London meeting produced a "Joint Call to Ban Antipersonnel Landmines," which had three prongs: (1) establishment of an international landmine ban; (2) establishment of an international fund to promote demining; and (3) persuasion of both landmine-producing and -using countries to contribute to the fund.<sup>52</sup> In support of the ICBL's goals, the NGOs continued to produce valuable and informative landmine research, which they effectively disseminated to the both public and policymakers. Their publications proved an important magnet in drawing media, policy-maker and public attention to the landmine issue. For example in October 1992, the same month that the ICBL was launched, HRW through its Middle East Watch program released a report on landmines in Kurdistan, entitled *Hidden Death*. The following month, PHR released its report. *Hidden Enemies: Landmines in Northern Somalia*. Both reports spotlighted the humanitarian devastation caused by landmines, and further solidified the ICBL as the preeminent international source of expert landmine information and analysis.

The epistemic community scholar, Peter Haas, comments that when "leaders lack adequate information for informed choice, and traditional search procedures are difficult...information is at a premium."<sup>53</sup> These leaders, in turn, "look for those able to

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<sup>51</sup> "Help Us Clear Landmines From Kosovo" Emergency Appeal, MAG mail-in donation card. Not dated.

<sup>52</sup> "A Joint Call To Ban Antipersonnel Landmines," Meeting Statement, October 2, 1992, in *Ban Landmines: The Ottawa Process and the International Movement to Ban Landmines*, a compact disc produced by the Canadian Department of Foreign Affairs and International Trade, 1998.

<sup>53</sup> Peter Haas, "Epistemic Communities and Regimes," 179.

provide authoritative advice to attenuate such uncertainty, and consult them for policy advice and/or delegate responsibility to them.”<sup>54</sup>

The ICBL mobilization of NGOs was enhanced by the lack of opposition. NGOs were operating in a vacuum as there were no dedicated governmental or international organizations collecting landmine data and/or analyzing it. In sum, the mobilization of grass roots by NGOs helped the ICBL landmine experts get governments to begin listening to them.

#### D. The Preparation -- 1993

The beginning of 1993 revealed how NGOs and governments could effectively work together to move the landmine ban issue forward onto the international political agenda. On January 28, 1993, U.S. Senator Leahy wrote to HI encouraging the organization’s activism and the French government’s signal that it might call for a review of the CCW. A country other than the United States had to call for the review, because, as Senator Leahy noted, “the United States is in the embarrassing position of not having ratified the protocol, [and therefore] we cannot ourselves call a review conference.”<sup>55</sup> HI interpreted the letter as a signal from Senator Leahy “to encourage the association in its

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<sup>54</sup> Ibid., p. 179.

<sup>55</sup> Letter from Senator Leahy to Handicap International, January 28, 1993.

effort to convince the French government to ask for the convening of an International Review Conference.”<sup>56</sup>

On February 9, 1993, HI and MAG, with the assistance of the French Institute of International Relations, co-sponsored a symposium on landmines. The symposium’s goal “was to convince the members of the French cabinet of the public’s concern in the landmines problem, and of the urgent need to make a clear stand on this topic.”<sup>57</sup> The conference organizers achieved part of this objective when the Foreign Ministry announced “that a letter has been sent to the Secretary-General officially requesting a review conference of the 1980 convention [CCW].”<sup>58</sup> In fact, this action probably was a result of an HI initiative taken the one week earlier, when on February 3 it sent to President Francois Mitterand over 22,000 signatures in support of its call to “Stop the Coward’s War” and to consider the “urgent need of an international conference to end slaughter of civilians in times of peace.”<sup>59</sup> A parallel initiative was another HI letter and 15,000 signatures to President Mitterand sent through Danielle Mitterrand, the President’s wife, requesting support for calling the review conference.<sup>60</sup> On February 11, 1993, President Mitterrand called for the review of the CCW while visiting Cambodia, one of the most mine-infested countries in the world. President Mitterand also officially recognized France’s “voluntary abstention” from the export of landmines and called upon

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<sup>56</sup> Handicap International, 59.

<sup>57</sup> Ibid. 59.

<sup>58</sup> Prepared statement of Bobby Mueller, May 13, 1994.

<sup>59</sup> Handicap International, 59

<sup>60</sup> Chabasse,62.

other states to do the same.<sup>61</sup> According to a Swedish diplomat, the combined local HI and international ICBL pressure in France “pushed the French government to make the official request for the review conference of the treaty.”<sup>62</sup> It is also believed that Mitterand pushed for the review to get “the NGOs and French public...off his back.”<sup>63</sup>

The ICBL forged alliances with other non-state actors that shared an interest in banning landmines. The most critical of these alliances involved the ICRC, whose international legal work on landmines in the 1970s directly led to the 1980 CCW Landmines Protocol. Coordinating efforts at international conferences and personal lobbying meetings with state and UN representatives, the ICRC and ICBL developed a close working relationship throughout the campaign on international legal issues.

The ICRC had expert and informational meetings concerning landmines from April 21-23, 1993 in Montreux, Switzerland, where it brought together “60 representatives of governments, the military, mine producers, clearance specialists and NGOs to discuss a range of possibilities to alleviate the suffering caused by landmines.”<sup>64</sup> The goal of the symposium was simply “to collect the necessary facts and ideas to coordinate future action by bodies that are interested in improving the fate of mine victims and in undertaking preventive action,” rather than any call for a ban.<sup>65</sup> While ICBL members wanted a ban, the ICRC delegates expressed their desire for a more

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<sup>61</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 2.

<sup>62</sup> Williams, 2.

<sup>63</sup> Williams and Goose, 28.

<sup>64</sup> Prepared statement of Bobby Mueller, Executive Director, May 13, 1994.

realistic and achievable solution. This difference is a key issue in defining the landmine agenda. The ban caught the public's imagination and demanded clear action by governments. Aiding victims would have required money and would have been "just" another humanitarian aid/relief program. The implication is that the ICBL did not let governments supporting victim assistance off the landmine use hook.

The ICRC's specific purpose in advocating the meeting was "to gain as accurate picture as possible of the actual use of mines and its consequences; to analyze the mechanisms and methods that presently exist to limit this use or alleviate the suffering of victims. ....as well as to establish a strategy on how to coordinate the actions of different bodies involved in such action."<sup>66</sup> While the ICBL had called for a ban more than three years beforehand, the ICRC was still trying to form a coherent policy toward landmines. It was not until the following year, in 1994, that the ICRC eventually called for a ban.

During the Montreux meeting, the divergence between ICBL and ICRC representatives became clear. While both groups' representatives based their testimony and speeches on real world and life experiences, the ICBL provided solutions that the ICRC and other state delegations were either unable or unwilling to furnish. (In fairness to the ICRC, their representatives had to be apolitical due to its unique "neutral" party and "good office" role in inter-state conflict). Nevertheless, the ICBL speakers spoke from field experience in mine-infested countries and/or detailed research on the landmine

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<sup>65</sup> "Introduction" to the Report on the ICRC Symposium on Anti-Personnel Mines held in Montreux, Switzerland, April 21-23, 1993, 1.

<sup>66</sup> Ibid., 1.

issue. For example, MAG's Rae McGrath based his presentation, "The Reality of the Present Use of Mines by Military Forces," on "practical experience of the situation that exists in Afghanistan, Cambodia, Angola, Mozambique, Iraq and Somalia, either from the author's own observations or those of MAG specialists or both."<sup>67</sup> Meanwhile, HRW's Steve Goose presented the "first meaningful estimates of the size of the A/P landmine production industry."<sup>68</sup> He said that the producer list "is the most comprehensive ever published," and that the research "found significant gaps in all data sources," including the U.S. Army.<sup>69</sup> Both McGrath and Goose called for an immediate ban as the only realistic solution to landmine ban. It was not until February 1994, nearly two years after the ICBL was founded, that the ICRC called for an immediate landmine ban.<sup>70</sup> It officially launched its ban landmine lobbying campaign in 1995, when the ICBL and ICRC started to become closer partners. In the meantime, the ICRC contributed vast amounts of expert landmine information and publications.

In May 1993, more than 50 representatives of 40 NGOs met in London at the first NGO International Conference on Landmines "to strategize on building the campaign to ban landmines."<sup>71</sup> It was at this conference that an ad-hoc steering committee was

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<sup>67</sup> Report of Rae McGrath, Director, MAG, "The Reality of the Present Use of Mines by Military Forces," Report on the ICRC Symposium on Anti-Personnel Mines held in Montreux, Switzerland, April 21-23, 1993, 7.

<sup>68</sup> Report of Steven Goose, Director, Arms Project of Human Rights Project, Washington, D.C., "Overview of the Problem of Anti-Personnel Mine," Report on the ICRC Symposium on Anti-Personnel Mines held in Montreux, Switzerland, April 21-23, 1993, 31.

<sup>69</sup> Ibid., 36.

<sup>70</sup> International Committee of the Red Cross, *Anti-Personnel Landmines – Friend or Foe?: Military Use and Effectiveness of Antipersonnel Mines* (Geneva: I.C.R.C. Publications, 1996). 11.

<sup>71</sup> Prepared statement of Bobby Mueller, May 13, 1994.

chosen, consisting of HI, HRW, MI, MAG, PHR and VVAF, with VVAF acting as the coordinator. These six NGOs remained steering committee members until mid-1998. Discussion concerning the development of a more formalized campaign structure was set aside since many of the NGOs present had not yet taken a position on the campaign, much less even signed on to the call.<sup>72</sup> Moreover, the six founding members elected to the steering committee “had organized the conference and had served as a catalyst to the campaign by virtue of having made serious, ongoing organizational and financial commitment to the effort.”<sup>73</sup>

The participants nevertheless agreed that expanding participation in the campaign was necessary. They also recognized that

ultimate success of the campaign depends upon broad public support which as yet is generally lacking. The successes of the campaign so far have for the most part not been the result of wide-spread public pressure. Thus, a public awareness campaign is critical to building upon initial successes and much more emphasis has to been [sic] given to its development.<sup>74</sup>

The participating NGOs committed themselves to target their NGO recruiting efforts to particular geographical areas. For example, Oxfam America “offered to help fund development of such participation in those regions where it works,” while World

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<sup>72</sup> “Report of the Final Plenary Session,” NGO Conference on Antipersonnel Mines, London, May 26, 1993, 2.

<sup>73</sup> Ibid., 2.

<sup>74</sup> Ibid., 3.

Vision International committed itself to using “its network to develop national partner participation.”<sup>75</sup> Beyond expanding the campaign, the participants also focused on key steps that entailed expertise in legal, policy and technical matters. These steps included developing “a technical definition of the weapon to be outlawed,” developing “a draft alternative [landmines] protocol calling for a ban on a/p mines,” and investigating specialized and non-specialized bodies to bring to the landmine issue.<sup>76</sup>

In late 1993, two significant publications were released. First, the U.S. Congress requested that the State Department produce a report outlining the landmine problem. In September 1993, it released *Hidden Killers: The Global Problem With Uncleared Landmines*, which provided detailed statistics – though actually only best guess estimations – of the global landmine crisis. Since the report was produced by a government and not an NGO, its official confirmation and political impartiality on the issue lent further credibility to the ICBL’s claims that landmines should be banned for humanitarian reasons. One of the most notable claims made by the report was that landmines “may be the most toxic and widespread pollution facing mankind.”<sup>77</sup> VVAF, which was at the forefront of the NGO effort to pressure the Clinton administration, credited the report with doing “an excellent job of documenting the worldwide problem

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<sup>75</sup> Ibid., 4.

<sup>76</sup> Ibid., 3 and 4.

<sup>77</sup> *Hidden Killers: The Global Problem with Uncleared Landmines* (U.S. Department of State, Washington, D.C., July 1993), 2.



of landmines.”<sup>78</sup> In part, due to the report’s startling conclusions, the Leahy landmine export ban was extended another three years, passing the Senate by a 100-0 vote.

The second significant publication, released in November 1993, was HRW and PHR’s joint publication *Landmines: A Deadly Legacy*. This volume provided a detailed account of international landmine production and trade and, most importantly, detailed a strong case as to why landmines should be banned under current international humanitarian law. The study also applied the State Department’s own 1992 *Hidden Killers* report in highlighting the human devastation caused by landmines.

The following month, at the French government’s request – which in turn, had been spurred by HI and French NGOs – the UN General Assembly adopted “a resolution calling for a review conference of the 1980 Convention [and]...for an expert group to prepare for the review conference which will give consideration to NGO participation in the group.”<sup>79</sup> This was followed soon after by the General Assembly’s adoption of a resolution calling for a ban on the export of landmines. An immediate result of international attention to the landmine issue was stigmatizing its use and production. One of the first producer casualties was the Swedish manufacturing firm, Bofors, which in 1993, announced “that for ‘moral’ reasons it will stop manufacturing antipersonnel landmines as well as the export of fuses and explosives to buyers who might use the

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<sup>78</sup> Statement of Bobby Mueller, VVAF Executive Director, “The International Campaign to Ban Landmines: Where Do We Go From Here?” Keynote presentation, May 9, 1994.

<sup>79</sup> Prepared statement of Bobby Mueller, May 13, 1994.

material to produce such mines.”<sup>80</sup> The campaign was beginning to exact a tangible toll on the landmine production problem.

## E. Engaging States -- 1994

In February and March 1994, the first expert group preparatory meetings were held in Geneva to discuss the agenda for the Review Conference. Just prior to the first session, the ICRC held a news conference, at which ICRC President Corneliua Sammeruga declared that a “world-wide ban on antipersonnel mines is the only true effective solution. Until April 1994, the ICRC’s focus on the landmine issue was strengthening existing landmine restrictions rather than calling for a ban. It attempted to achieve this through convening a slate of expert landmine meetings, such as the April 1993 Montreux experts meeting.

Even so, people still questioned ICRC’s exact position. When an ICBL participant at the Second ICBL NGO International conference in Geneva asked an ICRC legal representative whether the ICRC President’s declaration was a “call for the ban” or did he “consider the ICRC position slightly different or clearly different?,” the ICRC delegate tersely replied, “I wouldn’t go into semantics and say whether it’s an official

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<sup>80</sup> Ibid.

endorsement.”<sup>81</sup> In the fact, the ICRC did not launch their ban landmine campaign until fall 1995. after their failure to strengthen significantly the landmines protocol. Starting the ban landmine campaign was an unusual step for the ICRC, “which is not an advocacy organization and only once before has called for a weapons ban –of chemical weapons back in the 1920’s.”<sup>82</sup> Still, the ICBL welcomed the ICRC’s participation in the debate and hoped that the ICRC’s global reach through the National Red Cross and Red Crescent Societies, and its extensive media and marketing campaign could enhance the effectiveness of ICBL’s work. The coupling of the ICRC and ICBL experts also proved effective in persuading many governments to join the ban. A specific ICRC contribution was to attend expert group meetings and report to ICBL members, who did not have observer status.

During the governmental experts meetings, an important battle over negotiations took place among the delegates regarding possible NGO participatory role in the upcoming CCW Convention. While China was “the only country to block participation of any kind by NGOs in the meetings,”<sup>83</sup> the United States was one of the strongest proponents of granting observer status to NGOs and encouraging substantial participation by NGOs.”<sup>84</sup> The result was that at the preparatory conference to the CCW Review

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<sup>81</sup> Statement of Umesh Palwankar, ICRC legal department, “International Committee of the Red Cross: The Review Process of the 1980 Convention,” at the Second NGO Conference on Landmines, Report of Proceedings, Geneva, May 9-11, 1994, 90.

<sup>82</sup> Raymond Bonner, “Pentagon Weighs Ending Opposition to a Ban on Mines: Public Review Ordered,” *New York Times*, March 17, 1996, 1A.

<sup>83</sup> Prepared statement of Bobby Mueller, May 13, 1994.

<sup>84</sup> Prepared statement of Ken Anderson, Director, The Arms Project of Human Rights Watch, submitted to the Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994.

conference NGO experts were allowed to participate.<sup>85</sup> This victory added credibility and status to the NGO role in disarmament negotiations.

In the meantime, ICBL members continued their advocacy efforts through a range of activities. In April 1994, the Arms Project of HRW released, *Landmines in Mozambique*, a study which documented “how this [landmine] tragedy came about and its terrible, on going consequences for the Mozambican people.”<sup>86</sup> The ICBL also continued to gather momentum, as the prestigious Council of Foreign Relations hosted a one-day seminar in which the Secretary-General of the United Nations and the former U.S. Secretary of State, Cyrus Vance, publicly joined the call for a landmine ban.

In May 1994, the ICBL convened its Second NGO International Conference on Landmines in Geneva, where UNICEF Geneva provided the logistical support.<sup>87</sup> Estimates vary on the number of people and organizations attending the conference: Some state that more than 110 representatives of 75 NGOs were present,<sup>88</sup> while others estimate more than 60 organizations represented by more than 120 people.<sup>89</sup> Regardless, many representatives were landmine experts<sup>90</sup> and were motivated to continue the campaign. Similar to Wapner’s “world civic politics” model depicting successful international environmental NGO politics circumventing traditional politics, Mueller

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<sup>85</sup> Statement by Robert Mueller, Executive Director, Vietnam Veterans of America Foundation, to the Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994.

<sup>86</sup> Human Rights Watch Arms Project, *Landmines in Mozambique* (Human Rights Watch: New York, March 1994) 1.

<sup>87</sup> Prepared statement of Bobby Mueller, May 13, 1994.

<sup>88</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 2.

<sup>89</sup> Statement by Robert Mueller, May 13, 1994.

argued that the ICBL must expand its political activities to achieve its goal of a comprehensive landmine ban. In the Conference's keynote presentation, Mueller asserted that ICBL members

must go beyond the structures of government... We must build public awareness of what landmines are doing around the world directly. Only by building such awareness are we going to get the additional movement forward that this campaign critically needs.... If we continue the path of courting the military, if we continue the path of courting the political figures on an insiders-game basis, we will lose. We have to up the ante. We've got to take it to the public.<sup>91</sup>

The conference included what became a fixture at ICBL meetings: Progress reports of national campaigns and activists regarding their successes and failures, and lessons learned in the efforts to convince governments to ban landmines. For instance, HI's campaign in France was a shining success story. HI Co-Director Phillipe Chabasse explained the organization's successful lobbying techniques in courting the media, public opinion and policy-makers to the landmine ban goal. First, he said, HI worked "to build up a base of journalists through regular contacts, mailing of information, and organizing press conferences and symposia in order to maintain media interest in the issue."<sup>92</sup> Second, HI recruited hundreds of people to pass out literature, producing the landmine

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<sup>90</sup> Ibid.

<sup>91</sup> Statement of Robert O. Mueller, VVAF, Keynote presentation "The International Campaign to Ban Landmines: Where Do We Go From Here?" at the Second NGO Conference on Landmines, Report of Proceedings, Geneva, May 9-11, 1994, 9.

ban manifesto or petitions being distributed to more than 500,000 people or 1% of the French population.<sup>93</sup> Other national campaign reports were given by Germany, Italy, Mozambique, The Netherlands, New Zealand, Sweden, United Kingdom, and the United States.

The conference also saw the birth of another fixture: The ICBL six-month action plan, which outlined the campaign's activities and goals for the following six months. This plan, in turn, was made available to every ICBL member, and those NGOs that wanted to participate in future ICBL actions could. Most important, once the conference ended, everyone knew the ICBL action plan and how to move the ban landmine issue forward. According to Jody Williams, the action plan and its dissemination to ICBL members became the "single most critical element" to the ICBL's success in eventually achieving the landmine ban.<sup>94</sup> The action plan helped the ICBL members coordinate international activities and lobbying, and coordinate future events and conferences.

The conference also addressed the critical issue of how to expand the campaign. An ICBL working group decided to target three areas for expansion: Developing countries, former Eastern bloc countries, and lateral expansion to related organizations and entities.<sup>95</sup> The six founding NGOs recommended that the campaign's goal should be

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<sup>92</sup> Statement of Philippe Chabasse, HI, "The French Campaign," at the Second NGO Conference on Landmines, Report of Proceedings, Geneva, May 9-11, 1994, 39.

<sup>93</sup> Ibid., 40.

<sup>94</sup> Statement of Jody Williams, ICBL Ambassador, at the USCBL Grassroots meetings associated with the 2000 Presidential Primaries in Iowa, Des Moines, Iowa, January 8, 2000.

<sup>95</sup> Report of Working Group 4: Where Do We Go From Here: Broadening the Campaign" at the Second NGO Conference on Landmines, Report of Proceedings, Geneva, May 9-11, 1994, 122.

extended beyond the landmine ban call itself, and bring into ICBL the related issues of mine victim assistance and de-mining. It was also decided that ICBL's materials needed "to be expanded beyond the new brochure to include materials that address the issue of mines in different ways, i.e., in arms control context, in a human rights context, in terms of the environment, so as to better reach out to natural constituencies and thus expand the campaign network."<sup>96</sup>

In May 1994, *War of the Mines: Cambodia, Landmines and the Impoverishment of a Nation*, authored by Paul Davies with photographs by Nic Dunlop, was released. Dunlop's photography and Davies's chronicle of the landmine devastation highlighted the humanitarian problems and challenges caused by mines. At the book's beginning there is a statement supporting a landmine ban that is endorsed from forty-seven NGOs and two UN agencies working in Cambodia.<sup>97</sup>

By mid-1994 several world leaders and military minds joined in the call for a landmine ban. In June 1994, the Chief of the Swedish Army General Ake Sagren asserted that mines no longer were necessary and that the Truppmina 10, a very popular Swedish mine, should be banned immediately.<sup>98</sup> On October 2, 1994, King Sihanouk of Cambodia requested that "the use and placing of landmines be severely and definitively condemned and further that the users and placers of landmines and mines themselves be

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<sup>96</sup> Ibid., 125.

<sup>97</sup> Paul Davies with photographs by Nic Dunlop, *War of the Mines: Cambodia, Landmines and the Impoverishment of a Nation* (Pluto Press: London, 1994), xv.

<sup>98</sup> A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines," 12.

placed outside the law.”<sup>99</sup> Meanwhile, UN Secretary-General Boutros Boutros-Ghali published an article in *Foreign Affairs*, in which he called landmine use an “on-going humanitarian disaster.”<sup>100</sup> On the subject of the upcoming CCW review conference, Boutros-Ghali said that, while strengthening the landmines’ protocol remained critical, the ultimate solution lay in an international convention that banned the production, stockpiling, trade, and use of mines and their components.<sup>101</sup> In short, the UN Secretary-General had already sided with the ICBL’s argument for an immediate ban, and advocated pressuring states participating in the upcoming CCW Review Conference of the Landmines Protocol to adopt a ban, rather than merely more restrictions on landmine use.

The year 1994 ended with the U.S. State Department’s release its follow-on report to the *Hidden Killers: The Global Landmines Crisis* report. The 1994 *Hidden Killers* report more intensely spotlighted the humanitarian devastation caused by landmines by estimating that some 80-110 million A/P mines were buried in 64 countries.<sup>102</sup> According to Colonel Lawrence Machabee, a principal mover in the report’s development and production, *Hidden Killers* was “an authoritative document that people

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<sup>99</sup> Quoted in “Declaration of the Voice of Cambodian Women Against The Use of Landmines in Cambodia.” Khmer Women’s Voice Centre letter, February 23, 1995.

<sup>100</sup> Boutros Boutros Ghali, *Foreign Affairs* 73 (September/October, 1994), 8.

<sup>101</sup> *Ibid.*, 9.

<sup>102</sup> United States Department of State, *1994 Hidden Killers: The Global Landmine Crisis*, 1994 Report to the U.S. Congress on the Problem with Uncleared Landmines and the United States Strategy for Debiting and Control, (Department of State Publication 10225), December 1994,.v.



could reference in terms of demining problems.”<sup>103</sup> The report galvanized international attention to global de-mining challenges and problems worldwide, and help to consolidate the common sense rationale underpinning a global ban on landmines.

## F. Confronting States -- 1995

Cambodia became the site of several important ban landmine events in 1995. First, on February 23, 1995 the Khmer Women’s Voice Centre in Phnom Penh sent a letter to the Cambodian government and international community, declaring that the voices of Cambodian women cried out against landmine use.<sup>104</sup> Among other things, it called upon producers to halt the production of landmines and or militaries to stop using them. Most important, it called upon governments and the world community to support landmine survivors and communities living in landmine-infested areas.

Second, the Cambodia Campaign to Ban Landmines was formed on August 8, 1994, when five NGOs – Jesuit Refugee Service, MAG, ICRC, HI and the NGO Forum – joined forces to ban landmines.<sup>105</sup> These NGOs also helped initiate the landmine-free Cambodia themes for the 1995 Dhammayietra. The Dhammayietras were non-violent

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<sup>103</sup> Quoted in Peter J. Hager “An Interview with Lawrence Machabee, USMC: A Retrospective View of Humanitarian Demining at the Department of State,” *The Journal of Humanitarian Demining*, Issue 1.1, Summer 1997 [www.hdic.jmu.edu/hdic/journal/1.1/articles/machabee.htm](http://www.hdic.jmu.edu/hdic/journal/1.1/articles/machabee.htm) March 11, 2000.

<sup>104</sup> “Declaration of the Voice of Cambodian Women Against The Use of Landmines in Cambodia,” Khmer Women’s Voice Centre letter, February 23, 1995.

demonstrations for a peaceful Cambodia, designed to promote peace among the 4,000 to 7,000 walkers and the communities that they walked through.<sup>106</sup> Along the routes, public talks were given every day by the walkers to communities.

The first Dhammayietra took place in May 1992, when thousands of Cambodians marched from the Thai border to Phnom Penh, arriving on the day of Visa Ka bochea, the Nirvana date of the Buddha. The purpose of the 1992 Dhammayietra was to demonstrate support for peace after the Cambodian internal wars.<sup>107</sup> The follow-up Dhammayietras in 1993 and 1994 were also devoted to various aspects of promoting peace in Cambodia.

With the support of the Cambodia Campaign to Ban Landmines, the 1995 Dhammayietra directly focused on the need to ban landmines. Local and international NGOs believed that banning landmines would be one of the most effective ways to create a peaceful environment in Cambodia.<sup>108</sup> The landmine ban walk's leader, Moha Ghossananda, also wanted to promote the message to the warring factions "to please stop the fighting, for the good of everybody."<sup>109</sup> Several of the Dhammayietra's organizers and supporters later became important contributors to the ICBL. Many marchers were Buddhist monks, Catholic nuns, NGO representatives and local students, and all supported the ban. More than 1,000 marchers participated. Another of the walk's events

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<sup>105</sup> E-mail correspondence from Denise Coughlan, Chair Cambodia Campaign to Ban Landmines, March 13, 2000.

<sup>106</sup> "One Million Kilometers for Peace [www.igc.org/nonviolence/niseasia/dymwalk/dy2/htm](http://www.igc.org/nonviolence/niseasia/dymwalk/dy2/htm). March 8, 2000

<sup>107</sup> Interview with Liz Bernstein, former Dhammayietra advisor, New York City, March 1, 2000.

<sup>108</sup> *Cambodian Women's Voice Against Land-Mines*, 21.

<sup>109</sup> *Ibid.*, 20

was a parade of disabled people in Phnom Penh on February 24, 1995, which NGO representatives and Buddhist monks used to highlight the landmine ban message.

The 1995 Dhammayietra was actually part of a larger walk from Auschwitz, Germany, to Hiroshima, Japan, the purpose of which was to promote international peace during the 50<sup>th</sup> anniversary year of the atomic bombing of Hiroshima. The Cambodian Dhammayietra marchers met the international march at the Thailand border, then accompanied them through Cambodia and on to the Vietnam border. Throughout the walk, the marchers made landmine presentations to communities along the route.<sup>110</sup> Also, the marchers collected signatures or thumb prints from bystanders on a landmine ban petition.<sup>111</sup> This petition, containing hundreds of thousands of names, was later presented to the King of Cambodia during the June Cambodia Landmine Conference, and then to the Beijing Women's Conference in September, and finally to the Vienna CCW Review conference in October, as the signatures were presented by Cambodian landmine victims to conference chairman Johan Molander.

Many of the Dhammayietra march organizers later became instrumental in the Cambodia Campaign to Ban Landmines and the ICBL itself. For example, Liz Bernstein, an American peace trainer working for the Coalition for Peace and Reconciliation, became a leading force within the ICBL in expanding its membership and planning conferences and logistics. In February 1998, she was appointed ICBL co-coordinator. She

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<sup>110</sup> "Summary of the Focus, Political Highlights, and Important Results of the Dhammayeitras (DY) 1992-1997," [www.igc.org/nonviolence/niscasia/dymwalk/dy3.htm](http://www.igc.org/nonviolence/niscasia/dymwalk/dy3.htm) March 8, 2000.

also served as an advisor to the Khmer Women's Voice Centre, which, to coincide with the landmine Dhammayietra, published a magazine called *Cambodian Women's Voice Against Land-Mines* for the Fourth World Conference on Women, held in Beijing and Huairou, China, in August 1995. Through this publication, the center sought to accomplish two main objectives: First, to inform women around the world about the impact of mines, and second, to ask support their support to reinforce the ban landmine movement.<sup>112</sup> For the Beijing Conference, the Centre also produced a video on landmines entitled "*Are We the Enemy,*" which highlighted the effects of landmine accidents on families and entire communities. After its screening in the "Women and Security" portion of the conference, the Centre was awarded a conference citation for outstanding achievement in film.<sup>113</sup>

On March 16 and 17, 1995, ICBL members met in Rome to discuss future campaign organizational strategy. Each NGO gave a brief summary of their work, while ICBL leaders detailed a strategy for the upcoming CWW Review Conference in Vienna. The main planned action was a "Joint Call" for moving forward on the landmine ban, such as pressing the scope, verification and more automatic reviews of the CCW. It was also decided that the particulars of other issues would be left to individual NGOs.<sup>114</sup>

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<sup>111</sup> Interview with Liz Bernstein, Coordinator for the ICBL and former advisor to the Khmer Women's Center, New York City, March 1, 2000.

<sup>112</sup> Preface to the *Cambodian Women's Voice Against Land-Mines*, Khmer Women's Voice Centre, May, 1995.

<sup>113</sup> Telephone interview with Liz Bernstein, Washington, D.C. March 13, 2000.

<sup>114</sup> ICBL Landmines Campaign Rome Meeting Summary Points, March 16/17, 1995, .2.

During the Rome meeting, ICBL members developed a strategy for the Vienna Conference and for broadening and expanding the ICBL afterwards. Members decided to produce ICBL “conference-specific newsletters” and to create a lobbying team, which “would get to know the delegates and work with those willing to help advance goals of the Campaign.”<sup>115</sup> Looking beyond the Vienna Conference, the ICBL members decided to look for opportunities to participate in other international landmine forums. They also decided that the campaign’s focus should remain on anti-personnel mines, as opposed to other victim-activated weapons, such as anti-tank mines or cluster bombs,<sup>116</sup> and that the campaign “should work to expand into more countries.”<sup>117</sup> In this regard, Oxfam UK agreed to organize the national campaign in Mozambique, and VVAF became committed to work with or start up campaigns in Costa Rica, Ecuador, the former Yugoslavia and southern Africa.<sup>118</sup>

From June 2 to 4, 1995 in Phnom Penh, Cambodia, the Cambodian Campaign to Ban Landmines and the NGO Forum on Cambodia organized and hosted an international conference devoted to “The Human and Socio-Economic Impact of Landmines: Towards an International Ban.” More than 400 people from 42 countries attended the conference.

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<sup>115</sup> Ibid., 2.

<sup>116</sup> While cluster bombs are not designed to be victim activated, their relatively high malfunction rate transforms them into a victim-activated weapon.

<sup>117</sup> ICBL Landmines Campaign Rome Meeting Summary Points, March 16/17, 1995. 3.

<sup>118</sup> Ibid., 3-4.

which was convened in response to a suggestion made the year before by Jody Williams, Coordinator of the International Campaign to Ban Landmines.<sup>119</sup>

Besides the symbolic benefit of hosting the first landmine conference in a landmine infested country, the Cambodia conference had goals, several salient among them to:

1. Listen to landmine survivor stories and experience “first-hand the human and socio-economic suffering caused by mines;”
2. Encourage other NGOs to become involved in the ICBL;
3. Encourage the Cambodian government to ban landmines;
4. Encourage funding agencies to fund Cambodian demining programs;
5. Raise the landmine debate among the public;
6. Draw significant media attention to the landmine issue.<sup>120</sup>

The conference received letters of support from a range of world leaders, including Senator Leahy from the United States, Pope John Paul II, and Anglican Archbishop Desmond Tutu. Pope John Paul, during the 50<sup>th</sup> anniversary meeting of Pax Christi in Assisi, Italy, expressed “his ardent prayer that, with the support of relevant international groups, there will be a permanent ban on this type of weapon which has such outrageous traumatic effects.”<sup>121</sup> Archbishop Tutu wanted to add his “voice to the Cambodia Campaign calling for a categorical and unequivocal international ban on the

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<sup>119</sup> Letter from Denise Coghlan, Chairperson, Cambodia Campaign to Ban Landmines, and Linda Hartke, Chairperson, Management Committee, NGO Forum on Cambodia, to “Dear Friends,” July 4, 1995.

<sup>120</sup> Coghlan and Hartke letter.

production, sale and use of antipersonnel mines.”<sup>122</sup> These public statements contributed to legitimizing the humanitarian purpose of the conference.

At the conference opening session, a message from UN Secretary-General Boutros Boutros-Ghali was read by his special representative, Benny Widyono. Ghali highlighted the salient role played by NGOs in bringing the landmine issue to international attention:

**The International community is at last becoming aware of the intense human suffering caused by uncleared landmines largely as a result of the efforts of non-government organizations around the world. Non-government organizations are an essential element of the international campaign to stop the proliferation of land-mines, and to rid the world of the scourge of these agents of death and destruction...I am confident that this Conference will further strengthen the commitment of the NGO community to the global land-mine problem.**<sup>123</sup>

On the first day, conference organizers Linda J. Hartke and Denise Coghlan sent joint letters on behalf of the conference participants to Cambodian First Prime Minister Ranariddh, encouraging him “to move swiftly to fulfill your pledge of support for legislation to ban landmines in Cambodia.”<sup>124</sup> and to Second Prime Minister Hun Sen, which similarly urged “the Royal Government [of Cambodia] to move swiftly to fulfill

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<sup>121</sup> Letter from The Secretariat of State, Vatican City, expressing a “message from Pope John Paul II sent to the International Landmines Conference in Phnom Penh, June 2-4 1995.”

<sup>122</sup> Letter from the Anglican Archbishop of Cape Town, Desmond M. Tutu, to the “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” [not dated].

<sup>123</sup> Message of the UN Secretary-General, Boutros Boutros-Ghali, to the Conference “The Socio-Economic Impact of Land-Mines: Towards an International Ban,” Phnom Penh, June 2-4, 1995.

<sup>124</sup> Letter from Linda J. Hartke and Denise Coghlan to His Royal Highness Norodom Ranariddh, First Prime Minister, Royal Government of Cambodia, June 4, 1995.

the promise of legislation to ban landmines in Cambodia.”<sup>125</sup> They also sent messages to Khmer Rouge leaders, including Pol Pot and Ieng Sary, and their followers, pleading with them to cease using landmines.<sup>126</sup> The Khmer Rouges reply came several days later in a radio broadcast, asserting that for security reasons, landmines would continue to be used in their war with the government. Hartke and Coghlan responded with another letter, begging both the Khmer Rouge leaders and followers to “make the first step [toward peace] today...and stop laying mines.”<sup>127</sup> These public exchanges contributed greatly to underscoring the political commitment ICBL would invest to halt the use of landmines.

While the ICBL had gathered significant support from international leaders and the media, the coalition remained very fragile. In only months, the states party to the CCW would meet in Vienna to review the landmines protocol, and only a single small state, Belgium, supported the ban. Williams well expressed concern over the survivability of the campaign’s momentum in her opening remarks as declared ““It’s great to see 400 of you here today, but it will be wonderful to see 400 [still working for the ban] two years from now.”<sup>128</sup>

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<sup>125</sup> Letter from Linda J. Hartke and Denise Coghlan to His Excellency Samdech Hun Sen, Second Prime Minister, Royal Government of Cambodia, June 4, 1995.

<sup>126</sup> Letter from Linda J. Hartke and Denise Coghlan to Mr. Pol Pot, Mr. Khieu Samphan, Mr Ieng Sary, Mr. Ta Mok, Mr. Son Sen, and all the followers of the Khmer Rouge, June 4, 1995.

<sup>127</sup> Letter from Linda J. Hartke and Denise Coghlan to Mr. Pol Pot, Mr. Khieu Samphan, Mr Ieng Sary, Mr. Ta Mok, Mr. Son Sen, and all the followers of the Khmer Rouge, June 16, 1995.

<sup>128</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

<sup>128</sup> Statement of Chris Moon, ICBL Presentation to the Opening Session of the Ottawa Conference, October 3, 1996.



The Cambodia Conference proved to be a watershed event in the landmine campaign. The broadening and expansion of the ICBL to other NGOs began at the Cambodia Conference. Conference participants attended training sessions and became more effective activists and recruiters. Among the sessions offered and items discussed were:<sup>129</sup>

1. *Using the Media and Campaign Awareness*: Topics covered included: Tips for successful campaign awareness; Tips for getting the message to the media; Media interview skills, tips for radio interviews; and how to deal with hostile interviewers.
2. *How to Write a Media Release*: Topics covered included: Who is your audience; how to be concise and complete, etc.
3. *How to be informed about Landmines*: Topics covered included the upcoming CCW review conference, how to hold politicians to their statements, etc.
4. *How to Start a Country Campaign*: Topics covered included the key principles of a successful campaign, including maintaining communication with the ICBL
5. *Case Study of a Successful Campaign – Belgium*. Topics included: How the ban landmine legislation was passed and some tips about networking, such as not to be hostile with diplomats.

As a direct result of the Cambodia Conference, national campaigns were launched in Afghanistan, India, Nepal and South Africa, and the Thailand Campaign held their first meeting in June 1995.<sup>130</sup> Meanwhile, national campaigns and other NGOs expressed

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<sup>129</sup> The following sessions are discussed in detail throughout the final report of the 1995 Phnom Penh Landmines Conference, "The Human and Socio-Economic Impact of Landmines: Towards an International Ban." The report was edited by Lars Negstad and printed with funds donated by the Government of Canada.

<sup>130</sup> "National and Regional Action Plans Decided at the Conference: Key Points," Session at the International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban." June 4, 1995

their commitment to continuing and/or initiating activities. For example, participants from Japan declared their intention to translate the Davies and Dunlop book, *Cambodia, War of the Mines*, into Japanese, and to collect signatures supporting a ban and lobby the Japanese government before the upcoming Vienna CCW Review Conference.<sup>131</sup>

By spring 1995, the epistemic disarmament community began to split over whether or a landmine ban would be achieved. In May, Terry Gander, co-author of *Jane's Military Vehicles and Logistics Yearbook*, wrote to a fellow Jane's colleague that "[t]here is a definite air among analysts and academics that the chances of a complete ban on anti-personnel landmines are increasing."<sup>132</sup>

On September 21, 1995, VVAF held a news conference at the National Press Club in Washington, D.C., to release its book, *After the Guns Fall Silent: The Enduring Legacy of Landmines*. Unlike previous NGO landmine books, this work "assessed the social and economic impact of antipersonnel weapons on developing nations that have been torn apart by war."<sup>133</sup> Speakers included Senator Leahy, VVAF Executive Director Mueller, ICBL Coordinator Jody Williams, and this author, speaking on the basis of his experience as an American landmine survivor who had been injured in the recent Somalia humanitarian intervention. The book's main point was that landmines caused massive human suffering and should therefore be banned. VVAF planned its release to coincide

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<sup>131</sup> Ibid.

<sup>132</sup> Letter from Terry Gander to Robert Karniol, Asia/Pacific Editor, *Jane's Defence Weekly*, May 8, 1995, quoted in Robert Karniol, "Landmines in Asia: A General Introduction," written presentation for the 1995 Landmines Conference, June 1995, 13.

<sup>133</sup> VVAF Fact Sheet, not dated.

with the CCW Review conference, which began the following week in Vienna in an effort to generate international pressure on the CCW Review delegates to move forward on instituting a landmine ban.

The CCW Review Conference, which began in Vienna on September 25 and concluded on October 13, 1995, included 44 states, with an additional 40 states participating as observers.<sup>134</sup> NGOs were permitted to participate by observing the general sessions, and were allowed to speak during an initial plenary session and make a statement to the delegates. Several governmental delegations, such as those from Australia, Canada, and New Zealand, included NGO representatives. The ICBL's participation during the conference was warmly welcomed by Johan Molander, President of the CCW Review Conference, who stated that he appreciated the NGO presence and that governments are "indebted to them for their work 'in the field' – a phrase, which in these circumstances, takes on a particularly sinister connotation – but also for sounding the alarm and raising public awareness."<sup>135</sup>

True to his word, on September 26, Molander gave the speaker's platform for one plenary session to 22 ICBL speakers, including landmine ban activists, landmine survivors, and de-miners. In addition, four Cambodian landmine survivors, each

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<sup>134</sup> "A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines," 15-16.

<sup>135</sup> Statement of Ambassador Johan Molander, President of the CCW Review Conference, Vienna, September 26, 1995.

representing one of the four military factions fighting in Cambodia,<sup>136</sup> distributed copies of the Khmer Women's Voice Centre's award winning video, *Are We the Enemy?*<sup>137</sup>

Since governments could not agree on key details regarding the protocol, two future CCW Review sessions were planned for the following year in Geneva: In January 1996, to discuss technical landmine issues, and in April, to finalize the protocol. The ICBL encouraged its members to attend the second session to lobby delegates and affect the final outcome of the conference. While governments might have been disappointed in the failure of the Vienna Conference to reach consensus on the Landmines Protocol, the ICBL remained undeterred, as it viewed "Vienna as part of a ongoing process that will lead to a ban."<sup>138</sup> One of the critical factors for the governments' failure to reach a decision was the international pressure generated by NGOs for a ban. Many governments remained anxious over international public opinion, which might be aroused if the landmine problem was not adequately resolved. The conference's agenda was supposed to deal with only minimal adjustments to regulating landmines, rather than discussing ways to ban landmine use. Some states also felt NGO pressure at the Vienna Conference site itself, given that more than 100 NGO representatives from nearly 70 NGOs in 20

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<sup>136</sup> Denise Coughlan, Chair, Cambodia Campaign to Ban Landmines, E-mail correspondence to author, March 12, 2000

<sup>137</sup> Liz Bernstein, ICBL Coordinator and former advisor to the Khmer Women's Voice Centre, telephone conversation with author, March 13, 2000.

<sup>138</sup> "Assessment of the Review Conference," *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 1.

countries attended the conference and lobbied their delegates throughout the conference in the UN center hallways<sup>139</sup>

One ICBL lobbying strategy at the CCW conference was to pressure governments through the publication of its bi-weekly newsletter, "CCW News." During the conference, six issues were released, highlighting landmine news and negotiating information. Since the "CCW News" was often the only document produced on a daily basis at the conferences, delegates read it diligently. The "CCW News" was also disseminated through fax and e-mail to the public, media, other NGOs, and policymakers around the world.<sup>140</sup>

The "CCW News" kept NGOs and state delegates informed about progress toward a ban, even though that was not the CCW's main purpose. Its articles and opinions reflected the ICBL's views, and not those of states. For example, one "CCW News" column entitled 'The Good, The Bad and the Ugly,' "frequently roused the ire of governments." but "it also pressured them to bring their public statements in line with the realities of their negotiating positions – or vice versa."<sup>141</sup> At the conference, the ICBL's "good list" included 14 countries that supported a ban.<sup>142</sup> This list proved useful to the ICBL as the conference negotiations drew to a close, since it "worked to convince the media and friendly governments that not only were the negotiations *not* moving towards

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<sup>139</sup> Ibid., 1.

<sup>140</sup> "Activities of the ICBL at the CCW Review Conference," *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 9.

<sup>141</sup> Williams and Goose, 31.

a ban, but they were, in fact, weakening the already horribly weak CCW landmine protocol.”<sup>143</sup>

The ICBL started its conference lobbying activities with a press conference at the Vienna Opera House, where the speakers included ICBL leaders and landmine survivors from Afghanistan, Cambodia, and the United States. Besides many correspondents from the international media, governmental representatives from Austria, Belgium, Cambodia, France and Italy also attended. The ICBL presented petitions by landmine survivors from Afghanistan, Cambodia and the United States to CCW Chairman Johan Molander. More than 10,000 signatures, many of which were collected during the 1995 Cambodian Dhammayeutra and HI’s *Stopping the Cowards War* signature campaign, were submitted.

In conjunction with its events at the conference site, ICBL members conducted public awareness activities throughout the Vienna Conference. MI converted a flatbed trailer into a simulated minefield, and placed it in Vienna’s downtown square.<sup>144</sup> Several NGOs delivered more than six tons of shoes to the Australian Parliament, subsequently moving the Austrian Parliament’s President, Dr. Heinz Fischer, to express his support for the ban.<sup>145</sup> As with shoe pyramids organized by HI in Paris, the shoes dramatically personified the unneeded shoes of hundreds of thousands of present and future landmine amputees.

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<sup>142</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 15.

<sup>143</sup> Williams and Goose, 31.

<sup>144</sup> Such simulated minefields became a standard ICBL advocacy tool at future landmine conferences.

To take advantage of the NGO participation at the Vienna Conference, ICBL leaders held strategy and planning sessions for the future direction of the campaign. Plans included requesting national campaigns to send their 1996 plans to Jody Williams by December 1, 1995, supporting outreach to more NGOs to join the campaign, and locating the next ICBL NGO International meeting in southern Africa.<sup>146</sup> Between the October 1995 Vienna CCW Conference and the follow-up 1996 Geneva sessions, the ICBL decided on a two-tier strategy.

First, the ICBL wanted to foster an international movement based on regional strategy that established “mine-free zones’ as building blocks to a global ban.”<sup>147</sup> It was also suggested that the ICBL needed “to continue growth and dynamism by reaching out to new organizations and constituents...such as religious institutions.”<sup>148</sup> To accomplish this, it was decided at the Vienna meeting to begin planning preparations to host the next international NGO conference in Africa.

The second strategy entailed persuading friendly governments into working together on moving the landmine ban platform forward in the international arena. The ICBL intended to pressure “those nations professing to support an immediate ban to take

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<sup>145</sup> “Activities of the ICBL at the CCW Review Conference,” *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 9.

<sup>146</sup> “Assessment of the Review Conference,” *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 6-8.

<sup>147</sup> Williams and Goose, 32.

<sup>148</sup> “Future Landmine Campaign Activities,” *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 5.

actions consistent with that position, actions both on the domestic front and in Geneva.”<sup>149</sup> Most important, “NGOs should encourage “ban” countries to form an informal working group in Geneva, and to meet regularly to discuss means of promoting a ban.”<sup>150</sup> ICBL members were encouraged to keep contact with their country delegates to maintain a pulse on their country’s landmine policies.

In addition to the above measures, new initiatives were taken by the ICBL leadership, primarily Stephen Goose, Jody Williams and Carol von Essen.<sup>151</sup> They discussed amongst themselves the need to bring pro-ban governments together as a bloc. During one of the daily morning ICBL meetings, it was agreed that they meet to host a meeting of the few openly pro-ban governments to discuss ways to cooperate.<sup>152</sup> Following the Vienna meeting, David Atwood, Quaker United Nations Office (QUNO) Associate Representative for Disarmament and Peace, floated the idea of getting the ‘good guys’ together to meet with two governmental representatives, including a Canadian. The governments did not respond to Atwood’s notion. Afterwards, Atwood wrote Goose and Williams in response to the ICBL list of “things that need doing,” one

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<sup>149</sup> “Planning for Geneva,” *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, p 5.

<sup>150</sup> Ibid., 5.

<sup>151</sup> While a program officer for Radda Barnen (Swedish Save the Children), von Essen attended the Vienna conference in the capacity of an Observer for the International Save the Children Alliance. He and Radda Banen became important members of the ICBL leadership team until the ban landmine treaty was signed in December 1997, when Radda Barnen decided to re-direct its resources, including von Essen, to other humanitarian issues, such as banning child soldiers and restricting the use of small arms and light weapons.

<sup>152</sup> Stephen Goose E-mail correspondence with author, March 7, 2000.



of which was to “Get the ‘good guys’ together, or something like that.”<sup>153</sup> Atwood and the QUNO would later play an important role in getting pro-ban states and the ICBL to work together during the follow-on Geneva conference, though the ICBL leadership, primarily Goose remained informed of pro-ban NGO discussions and continued to be the main promoter of creating a pro-ban bloc.

As the ICBL representative, von Essen gave the closing plenary speech at Vienna. He declared that, “This conference shows, among other things, that the only solution to the landmines problem is a total prohibition on landmines.”<sup>154</sup> Unfortunately, von Essen’s speech and the views of other ICBL members could not change the mandate of the UN General Assembly that called upon the conference only to explore international legal mechanisms for controlling the use of landmines so as to reduce harm to innocents and post-conflict societies, rather than initiate discussion to ban landmines. The UN General Assembly and most governments believed that, by addressing issues of scope, duration of unmarked mines, anti-detector mines and transfer restrictions, the gravity of the problem would be reduced. As the campaign would soon demonstrate, they were only partially right.

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<sup>153</sup> David Atwood E-mail interview with author, March 2, 2000.

<sup>154</sup> Statement of Carl von Essen, Closing Plenary Speech, on behalf of the ICBL, CCW Review Conference, Vienna, October 13, 1995.

## G. Pressuring States -- 1996

From January 15-19, 1996, the second CCW Review session convened in Geneva where delegates discussed technical issues, such as “the means proposed restrictions related to detectability, and self-destruct/-neutralize/-deactivate mechanisms. At this session, 43 states participated, while another 33 attended as observers.<sup>155</sup> ICBL representation was small, as it “had not made any preparations to host a “pro-ban” session.”<sup>156</sup> Pieter van Rossem, of Pax Christi Netherlands and a leader in the Netherlands Campaign to Ban Landmines, wanted to bring together the ICBL and those governments on the “good guys” list to discuss strategy for promoting an immediate ban, rather than the “eventual elimination” of landmines.”<sup>157</sup> Van Rossem ran his idea by Stephen Goose, eventually convincing him that the ICBL had little to lose. The main goal for the meeting was to search for ways to get beyond the stalemate induced by CCW consensus voting rules. As Williams and Goose later recounted, “A decision that turned out to be of pivotal importance...was made to put a priority on getting avowedly pro-ban governments to self-identify and work together as a bloc...as the only way to maintain movement...and [move] the issue forward.”<sup>158</sup> The new strategy proved to be fruitful.

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<sup>155</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 17.

<sup>156</sup> E-mail interview with Stephen Goose, March 7, 2000.

<sup>157</sup> A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 5.

<sup>158</sup> Williams and Goose, p. 32.

The day after his conversation with Goose, Von Rossem pursued his initiative by talking to several delegates and asking them to attend a special meeting the next day, January 17<sup>th</sup>. He then chaired the ICBL-sponsored meeting at the UN building. Of the 22 governments listed as supporting the ban, only seven accepted the invitation “to discuss bans at the national level and initiatives which might be developed for the third CCW Review Conference beginning in April.”<sup>159</sup> Those states in attendance were Austria, Belgium, Canada, Denmark, Ireland, Mexico, Norway, and Switzerland.<sup>160</sup> Canada was added to the invite list the day of the meeting, as it did not make the ICBL’s “good guy” list until that morning, when Ambassador Mark Moher made the announcement that Canada would support an immediate landmine ban.<sup>161</sup> One of Canada’s diplomats, Robert Lawson, decided to accept the ICBL’s invitation to attend the meeting. Lawson, Austrian Ambassador Ehrlich and Belgium Ambassador Belgium seemed the most enthusiastic about the bloc’s chances to push for a ban.<sup>162</sup>

In addition to Von Rossem, attendees included about eight ICBL representatives and Peter Herby, from the ICRC legal office. Near the meeting’s end, when those attending were asked whether they wanted to reconvene, someone suggested that QUNO would be willing to host a second session. The Quaker representative at the meeting

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<sup>159</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 18.

<sup>160</sup> Ibid. 18.

<sup>161</sup> Robert Lawson interview with author, Canadian Government Representative on Mine Action, Irvine, California, May 9, 2000.

<sup>162</sup> Stephen Goose E-mail correspondence with author, March 7, 2000.

agreed.<sup>163</sup> Von Essen, attending as an ICBL representative, glowed with optimism after the meeting. For the first time, he actually believed that the ICBL might really ban landmines. Stephen Goose also felt the same way.

Both Lawson and Herby would play important roles in the international effort to ban landmines, most importantly, by developing a partnership with each other and the ICBL. Lawson had recently been made desk officer for conventional arms control issues, including land mines, in the Non-Proliferation, Arms Control and Disarmament Division (IDA) of Canada's Department of Foreign Affairs and Trade (DFAIT). Before taking this post, he had worked in a range of arms control and military force positions and served for twelve years as an officer in the Canadian armed forces, which are themselves very active in peacekeeping and de-mining operations. Upon being assigned the landmine portfolio as part of his new responsibilities, Lawson was informed by the out-going desk officer, Mark Gwozdecky, that the Department of National Defence (DND) would oppose any ban, and therefore it was not a policy consideration. Gwozdecky himself had been told upon taking job in August 1995 "not to waste his time on mines" because "nobody here [IDA and DFAIT] is interested in this file, and nobody else in the world will let it go anywhere."<sup>164</sup>

Following the pro-ban ICBL meeting, Lawson was enthusiastic about the possibilities of a NGO state bloc to push the landmine ban issue. He believed that Canada could take an international leadership position on the landmine issue. His boss Canadian

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<sup>163</sup> David Atwood E-mail correspondence with author, March 2, 2000.

Foreign Minister Lloyd Axworthy, who in early January had just replaced the retiring Andre Ouellet, shared that sentiment. Axworthy, a former political science professor who viewed politics as a way to achieve policy goals, immediately perceived landmines as a top policy priority.<sup>165</sup> After he had “noted the prominent role played by NGOs on the issue,” he anticipated that the process would continue with strong NGO support. He “indicated his interest in a partnership that would link NGO efforts with Canada’s ability to champion the issue internationally.”<sup>166</sup> It was a partnership that would prove intimately productive over the next two years.

Canadian and ICBL interest in developing a pro-ban bloc cooled until the second Geneva CCW Review session, which convened from April 22 to May 3, 1996. The session’s main purpose was to finalize the agreements produced during the Vienna and first session Geneva negotiations. The ban issue, however, was still not on the session agenda, while outside the conference, landmine ban events were moving very fast. In March 1996, the European Parliament passed a resolution to ban landmines.<sup>167</sup> Much of this discussion was generated by NGOs in the respective countries, or by the international media and ICBL.

To publicly highlight the rapidly evolving state interest in landmines, Jody Williams was invited to keynote the conference’s opening session. She announced that, in the four months since the Vienna Conference, another seven countries had renounced the

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<sup>164</sup> Quoted in Tomlin, 185-186.

<sup>165</sup> Ibid., 194.

<sup>166</sup> Ibid., 194.

use of landmines.<sup>168</sup> While recognizing the importance of the CCW Review process in highlighting the landmine problem, she stated that the ICBL remains “discouraged that the likely changes to the CCW are not more far-reaching and immediate.”<sup>169</sup> Also, at the session’s opening, landmine survivors, many of them in wheelchairs, gave arriving delegates red roses, each tagged with a name of a mine victim. Several delegates refused to accept the flowers and later complained to conference officials that these kinds of public and political displays had no place in diplomatic negotiations.

Continuing its conference on-site activism to increase pressure on delegates, ICBL members organized information tables and press conferences for the media. They also placed landmine-victim photos in conference hallways and displays in public places. Iain Guest, a former Geneva-based newspaper correspondent and UNHCR press spokesman in Cambodia, volunteered with the ICBL to host professionally-planned and organized daily press conferences regarding ICBL activities and conference status reports from an ICBL perspective. In an April 24<sup>th</sup> ceremony initiated by the Cambodian Campaign to Ban Landmines, landmine victims Tun Channarth of Cambodia and this author from the United States, honored the more than 13,000 landmine victims injured or killed between the end of the Vienna Conference and the start of the second-session Geneva negotiations. They called for an immediate ban on landmines “to a hushed

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<sup>167</sup> “A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines,” 18.

<sup>168</sup> Statement of Jody Williams, VVAF, representing the ICBL to the Opening Plenary Session, Review Conference of the CCW, Geneva, Switzerland, April 22, 1996.

<sup>169</sup> Ibid.

crowd of 75 delegates, press and NGO observers.”<sup>170</sup> The somber ceremony was held before “The Wall of Remembrance,” a large photo display of landmine victims from Battambang Province, in Cambodia, injured between the two conferences. Meanwhile, one of the off-conference site ICBL activities included HI shoe pyramids in Paris and Geneva which poignantly symbolized the lost legs of landmine survivors.

During the second Geneva session, 51 states participated, while 36 states attended as observers. Unknown to most governments and NGOs, this conference would signal the end of the CCW as the major international negotiating forum for discussing landmines and launch the creation of another negotiating track to negotiate the landmine issue. Thereafter, the key track led to Ottawa.

At the beginning of the second Geneva session, 14 states attended the second NGO and pro-ban state meeting held at the QUNO office on April 22, 1996. Because of greater advance preparation by all parties, this meeting was much more carefully planned than the Vienna meeting. The Canadians had thought of hosting a meeting, but gave the “thumbs up” to Quakers when Atwood had visited their mission office several weeks before. While Atwood planned for the meeting, he constantly consulted with Goose and Williams.<sup>171</sup> Though it was an ICBL-sponsored conference, Goose thought it appropriate for the meeting to be held at the QUNO office. largely because Quakers are known for

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<sup>170</sup> ICBL Press Advisory Number 3, Review Conference of the CCW, Geneva, Switzerland, April 24, 1996.

<sup>171</sup> David Atwood E-mail correspondence with author, March 2, 2000.

doing such things in a constructive fashion.<sup>172</sup> The agenda for the meeting was developed by the ICBL in consultation with Canada. During the session, Lawson presented his idea for Canada to host a small conference of pro-ban states in the fall of 1996. The meeting's participants registered their general support.<sup>173</sup>

At Lawson's urging, Canada sponsored another meeting at the end of the CCW negotiations in the UN Palais Building. This meeting included eleven states and individuals from the ICRC and ICBL, including Atwood, Goose and Williams. The main purpose was to announce that Canada would host an official conference to facilitate a joint strategy for banning landmines.<sup>174</sup> The conference was intended to bring together pro-ban governments, the NGO community, and international organizations to strategize on how to advance the cause of the ban.<sup>175</sup> On the last day of the negotiations, May 3, 1996, Axworthy publicly announced that Canada would host a fall 1996 international conference in Ottawa.

During the late spring and summer of 1996, serious questions remained as to where these discussions would go. In June 1996, QUNO hosted a luncheon to assess the pro-ban landmine process. Attendees included a number of Geneva players – the UN Institute for Disarmament Research (UNIDIR) and ICRC, along with representatives from Switzerland (from Bern), Canada (from the Geneva mission), and Austria (from Vienna). At this meeting, the participants looked at the pros and cons of an alternative

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<sup>172</sup> Stephen Goose E-mail correspondence with author, March 7, 2000.

<sup>173</sup> David Atwood E-mail correspondence with author, March 2, 2000.

<sup>174</sup> Stephen Goose E-mail correspondence with author, March 7, 2000.



process to the CD. Canada remained uncommitted of the need for a process separate from the CD, and after the meeting, Atwood wrote a memorandum to Lawson expressing his view that the CD provided the least best solution. Lawson said later that the memo proved helpful in Canada's decision to go for a separate process.<sup>176</sup>

The international momentum toward a ban continued. The ICRC hosted a meeting for a selection of international military officers in February 1996 to discuss landmines as an indispensable weapon of war. After the participants studied the actual use of landmines in twenty-six 20<sup>th</sup> century conflicts, the participants concluded that "No case was found in which the use of antipersonnel mines played a major role in determining the outcome of a conflict."<sup>177</sup> Moreover, even when landmines are "used on a massive scale, they have usually had little or no impact on the outcome of hostilities."<sup>178</sup> In fact, the group concluded that the "effects of antipersonnel mines are very limited and may even be counterproductive."<sup>179</sup> The study's total endorsements included 43 active and retired officers from 17 countries,<sup>180</sup> which proved valuable as a source of support for civilian government decision-makers in supporting the ban. The joining of military officers with the ICBL and ICRC call for a ban added considerable

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<sup>175</sup> Williams and Goose, p. 33.

<sup>176</sup> David Atwood E-mail correspondence with author, March 2, 2000.

<sup>177</sup> International Committee of the Red Cross, *Anti-Personnel Landmines – Friend or Foe?: Military Use and Effectiveness of Antipersonnel Mines* (Geneva: I.C.R.C. Publications, 1996) 7.

<sup>178</sup> International Committee for the Red Cross, *Executive Summary: Anti-Personnel Landmines – Friend or Foe?*

<sup>179</sup> International Committee of the Red Cross, *Anti-Personnel Landmines – Friend or Foe?: Military Use and Effectiveness of Antipersonnel Mines*, 8.

<sup>180</sup> *Ibid.*, 74-75.

legitimacy to the landmine ban position, and helped to diminish the military-utility argument.

The CCW review process allowed the ICBL to achieve two important objectives. First it helped to shift the conference focus from restricting to banning landmines. For the first, governments started discussing ways to ban landmines rather than merely to restrict their use. The ban discourse signaled a significant change for the international community in how it viewed landmines. While convened to discuss further landmine restrictions, the CCW Review Conferences instead helped launch the first coordinated state efforts to ban landmines.

The second important way the CCW helped the ban landmine campaign was through the media and public's focus on its outcome. A major ICBL strategy in pressing for international action for a ban was for governments to review the CCW and, through it, jump-start multilateral ban landmine discussions. While the CCW did not achieve the ban, it did assist ICBL's efforts in pressuring states to focus on the ban as the only realistic solution in coping with the landmine crisis. Furthermore, "the heightened international attention to the issue began to raise the stakes, so that different governments wanted to be seen as leaders on what the world was increasingly recognizing as a global humanitarian problem."<sup>181</sup> It also gave the ICBL a "platform to push and holler and shove and make the governments begin to say the scary words: We need to ban this

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<sup>181</sup> Statement of Jody Williams, Nobel Peace Prize Acceptance Speech, Oslo, Norway, December 10, 1997.

weapon.”<sup>182</sup> In fact, the major purpose for creating an alternative negotiating track, more commonly known as the Ottawa Process, was to circumvent the UN bureaucracy and consensus-voting procedures, which the ICBL blamed for holding up a ban agreement. Austria, Canada and Norway all began taking leadership roles in developing the ban, and all became players united in formulating the Ottawa Process.

From the inception of an NGO-pro-ban coalition, Canada allowed NGOs full participation in all the planning and treaty-drafting conferences. The goal of the “Towards A Global Ban On Anti-Personnel Mines International Strategy Conference,” which convened in Ottawa in October 1996, was to “catalyze practical efforts to move toward a ban and create partnerships between states, international organizations and agencies and NGOs essential to building the necessary political will to achieve a global ban on AP mines.”<sup>183</sup> The ICBL frequently consulted with the Canadians “on nearly every aspect of the conference, including how best to ensure maximum attendance by governments.”<sup>184</sup> At the strategy conference itself, the ICBL was intimately involved in “drafting the precise language of both the final declaration and the action plan.”<sup>185</sup> This action plan became the essential conference output, for it provided a detailed work scheme to achieve the ban and coordinated international efforts in the process.

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<sup>182</sup> Statement of Jody Williams, ICBL Coordinator, to the “A Global Ban on Landmines – treaty signing conference and mine action forum,” December 3, 1997.

<sup>183</sup> “Chairman’s Agenda for Action on Anti-Personnel Mines,” Conference Agenda, Towards a Global Ban on Anti-Personnel Mines, International Strategy Conference, October 3-5, 1996, 1.

<sup>184</sup> Williams and Goosc, 35.

<sup>185</sup> *Ibid.*, 35.

The Canadian government's commitment to the NGO community was emphasized by Axworthy's opening address at the opening of the October 1996 conference, when he stated to the country representatives that "[w]e should recognize that much of the impetus for the ban has come from those, be they victims, NGOs, or international agencies, working in the field."<sup>186</sup> Another signal of Canada's support for NGOs was during the working sessions, where many NGO's were included on the speaking list. In fact the title for one of the conference's strategy sessions entitled "NGO and Parliamentarian Agenda for Action," and twelve of the scheduled twenty-five presenters were representatives of NGOs.<sup>187</sup> Both the Canadian Foreign Ministry and Mines Action Canada (MAC) highlighted how governments and NGOs can solve the global landmines problem by working together.<sup>188</sup> Nevertheless, during the conference, the ICBL continued its activist activities outside the conference agenda. These events included ICBL member-created simulated minefields and the presentation of signatures, from thousands of people around the world calling for a ban, to Axworthy.

At the closing session of the conference, Axworthy stunned the governmental delegates when he invited them to return to Ottawa in December 1997 to sign a convention immediately banning landmines. His informing only the leaders of the UN (Anan), ICRC (Herby and Sommaruga) and the ICBL (Williams), rather than

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<sup>186</sup> Statement of the Canadian Minister of Foreign Affairs, Lloyd Axworthy, to the International Strategy Conference "Towards A Global Ban on Anti-Personnel Mines," October 3, 1996.

<sup>187</sup> Conference Agenda, Towards a Global Ban on Anti-Personnel Mines, International Strategy Conference, October 3-5, 1996.

<sup>188</sup> Mines Action Canada is a coalition of over 100 Canadian NGOs committed to banning landmines.

governmental delegations, signified the trust that he had that the process would work. Immediately after his announcement, Sommaruga and Williams prepared statements of support to generate more momentum toward a ban. While some Canadian officials feared a backlash from the delegates, they concluded that the ICBL and ICRC statements could sustain the bandwagon effect toward the ban.<sup>189</sup> The announcement was made in coordination with the ICBL, which declared the upcoming Ottawa Conference and its related meetings “to be its highest priority for the year.”<sup>190</sup> The ICBL was fully committed to its success. In turn, Axworthy challenged NGOs to continue pressuring States, specifically stating that:

The challenge is also to the International Campaign [ICBL] to ensure that governments around the world are prepared to work with use to ensure that a treaty is developed and signed next year. This is not far-fetched. You are largely responsible for our being here today. The same effective arguments you used to get us here must now be put to work to get foreign ministers here to sign the treaty.<sup>191</sup>

On October 6, 1996, the day after the conference closed and Axworthy’s announcement – the ICBL met at the Canadian Government conference facilities in Ottawa to plan its strategy for supporting Axworthy’s initiative. Several important decisions were made, among them to convene a strategy planning meeting in Brussels by

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<sup>189</sup> Tomlin, 205.

<sup>190</sup> Williams and Goose, 35.

<sup>191</sup> Statement of Lloyd Axworthy, Canadian Foreign Minister, to the closing session of the International Strategy Conference Towards A Global Ban on Anti-Personnel Mines, Ottawa, Canada, October 5, 1996.

late 1996, to hold the next ICBL NGO international conference in Africa, and to back national campaign and regional initiatives in support of the ban.<sup>192</sup>

During the fourteen months between Axworthy's announcement and the treaty conference date in December 1997, the ICBL expanded quickly and widely, and became increasingly vocal about the need for a comprehensive ban, with no exceptions. During the Ottawa Process, NGOs and pro-ban states worked in close partnership "to help draft treaty language and build the political will necessary to ensure the success of the process."<sup>193</sup> The stage was being set for a historical international law-making occasion in Ottawa.

According to the epistemic community notion, international negotiations entail a "process for deferring to specialists regarded as possessing a reputation for expertise in the domain of concern."<sup>194</sup> For example, in the case of the Mediterranean Sea Plan, those experts' influence was eventually capsulated in their usurping "decision-making authority" and controlled "policies consistent with its own perspective."<sup>195</sup> In the landmines case, however, NGO experts never became part of or integrated with their governments' bureaucratic structure. For the most part, they remained on the outside, providing information, analysis and lobbying pressure. According to one ICBL representative active in the process, the NGO presence

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<sup>192</sup> "Ottawa In Context: ICBL Plans in Support of the Canadian Announcement," meeting held in Ottawa on October 6, 1996.

<sup>193</sup> Williams and Goose, 35.

<sup>194</sup> Ibid. 179

<sup>195</sup> Peter Haas, "Epistemic Communities and Regimes," 136.

Strengthened those states seeking to resist attempts to weaken the draft ban treaty; it helped to prevent the reversion to traditional forms of diplomatic negotiating practice; it provided a visible point of public accountability for the national delegations; it was a reference point for expertise and information on key elements in the text.<sup>196</sup>

The ICBL role in the treaty negotiations enhanced governmental respect for the NGO coalition's expertise on the landmine issue. During the CCW Review negotiations and throughout 1996, the NGO presence proved especially valuable in building international support for a landmine ban and pressuring governments to join the Ottawa Process.

## H. Working with States -- 1997

In early January 1997, the ICBL Steering Committee began a series of discussions to draft their own ban landmine treaty to determine key elements to be included in a ban-landmine treaty.<sup>197</sup> The ICBL thereafter used this draft as the basis for discussions with governments drafting the official version of the treaty. ICBL leaders also shared the ICBL draft version with diplomats at the UN mission in New York. The ICBL realized that UN support was essential to ensure that the Ottawa Process not only would succeed in accomplishing a ban treaty, but also would be implemented. NGOs lobbied UN

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<sup>196</sup> David C. Atwood, Associate Representative, Disarmament and Peace, Friends World Committee and Consultation, Quaker United Nations Office, Geneva, "Banning Landmines: Observations on the Role of Civil Society," Paper prepared for the volume *Peace Politics of Civil Society*, June 1998, 9.

member states to undertake more binding commitments and introduce stronger ban landmine resolutions. The UN agencies and UNGA resolutions preceding and during the Ottawa Process lent great diplomatic support to the ICBL's cause. For example, several UN agencies, such as the UN Department of Peacekeeping Operations and UN Development Program, "brought tremendous credibility, clout and resources to bear on the issue."<sup>198</sup> The key project here was to develop a diplomatic atmosphere and public attitude of legitimacy toward the landmine ban.

In August 1996, the ICBL sent Liz Bernstein to southern Africa to begin planning the 4<sup>th</sup> International NGO conference on landmines.<sup>199</sup> The conference convened February 25-28, 1997 in Maputo, Mozambique with some 450 participants from more than 70 NGOs and 60 countries in attendance.<sup>200</sup> Because Mozambique is a mine-infested country itself, the symbolism was not lost among African NGOs and states. A week before the conference, on February 19, South African Defense Minister Joe Modise announced that South Africa would immediately implement a comprehensive landmine ban.<sup>201</sup> During the conference, the ICBL held training sessions to strengthen national campaign capacity. Just before the conference a two-day meeting was held of ICBL members from Africa, Asia and Latin America in which Jody Williams discussed "the

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<sup>197</sup> Williams and Goose, 36.

<sup>198</sup> Lumpe and Donarski, .86.

<sup>199</sup> Williams and Goose, 37.

<sup>200</sup> Ibid., 38.

<sup>201</sup> Noel Stott, "The South African Campaign," in Cameron, et al, 70.



linkages between the new campaigns and the ICBL overall.”<sup>202</sup> These preliminary sessions were useful for coordinating national landmines ban campaigns and introducing the newly committed campaigns to the ICBL leaders and key members.

The results were positive. During the planning of the conference, four African national campaigns (Zambia in September, Zimbabwe in October, Angola in November and Somalia in February 1997) were launched, and four African governments (South Africa, Mozambique, Malawi and Swaziland) announced that they would ban landmines. This high level of southern participation and support for the ban landmine movement is notable. Southern states usually do not actively engage in multilateral weapon issues because they see these issues as being distant from them, or they lack the financial resources to research the issue and participate in international conferences. The landmines case, however, revealed that southern states were highly active in banning landmines and were important sources of moral and political support for the ICBL.

The explanation is understandable: These states were the ones most grievously affected by landmines. Their nationals constituted most of the victims, and in their soil was buried most of the active landmines. Since southern states contained most deployed landmines and suffered the most landmine victims, their support was especially needed in order for the ICBL message to be taken seriously. The ICBL felt that one key failure “for the CCW had been the lack of participation by mine-affected countries and the

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<sup>202</sup> Williams and Goose, 39.

developing world in general.”<sup>203</sup> Moreover, by working with southern national campaigns and NGOs, the ICBL could provide more information about these countries to states and the media. In turn, the ICBL helped southern NGOs build the political will necessary for instituting a ban in their countries. Southern support was critical for getting a large number of states to sign an agreement, especially since the major powers were opposing a landmine ban treaty.

Many southern states initially opposed a landmine ban because such weapons are cheap and retain military utility, thereby appealing to cash-starved militaries. The inclusion of de-mining and victim assistance into the ICBL’s campaign platform, however, eventually helped alleviate their concerns about banning landmines. They viewed this assistance as a way to solve the landmine problem that many southern governments believed was created by the north. One noteworthy example is the pervasive use of mines by Great Britain and Germany in Libya and Egypt during World War II.<sup>204</sup> In announcing South Africa’s support for a ban, South African Defense Minister Joe Modise observed that “A heavy responsibility lies on the more developed countries, capable of producing this weapon, export and use.”<sup>205</sup>

To alleviate these concerns, the Maputo conference highlighted the need for increased financial help for victim assistance and de-mining programs in mine-infested

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<sup>203</sup> Ibid., 37.

<sup>204</sup> Statement of Egyptian Representative to the “The Brussels International Conference for a Global Ban on Anti-Personnel Land Mines,” in *An Explosion Every Twenty Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, June 24-27, 1997, p. 28.

countries. In the final ICBL conference statement, NGOs asked “the international community to increase resources for mine clearance and assistance to survivors.”<sup>206</sup> As a further incentive to persuade southern countries to join the ban conference, the statement asserted that assistance should be given “especially in those countries and regions that have banned landmines.”<sup>207</sup>

The logic of linking assistance programs to a policy ban proved a natural fit for any international agreement banning landmines, since it contributes to a comprehensive framework for dealing with the problem. Substantive linkage of issues evinces an “evolving awareness of causal understanding” among the negotiating parties.<sup>208</sup> That is, such

substantive issue-linkage depends on learning that the national interest can be redefined or broadened, and that international collaboration is required for the realization of national goals. Knowledge can legitimate collaborative behavior only when the possibility of joint gains from the collaboration exists and is recognized.<sup>209</sup>

While the ICBL continued to push for increased international pressure on governments to sign the ban, they also worked with the pro-ban states in drafting the

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<sup>205</sup> Statement of Joe Modise, South African Minister of Defense, to the South African Parliament, February 20, 1997.

<sup>206</sup> “Landmine Conference ends with a call to sign Ottawa Treaty in December,” ICBL news release, Maputo, Mozambique, February 28, 1997.

<sup>207</sup> “Landmine Conference ends with a call to sign Ottawa Treaty in December,” ICBL news release, Maputo, Mozambique, February 28, 1997.

<sup>208</sup> Ernst Haas, 371.

landmine ban treaty. The first treaty drafting conference was held February 12-14, 1997, in Vienna, Austria. The conference host, the Austrian government, entitled the conference the “Expert Meeting on Possible Verification Measures for a Convention to Ban Anti-Personnel Landmines.” The tortured title for the meeting was purposely constructed by the Austrians to allow for maximum governmental participation, including states opposed to an immediate landmine ban.<sup>210</sup> The 111 countries that attended the meeting gathered to discuss elements of a comprehensive ban treaty. An Austrian diplomat, Thomas Hajnoczi, had already drafted a ban-landmine convention a few months earlier, and this meeting convened to review it make adjustments. The Hajnoczi draft, in effect, became the key working document leading to the eventual treaty.

Jody Williams began referring to Hajnoczi as “the father of the treaty text” for his hard work in drafting the original document.<sup>211</sup> The ICBL declared the conference a success in light of the high attendance, and the final document signaled that the international community supported developing an immediate ban. Also helpful were the comments contributed by the ICBL to the final working document.<sup>212</sup> Regardless, the ICBL criticized those participating states that publicly supported continued landmine use, in particular, Cuba, Ecuador, South Korea, and Sri Lanka, or advocated a piecemeal approach to a ban, which would involve the consensus based Conference on

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<sup>209</sup> Ibid., 371.

<sup>210</sup> Thomas Hajnoczi, Thomas Desch, and Deborah Chatsis, “The Ban Treaty,” in Cameron, et al, p. 294.

<sup>211</sup> Statement of Jody Williams, ICBL Coordinator, to the “A Global Ban on Landmines – treaty signing conference and mine action forum,” December 3, 1997.

<sup>212</sup> Hajnoczi, et al, in Cameron, et al, 295.

Disarmament (CD), namely United States, United Kingdom, France and Italy. Speaking for the ICBL's to the conference participants, Williams averred that these states "are not really prepared to match their rhetoric of a world free of antipersonnel mines with the actions necessary to ban this indiscriminate killer as soon as possible...Once the norm is established, we can and will work to bring the less enthusiastic states on board."<sup>213</sup> The ICBL then called on the pro-ban states to "exclude the opposing states from dictating the terms of the ban convention or determining the speed in which it is negotiated."<sup>214</sup> Those states not supporting the Ottawa Process, either through the continued opposition to a ban or support for an alternative forum such as the CCW or CD, were isolated by the "self-selection" process developed by the ICBL and Canadians. As Axworthy's Special Advisor on Landmines, John English observed, "To prevent opponents derailing the conference ...organizers developed a process of 'self-selection' whereby a Final Declaration was circulated prior to the conference... [t]hose who could sign on were invited as participants: those who would not came as observers."<sup>215</sup> In order to combat state opposition to the process, the Canadians formed a group of core partners, including the ICBL and ICRC, "to rally support for the ban."<sup>216</sup> The self-selection process was

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<sup>213</sup> Quoted in ICBL Summary of Vienna Meeting, February 12-14, 1997 in *An Explosion Every Twenty Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, June 24-27, 1997, 5.

<sup>214</sup> Statement of the ICBL, Statement to the Expert Meeting on the Text of a Convention to Ban Antipersonnel Landmines, Vienna, Austria, February 12, 1997, in *An Explosion Every Twenty Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, June 24-27, 1997, 8.

<sup>215</sup> John English, "The Ottawa Process: Paths Followed, Paths Ahead," in *Australian Journal of International Affairs*, Volume 52, Number 2, 1998, 123.

<sup>216</sup> *Ibid.*, p. 123.

critical to speeding up the negotiations and ensuring the landmine ban movement's momentum toward attaining a treaty quickly.

Regular joint press conferences during the treaty drafting symbolized the unique partnership between NGOs and governments supporting the landmine ban. The ICBL held press conferences at the opening and closing of the Vienna treaty drafting conference. ICBL speakers were joined by governmental representatives from Austria, Belgium and Canada, as well as the ICRC, who called for international support for the landmine ban. This press conference lineup resembled that held at the end of the Ottawa Conference in October 1996, when Thomas Hajnoczi of the Austrian Foreign Ministry, Jill Sinclair of the Canadian Foreign Ministry, and Peter Herby of the ICRC, participated in the ICBL press conference.<sup>217</sup> Such a joint agreement compounded the legitimacy attached to their views and their legal position.

The Vienna-treaty drafting meeting was followed by the Bonn Seminar on Compliance from April 24-25, 1997, when the German government hosted a meeting of experts to discuss issues of verification and compliance measures in the draft treaty for a landmine convention. The Bonn meeting attracted 130 countries, or 19 more than in Vienna. This unexpected increase in governmental delegations illustrated that the treaty process was gathering support, and that governments perceived the desirability of becoming part of the process.

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<sup>217</sup> "Historic Meeting Discusses Elements of a Landmine Ban Treaty" and "Historic Conference to Ban Landmines Concludes Treaty Signing in December 1997 Seen as Likely," in *An Explosion Every Twenty*

In contrast to the treaty-drafting conferences hosted by governments, the ICBL planned their own NGO meetings, held in conjunction with the two drafting conferences in Brussels and Oslo. The ICBL also planned these meetings apart from the governmental treaty drafting conferences, so that the campaign could be expanded to more NGOs and more states might join the Ottawa Process. Following the Maputo Conference, ICBL member NGOs held meetings in Japan (March 6-7), Sweden (May 23-25), Australia (July 14-17), India (August 13-14, 1997), Turkmenistan (June 10-12) and Yemen (November). These meetings were planned and organized by national campaigns or NGOs from each host country. For example, the Swedish Conference was hosted by the Swedish UN Association, Swedish Save the Children, and the Christian Council of Sweden,<sup>218</sup> while the Japan Conference was organized by the Japanese Association to Aid Refugees. The major purpose of these conferences was to generate political will for the landmine ban in the host countries and/or region. At the Australia Conference, for example, eleven states participated in order to mobilize support for the Ottawa Process around Asia and the Pacific.<sup>219</sup>

The ICRC also hosted a series of 1997 meetings running up to the December treaty signing of the convention. The first ICRC meeting convened in April 1997 in Harare, Zimbabwe, when “military and foreign officials from all 12 southern African

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*Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, June 24-27, 1997, 7.

<sup>218</sup> Williams and Goose, 40.

<sup>219</sup> Participating countries include Afghanistan, Australia, Bangladesh, Fiji, Myanmar, Nepal, New Zealand, Philippines, Sri Lanka, Thailand, and Vietnam. *A Working Chronology of the International Movement to Ban Anti-Personnel (AP) Mines*, 40.

states” declared the region a mine-free zone, and for all states in the region to “immediately end all new deployments of AP mines, and commit to signing the ban treaty.”<sup>220</sup> Several months later the ICRC also convened a conference in Manila, from July 20-23, 1997. Similar to the Harare meeting, the ICRC invited military experts from 15 Asian countries “to examine the military utility of land mines in today’s world and possible scenarios in conflict.”<sup>221</sup> The main goals were to counter standard military arguments that landmines are necessary tools of warfare and to mobilize support for the ban among Asian governments. The conference’s conclusion was that landmines “have diminishing military utility and that their anti-humanitarian consequences far outweigh their military value.”<sup>222</sup>

Another seminal meeting was held from May 19-21, 1997, at Kempton Park, South Africa, hosted by the Organization of African Unity (OAU) and the South African Government. More than 41 African countries attended, making it one of the better attended non-annual OAU conferences in history. There was unanimous agreement among the governments to call on OAU members to ban landmines and establish Africa as a landmine-free zone.<sup>223</sup> By the end of the meeting, more than 25 African governments had committed themselves to signing the treaty.<sup>224</sup>

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<sup>220</sup> Williams and Goose, 39.

<sup>221</sup> Major General Dipankar Banerjess, AVSM, International Committee for the Red Cross, “*Military Utility of Anti-Personnel Land Mines.*”

<sup>222</sup> Ibid.

<sup>223</sup> Plan of Action of the First Continental Conference of African Experts on Landmines, “Landmines Free Africa: The OAU and the Legacy of Anti-Personnel Mines, Kempton Park, South Africa, May 21, 1997.

<sup>224</sup> Williams and Goose, 39.



As usual, the ICBL assured a prominent role during the conference proceedings. Jody Williams delivered a keynote speech along with Nobel Peace Prize Laureate Bishop Tutu, who spoke on behalf of the African Campaigns to Ban Landmines,<sup>225</sup> and South African Deputy President Mbeki, who expressed his “sincere appreciation to the NGOs that have for years fought hard to drive this issue to the forefront of world attention.”<sup>226</sup> On the last day of the OAU conference, six NGO representatives from the ICBL were asked to act as observers at the destruction of more than 5,000 landmines by South African Defense Minister Joe Modise at the Alkantpan testing range in the Northern Cape. Signaling the close cooperation between the ICBL and the South African Government, six ICBL representatives were taken by military transport plane on a three-hour flight to Alkantpan, where they witnessed the destruction of the landmines. Due to airplane mechanical problems, the return flight was delayed for more than five hours during which time the ICBL representatives and media were treated to an open bar at the local military officers club. It was at the club where Modise said that South Africa’s decision to ban landmines was greatly impacted by VVAF’s full page advertisement in the *New York Times*,<sup>227</sup> which was an open letter supporting a landmine ban to President

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<sup>225</sup> Conference Agenda, “Landmines Free Africa: The OAU and the Legacy of Anti-Personnel Mines, Kempton Park, South Africa, May 19-21, 1997.

<sup>226</sup> Statement of South African Deputy President Mbeki, at the opening session of the “Landmines Free Africa: The OAU and the Legacy of Anti-Personnel Mines Conference, Kempton Park, South Africa May 19-22, 1997

<sup>227</sup> “An Open Letter to President Clinton,” *New York Times*, April 3, 1996. In addition to General Schwarzkopf, signatories included General David Jones, former Chairman of the Joint Staffs, and General John R. Galvin, former Supreme Allied Commander of NATO.

Clinton signed by fifteen retired generals, including, General Norman Schwarzkopf, the U.S. commander in the Gulf War.<sup>228</sup>

During the conference, southern African NGOs, galvanized by recent government statements supporting the ban, launched an effort to prevent “double-dippers” from getting de-mining contracts. “Double-dippers” is a term that the South African Campaign to Ban Landmines (SACBL) used to refer to former mine-producing companies now making money from clearing mines. Penny McKenzie, of the SACBL, said that “de-mining contracts should go to humanitarian de-mining organizations...and not back into the arms industry.”<sup>229</sup> For the Kempton Park conference forward, double dipping became an issue of serious concern for donor governments and de-mining firms, who became more wary of relationships with past and current landmine producers.

States met in Brussels from June 24-27 to continue drafting the treaty. The ICBL hosted a concurrent conference while participating in the government conference. Momentum toward a ban became greatly accelerated when 97 states signed the Brussels Declaration, which affirmed the goal of finishing negotiations and signing a landmine ban treaty by December 1997, and encouraging all states to participate with them toward attaining such a treaty.<sup>230</sup> In effect, the Brussels Declaration signaled a commitment from 97 states to ban landmines and sign such a treaty in December. During this interim, a

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<sup>228</sup> Interview with South African Defense Minister Joe Modise, Alkantapan military testing range, Northern Cape Province, South Africa, May 21, 1997.

<sup>229</sup> South African Campaign to Ban Landmines, Press Release “African Campaigns Urge Governments to Ban Landmines,” May 19-21, 1997.

<sup>230</sup> Final Declaration for the Brussels Conference on anti-personnel landmines.

number of states joined the process, including France, Italy, Spain and the United Kingdom.

Another highlight for the ICBL was the increasing number of governments participating in the Ottawa Process and NGOs joining the ICBL at international conferences: 161 states and 125 NGO representatives from forty-five countries came to Brussels to participate in the discussions.<sup>231</sup> The ICBL took advantage of the international attention focused on the ban by hosting several outside activities during the conference. For example, HI organized a landmine survivor bicycle trip from Paris to Brussels, while several ICBL representatives and landmine survivors wore effigies of international political leaders such as Boris Yeltsin and Bill Clinton, who had refused to support the ban.

Again, the ICBL maintained a high profile during the governmental Conference. Jody Williams spoke at the opening plenary, where she asserted that the ICBL would not tolerate any loopholes in or weakening of a comprehensive landmine ban. The ICBL affirmed this commitment in a series of ten press releases during the four-day conference. The main focus of the press releases was to continue pressuring governments not to dilute the treaty or switch the discussions to the CD and CCW. The ICBL especially targeted the states' arguments: (1) Australia's claim that the CD was the preferred vehicle to negotiate a ban; (2) The United States's attempt to implement exceptions into the draft

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<sup>231</sup> ICBL Press Release, "No Exceptions, No Reservations, No Loopholes," June 24, 1997.

treaty, including exceptions for Korea; and (3) Iran's argument that landmines had a legitimate use in deterring drug traffickers.

The following month, HRW and VVAF disarmed military arguments that advocated continued landmine use. They released their report, *"In Its Own Words: The U.S. Army and Antipersonnel Mines in the Korean and Vietnam Wars,"* which revealed "dissent within the U.S. military about the utility of antipersonnel landmines dating back to at least the Korean War."<sup>232</sup> The timing was critical: In mid-1997, the Clinton administration was conducting an internal review of its landmine policy, in order to decide whether to join the Ottawa Process. The report proved very effective as an advocacy and media piece. It further pressured President Clinton's review of US landmine policy.

*"In Its Own Words"* effectively addressed two main reasons given by President Clinton why he could not sign the landmine ban treaty:

- 1) The Korea exception – The United States views the security situation on the Korean peninsula as a unique case and in the negotiation of this agreement will protect our right to use APL there until alternatives become available or the risk of aggression has been removed.<sup>233</sup>
- 2) Self-Destructing APL – The United States will reserve the option to use self-destructing/self-deactivating APL ...in military hostilities to safeguard American lives and hasten the end of fighting.<sup>234</sup>

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<sup>232</sup> Human Rights Watch and Vietnam Veterans of America Foundation press release, "Retired Generals Renew Call for Total Antipersonnel Mine Ban: Pentagon Documents Reveal Devastating Effect of U.S. Landmines in Korea and Vietnam," July 29, 1997.

<sup>233</sup> "U.S. Announces Anti-Personnel Landmine Policy," The White House, Office of the Press Secretary, May 16, 1996.

<sup>234</sup> Ibid.

The report questioned the reasoning of the administration and Pentagon, and concluded that “U.S. defensive minefields regularly ensnared their own men.”<sup>235</sup> During the Korean War, for example, the Surgeon General estimated that more U.S. military personnel were killed and maimed by American minefields than enemy minefields.<sup>236</sup>

The report also questioned the administration’s claim that continued use of self-destructing and self-deactivating APLs will serve U.S. security interests. One retired American military commander, former Marine Commandant General Alfred Gray, asserted in the report that “What the hell is the use of sowing all this [self-destructing/self-deactivating mines] if you’re going to move through it next week or month?”<sup>237</sup> Further confirmation of the military dissension on the landmine issue came from Timothy Connolly, a Gulf War veteran and former Principal Deputy Assistant of Secretary of Defense for Special Operation/Low Intensity Conflict. In e-mail communication with Human Rights Watch, he acknowledged that, while Secretary, military officers informed him that “they would never employ scatterables [self-destructing/self-deactivating mines] in their area of operations, even if those scatterables were designed to self-destruct after a short period of time. Why? They were simply not prepared to risk the lives of their soldiers on the promise that the technology would work

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<sup>235</sup> “*In Its Own Words: The U.S. Army and Antipersonnel Mines in the Korean and Vietnam Wars.*” Human Rights Watch Arms Project and Vietnam Veterans of America Foundation, July 1997, 7.

<sup>236</sup> *Ibid.*, p. 6.

<sup>237</sup> Quoted in *Ibid.*, 11.

as designed.”<sup>238</sup> The report concluded that these mines actually hindered, rather than helped, U.S. forces as they attacked Iraqi forces during the 1991 Gulf War: “U.S. troops stormed Iraqi defenses so rapidly that they inadvertently penetrated their own “live” minefields.”<sup>239</sup> A central question thus was rightly asked: How much military utility is derived from a weapon that threatens the welfare of US military forces to nearly the same degree as an enemy?

The final ban-landmine treaty-drafting conference took place in Oslo in early September 1997. Officially called the NGO Forum on Landmines, NGOs convened only for three days, from September 7-10, through the diplomatic conference lasted three weeks from September 1-19, 1997. The Oslo conference was “called an ‘International Total Ban on Anti-Personnel Land Mines,’ and it adopted the text that was formally signed in Ottawa in December.”<sup>240</sup> The Oslo Diplomatic Conference marked that first time that NGOs received official status in international negotiations preparing a disarmament, arms control, or humanitarian law treaty.<sup>241</sup> The opening of the NGO Forum included not only governmental representatives, but also the ICBL leaders. The Forum attracted more than 225 representatives from more than 130 NGOs; the Diplomatic Conference attracted 87 governments.

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<sup>238</sup> Quoted in *Ibid.*, 11.

<sup>239</sup> *Ibid.*, 12.

<sup>240</sup> Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, “To Walk Without Fear,” in Cameron, et. al 6.

<sup>241</sup> Williams and Goose, 43.

The Oslo NGO Forum and Diplomatic Conference came on the heels of an emotional week of outpouring for the death of Diana, Princess of Wales, who was killed in a car wreck in Paris on August 31, 1997. Her funeral service the following week was beamed by the media around the world, while more than seven million people lined the downtown London funeral procession route. The international shock and attention generated by her death galvanized an international public and media into focusing on the landmine issue, specifically, on the Oslo Conference that started one day after her funeral. At the first session of the conference, the Foreign Minister of Norway, Bjoern Tore Godal, told the audience that, "We shall spare no effort...to achieve the goals she set for herself."<sup>242</sup> In a newspaper interview, Senator Leahy opined that while Princess Diana was alive, "She made major changes in landmine policy and I think in death she will continue to,"<sup>243</sup> while in his speech to the Oslo Forum he asserted that, "Because of what she did and because of her death, the whole world is watching what we do here."<sup>244</sup> Several months later, at the treaty signing ceremony in Ottawa, the Minister of Foreign Affairs for South Africa, A.B. Nzo, noted that broad international support for the treaty in such a short time period is nothing short of a miracle, and that in this regard, he wished "to honour and to pay a special tribute to the late Princess Diana for her work in focusing

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<sup>242</sup> Quoted in Jack Kelly and William M. Welch, "Death could be impetus for land mine ban," *USA Today*, September 2, 1997, 20A.

<sup>243</sup> Ibid..

<sup>244</sup> Statement of Senator Patrick Leahy, "Seize this Moment," to the NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997, p. 17.

attention on the disastrous effects of landmines.”<sup>245</sup> There is no question that the treaty signed in Ottawa was the handmaiden of Princess Diana’s work.

Major international media also highlighted the increased pressure on states to support an immediate ban in the wake of Princess Diana’s death. One leading international newspaper ran an editorial the first week of the Oslo Conference that called upon states for “the eradication of land mines and help for their victims” as the best way to memorialize her life.<sup>246</sup> Furthermore, “The public’s heightened awareness of Diana’s commitment to help land mine victims – a commitment that included visits to such scenes of carnage as Angola and Bosnia – should give the proposed ban momentum.”<sup>247</sup> *USA Today* forecast that “Princess Diana’s death may ultimately achieve what she had fought for much of her adult life: new limits or even a global ban on land mines.”<sup>248</sup> That prediction proved right on the mark.

It is important to realize the depth of Princess Diana’s commitment to the landmine ban campaign. In January 1997, Princess Diana visited Angola as a guest of the British Red Cross, which operating a prosthetic clinic for amputees, many who were landmine victims. She went to Angola “with the desire of drawing world attention to this vital, but hitherto largely neglected issue... [and to support those] striving in the name of

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<sup>245</sup> Statement of A.B. Nzo, Minister of Foreign Affairs of the Republic of South Africa, at the Ottawa Convention signing Ceremony, Ottawa, Canada, December 3, 1997.

<sup>246</sup> “The Land Mine Cause,” *Christian Science Monitor*, September 8, 1997, 20.

<sup>247</sup> *Ibid.*, 20.

<sup>248</sup> Kelly and Welch, 20A.



humanity to secure an international ban on these weapons.”<sup>249</sup> Eight months later, from August 8 to the 10, she traveled to Bosnia to visit landmine victims. It would be the last working week of her life, and a prominent reason why her death magnified the effect on the Oslo conference negotiations.

Her Bosnian hosts were two American landmine survivors, the present author and Jerry White, who had founded the fledgling Landmine Survivors Network (LSN). The purpose of her trip was to highlight the plight of landmine victims and the need for increased resources for landmine survivors. She toured the back roads of Bosnia in a white minivan, going from house-to-house to meet with landmine survivors. We believed that focusing her visit on victims would lend strength to their arguments to incorporate victim assistance into the treaty. While such assistance was eventually incorporated into the treaty, it was still in doubt in the summer of 1997. Her visits to mine victims in Angola and Bosnia stiffened her resolve to ensure that landmine victim assistance be included in the final treaty framework.

Princess Diana’s call for victim assistance dove-tailed neatly with LSN’s mission to help landmine survivors rehabilitate themselves. Both this author and White were devoted to helping rehabilitate the growing numbers of landmine victims worldwide. White had lost his right leg below the knee during his junior year at Brown University while studying abroad in Israel in 1984, while I had lost both legs on a humanitarian

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<sup>249</sup> Statement of Diana, Princess of Wales to the “Responding to Landmines: A Modern Tragedy and its Solutions,” Seminar hosted by the Mines Advisory Group and Landmine Survivors Network at the Royal Geographical Society, London, England, June 12, 1997.

mission in Somalia in 1993. We were resolved to provide support and assistance to other survivors, while at the same time calling for an immediate ban on landmines worldwide.

Princess Diana's visits with NGOs such as the British Red Cross and LSN in Angola and Bosnia highlighted for the world the humanitarian character of the ban movement. She helped to redirect the landmine ban discourse from a debate premised on weapons' utility and restrictions to one concerned with protecting people from landmines, helping victims and removing mines from the ground. According to Bobby Mueller, "We should not underestimate the power that her personality had on this issue.....[her death had] put the issue before the world public as few other events had on this issue."<sup>250</sup> In sum, the beauty of Princess Diana, and her tragic death, cast an international spotlight on the horror and suffering inflicted by this terrible weapon on innocent people.

Due to their observer status during the Oslo negotiations, ICBL members were able to observe and participate in the convention drafting negotiations. Two major ICBL interventions concerned anti-handling devices for anti-vehicle and tank mines, and landmines that could be retained for training purposes by states party to the convention. Confronted with prospect of a semantic discussion over booby traps at the Oslo Conference, NGOs and their pro-ban government supporters "wisely opted for distinctions based on the capability of weapons rather than text-book definitions."<sup>251</sup>

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<sup>250</sup> Robert O. Mueller, "New Partnerships for a New World Order: NGOs, State Actors, and International Law in the Post-Cold War World," *Hofstra Law Review*, Fall 1998, 1.  
<http://web.lexis.nexis.com/univers...ae68bc5b69828b8cc037e6&taggedDoca> October 13, 1999.

<sup>251</sup> Colin King, *Legislation and the Landmine*, Jane's Intelligence Review, Special Report No. 16, November 1997, 19.

Symbols were also important during the conference proceedings. Outside the Oslo government negotiating hall, one ICBL NGO, Norwegian People's Aid (NPA), provided public de-mining demonstrations to highlight for the media and government delegates the difficulty of taking landmines out of the ground. At the conference closing, Canadian Foreign Minister Axworthy acknowledged that the ICBL's concerns could not be taken for granted by governments negotiating the final convention. In his address to the NGO Forum, he declared that

Clearly, one can no longer relegate NGOs to simple advisory or advocacy roles in this process. They are now part of the way decisions have to be made. They have been the voice saying that governments belong to the people, and must respond to the people's hopes, demands and ideals.<sup>252</sup>

By the end of its forum, the ICBL had developed a detailed action plan for the three months leading up to the treaty signing in Ottawa in December. The ICBL submitted their action plan to the Government Diplomatic Conference on September 18, to make government delegations aware of ICBL activities. The action plan's first goal focused on securing signatures from governments to the treaty, by encouraging national campaigns and NGOs to perform six tasks over the next three months<sup>253</sup>

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<sup>252</sup> Statement of Canadian Minister of Foreign Affairs, Lloyd Axworthy, at the Oslo NGO Forum, Oslo, Norway, September 7, 1997 in the *ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 67.

<sup>253</sup> The following six tasks are listed in "Entry Into Force Before the Year 2000, ICBL Action Plan for the Ratification, Implementation, Monitoring and Universalization of the International Treaty Banning Antipersonnel Landmines and for the Eradication of the Weapon, and Assistance to Mine Victims," Presented to the Oslo Diplomatic Conference, September 18, 1997, described in *the ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 62.

1. National Campaigns based in countries that were part of the Ottawa Process negotiations should request meetings with their governments “to discuss plans for signature to the treaty and national implementation measures;”
2. Those governments that endorsed the Brussels Declaration but did not sign the treaty will be targeted by the ICBL;
3. National Campaigns based in non-participating countries should request meetings with their governments to lobby for treaty signing in Ottawa in December.
4. Neighboring national campaigns will take ban landmine activities and lobbying to those countries that do not have national campaigns;
5. ICBL representatives will meet with state delegations at the UN in New York “to discuss signature and implementation of the treaty;”
6. National Campaigns will push for landmine and demining assistance in all meetings with governmental delegations.

The ICBL Action Plan concluded by outlining the post-treaty signing strategies into three categories: Ratification, Implementation/Monitoring and Universalization.<sup>254</sup>

While these strategies are beyond the scope of this analysis, it is important to note that the ICBL was already gearing up to produce with momentum that would ensure the treaty would enter into force, that it would be global, and that governments would implement its provisions.

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<sup>254</sup> “Entry Into Force Before the Year 2000, ICBL Action Plan for the Ratification, Implementation, Monitoring and Universalization of the International Treaty Banning Antipersonnel Landmines and for the Eradication of the Weapon, and Assistance to Mine Victims,” Presented to the Oslo Diplomatic Conference, September 18, 1997, described in *the ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 62-64.

The ICBL's already-strengthened prestige in the international community was ennobled on October 10, 1997 by the Norwegian Nobel Committee's announcement that the 1997 Nobel Peace Prize was being awarded to the "ICBL and to the campaign's coordinator Jody Williams for their work for the banning and clearing of anti-personnel mines."<sup>255</sup> In announcing the award, the Committee recognized the NGO coalition that the ICBL and Williams had brought together and leveraged into a "broad wave of popular commitment in an unprecedented way."<sup>256</sup> Williams was mentioned in the award because, according to the Chairman of the Nobel Prize Research Committee "in many cases, people like to have a human face to connect to,"<sup>257</sup> and she was the personality most recognizable for the ICBL, as she had traveled internationally essentially non-stop campaigning for a ban since 1995. The committee factored in two variables in its consideration of awarding the Peace Prize to the ICBL. First, there was the success of bringing the utopian idea of a ban to the international political arena, and turning it into a legal reality with remarkable speed. Second, the ICBL model of networking worldwide among a range of actors to achieve the treaty provided a new model of diplomatic efforts between governments and NGOs working together to attain a like minded legal objective.

On December 10, 1997, the ICBL and Williams received the Nobel Peace Prize in Oslo. Accepting the prize on behalf of the ICBL were Rae McGrath of MAG and Tun

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<sup>255</sup> The Nobel Peace Prize for 1997 official announcement, The Norwegian Nobel Institute, October 10, 1997 [www.nobel.se/announcement-97/peace97.html](http://www.nobel.se/announcement-97/peace97.html) December 2, 1997.

<sup>256</sup> [www.nobel.se/announcement-97/peace97.html](http://www.nobel.se/announcement-97/peace97.html) December 2, 1997.

<sup>257</sup> Tyler Marshall, "Nobel Prize Sets Off a Land Mine," Los Angeles Times, February 6, 1998, [www.latimes.com:80/HOME/NEWS/NATION/t000012123.html](http://www.latimes.com:80/HOME/NEWS/NATION/t000012123.html).

Channareth, a Cambodian landmine survivor who had figured prominently in speaking at landmine conferences and events around the world. McGrath and Channareth had been selected to receive the award by the ICBL Steering Committee in a meeting held in Paris after the Nobel Peace Prize announcement. In her acceptance speech, Jody Williams recounted the ICBL's history and how the international community became engaged with the landmine ban issue. The theme of her speech stressed how the ICBL working model can allow "all of us" to work together to change international politics. She has continued the same theme in subsequent years. For example, in Santa Barbara, California in April 1998, Williams was given another award – the 1998 Distinguished Peace Leadership Award by the Nuclear Peace Age Foundation – and acknowledged that the recognition she received from the Nobel Prize belongs to everyone: "It is no one individual that made this happen. It's not one of us, it's all of us. Together we are a superpower – a new definition of superpower – all of us. Together we can rid the world of landmines."<sup>258</sup>

The award of the Nobel Peace Prize provided the ICBL and Williams with added international prestige and power to pressure governments. Upon receiving the prize, Williams averred that the Nobel Committee's recognition of the ICBL's efforts made it "abundantly clear to all the governments that refuse to sign the mine ban treaty in December are on the wrong side of history."<sup>259</sup> Japan, who had been a strong opponent of the Ottawa Convention, announced after the Nobel award that they would conduct a

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<sup>258</sup> Leorrained Wilson, "Warm reception for Jody Williams," *Santa Barbara News-Press*, April 19, 1998, D6.

<sup>259</sup> Quoted in "Mine Campaign Wins Nobel Peace Prize!," ICBL Press Release, October 10, 1997.

review of Japanese landmine policy in the hope of signing the ban in Ottawa in December. In making this announcement, Foreign Minister Keizo Obuchi “mentioned the Peace Prize had given new and added weight to the issue.”<sup>260</sup>

In the lead up to the Mine Ban Convention in early December, the ICBL marshaled its energy into further pressuring governments and encouraging a large NGO turnout for the conference. Urgent fundraising efforts were launched to bring landmine survivors to Ottawa, run the conference ICBL office, pay for public relations and support public events surrounding the conference activities. After the official conference, the ICBL also planned an NGO forum from December 6-7 to coordinate future NGO work based on the convention signing results and develop further ICBL strategies to encourage universalization of the treaty outlined at the September Oslo NGO Forum.

A celebratory mood characterized the Government Conference Centre in Ottawa, as more than 1,848 governmental delegates and NGO representatives poured in to sign or applaud the treaty signing.<sup>261</sup> The diverse delegate profile illustrates the truly international network that developed to ban landmines (see Table 4-2). The festive party atmosphere had been fostered by several comments announcing support for the ban in the days leading up to the convention, and the participation of previously disinterested states, such as Israel, Jordan and Syria, in the proceedings.<sup>262</sup>

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<sup>260</sup> Williams and Goose, p. 46.

<sup>261</sup> Conference Aggregate Report, December 4, 1997.

<sup>262</sup> For example, the day before the conference opening on December 2, 1997, Venezuela announced that it would sign, while during the previous week, Japan and Poland announced they would sign.

*Table 4-2: Profile of States Delegates<sup>263</sup>*

<b>NUMBER OF STATES SIGNING</b>	<b>125</b>
Number of Observing Nations	27
<b>Number of Delegates</b>	<b>1848</b>
National Governments	817
NGO	538
Other	493
<b>Number of Delegations</b>	<b>433</b>
National Governments	180
NGO	221
Other	32

*Source: Conference Aggregate Report, December 4, 1997*

The conference opened on December 3, 1997 with speeches by Canadian Foreign Minister Axworthy, Canadian Prime Minister Chretien, UN Secretary-General Kofi Annan, ICRC President Cornelio Sommaruga and Jody Williams. Every speaker credited the ICBL for the convention's achievement. Chretien recognized the work of Williams, Annan highlighted the ICBL's power in mobilizing public opinion and governments, and Sommaruga – not mentioning the ICBL by name – said that civil society's voice was so strong that governments had to listen. In a comment directed to the ICBL, Annan observed that "You have led the global grass-roots movement that carried us all to this place and time."<sup>264</sup> Williams recounted a chronological perspective of the ICBL's history and influence, and ended her address with a call for everyone to join in and become a superpower, as the conference hall audience rose to its feet and gave her a standing

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<sup>263</sup> Conference Aggregate Report, December 4, 1997.



ovation. International leaders and audience member delegations recognized that what the ICBL had accomplished was astonishing. According to the *1997 United Nations Disarmament Yearbook*, the landmine treaty was not only “remarkable because of its speed – approximately 14 months – but also because of the motivation of the principal players and the negotiating procedures they followed.”<sup>265</sup> Such accolades personified the hard work, political skill, and personal dedication required for negotiating such a global legal enterprise.

Subsequent to the opening speeches, the treaty was opened for signature. First, Canada, Norway and South Africa signed in front of the diplomatic audience. The signing process continued in separate rooms throughout the Government Conference Centre. As with past conferences, the ICBL organized an NGO forum to discuss issues and future strategies. The forum included meetings to discuss legal issues, non-state actors, resources for mine action and regional action plans. Included in the ICBL action plan was its immediate priority to secure the 40 ratifications needed for the convention to enter into force. Other important goals were promoting universalization of the Convention, working cooperatively with governments to monitor implementation and compliance with the agreement, and increasing international resources for victim

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<sup>264</sup> United Nations Secretary General Kofi Annan upon the occasion of the Ottawa Treaty signing, United Nations Department of Information, SG/SM/633B, DC/2591, September 26, 1997.

<sup>265</sup> *The United Nations Disarmament Yearbook*, Volume 22: 1997, (United Nations Publications: United States, 1998) 107.

assistance and de-mining programs.<sup>266</sup> It was also decided that the next ICBL meeting would convene in Frankfurt, Germany, in February 1998 to further develop ICBL strategy and possibly re-organize the ICBL in light of the convention being signed.

Importantly, signing of the convention did not signal closure for the ICBL on the landmine issue. Rather, it renewed the NGOs commitment to ban landmines by holding governments accountable to their convention pledges by encouraging quick ratifications and by pressuring non-signatory states to sign and ratify. NGO participation in drafting the treaty, while simultaneously rallying public and governmental support for it, proved invaluable to treaty's success. In return, the ICBL was welcomed to participate in the convention's implementation, as they were seen as critical to mobilizing public opinion.

## I. Summary of the NGO Networking Role

Not only were the founding ICBL members expert in the landmine issue, but they acted as a coordinated lobbying group to recruit more NGOs to join the campaign and states to ban landmines. These NGOs were able to leverage the global reach of the ICBL membership to target specific governments and regions to build political will for the ban. As discussed above, a similar strategy was used by ecological scientists to “encourage their own countries to take more active roles” in protecting the Mediterranean Sea

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<sup>266</sup> “Mine Ban Campaign Praises Treaty, Challenges Governments to Ratify Now,” ICBL Press Release, December 1, 1997.

environment.<sup>267</sup> While these scientists lobbied diplomatic and expert opinion for more favorable environmental policies, the advocacy and research work of the ICBL landmine experts – especially HRW, MAG and VVAF – helped marshal professional expert military opinion to counter military reasoning for opposing the ban. By incorporating innovative research and analysis into their publications, NGOs were better able to mobilize opinion that defeated military arguments for retaining landmines. Several NGO publications became seminal publications in the landmine debate as they provided important new landmine information and analysis (See Table 4-3).

*Table 4- 3: Seminal NGO Research Publications*

<b>Date and Report</b>	<b>NGO(s)</b>	<b>Expertise/New Information</b>
1991 – The Coward’s War	HI, HRW, MAG, PHR	First study on the humanitarian impact of landmines on a specific country – Cambodia.
1993 – Deadly Legacy	HRW and PHR	First survey of mine exporters and users, and detailed legal arguments why landmines should be banned.
1995 – After the Guns Fall Silent	VVAF	First global assessment of the social and economic impact of antipersonnel weapons on developing nations that have been torn apart by war
1997 – Landmine Producers and Exporters	HRW	First detailed account of names of exporters and producers of landmines in the United States.

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<sup>267</sup> Peter Haas, 132.

The ICBL's networking focus was aimed to increase support for a landmine ban from all international actors in as many world, regional and private forums as possible. Its resultant actions inspired governments, the ICRC, and the United Nations to take assertive action toward a ban. This effort was reinforced by ICBL's tenacious and successful recruiting efforts that broadened its membership base, which, in turn, increased its power and allowed it to organize many diverse NGOs under the landmine ban policy umbrella. The campaign dramatically increased its membership and geographical representation every year until the signing of the Ottawa Treaty (See Table 4-4).

Since the landmine issue affected many sectors of society (e.g., doctors caring for survivors, international humanitarian lawyers concerned with indiscriminate weapons development and workers concerned with rehabilitating post-conflict societies) it was important to incorporate that energy into a single message. The challenge for the ICBL leadership in recruiting NGOs to the campaign was placing their various interests on "very fertile ground for development of a broad-based coalition."<sup>268</sup> That ICBL "had excellent leadership which continually worked to broaden the base of support"<sup>269</sup> clearly facilitated coalition-building as a process worldwide.

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<sup>268</sup> Ibid., 86.

<sup>269</sup> Ibid., 86.

*Table 4-4: Progressive Expansion of the ICBL*

<b>Date and Conference Location</b>	<b>Number of NGOs and States</b>
May 1993 London <sup>270</sup>	40-70
March 16/17 1995 Rome <sup>271</sup>	250
June 1995 Cambodia <sup>272</sup>	350 from 20+ States
October 13, 1995 Vienna <sup>273</sup>	350 – 25
April 22, 1996 Geneva <sup>274</sup>	450
October 1996 Ottawa <sup>275</sup>	650 from 36+ States
June 24, 1997 Brussels <sup>276</sup>	1,000 from 50 States
October 1997 Ottawa <sup>277</sup>	1093 from 63+ States
March 1999 EIF <sup>278</sup>	1,300 from 80+ States

A wider membership helped to alleviate the effects of special interest group problems that would lead to serving narrow interests, such as overcoming the division between northern and southern NGOs. It also made the campaign less dependent on individual donors. Lastly, it allowed the campaign to assure some pro-ban governments that it would assist in monitoring the Convention once it entered into force.

<sup>270</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

<sup>271</sup> ICBL Landmines Campaign Rome Meeting Summary Points, March 16/17, 1995.

<sup>272</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

<sup>273</sup> Statement of Carl von Essen, Closing Plenary Speech, on behalf of the ICBL, CCW Review Conference, Vienna, October 13, 1995.

<sup>274</sup> Statement of Jody Williams, VVAF, representing the ICBL to the Opening Plenary Session, Review Conference of the CCW, Geneva, Switzerland, April 22, 1996.

<sup>275</sup> Statement of Chris Moon, ICBL Presentation to the Opening Session of the Ottawa Conference, October 3, 1996.

<sup>276</sup> Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, to the Brussels Conference on Antipersonnel landmines, June 24, 1997.

<sup>277</sup> ICBL, “Organizations Working to Ban Landmines,” December 1997 Listing.

<sup>278</sup> Statement of Susan Walker, ICBL Co-Coordinator, at the “Ceremony to mark Entry into Force of the Mine Ban Convention” held at the United Nations, Geneva, Switzerland, March 1, 1999.

In short, the NGOs organized themselves at the sub-state level, thereby permitting them to network with states and international organizations. But their effort did not result in establishing an institutional structure. Rather, it networked the NGOs into local and international positions of prominence to garner support for the landmine ban. The ICBL was able to attract the public and media attention because their events concerned poignant human interest stories, against a military and political backdrop. Moreover, the landmine victims and the landmine itself provided visual stimulation for the media, public and policymakers. Such direct non-violent practices, initiated earlier by Mahatma Ghandi and Martin Luther King, were perfected by the environmental NGO Greenpeace to accommodate and use the media as a vehicle for public action. According to Paul Wapner, one reason that Greenpeace has been so successful is that its actions, such as “climbing aboard whaling ships, parachuting from the top of smokestacks, plugging up industrial discharge pipes, and floating a hot-air balloon into a nuclear test site...create images that can be broadcasted through the media to spark interest and concern of the largest audience.”<sup>279</sup> These experiences and the public attention they generated were not lost on the ICBL planners.

The spreading of the landmine issue from NGO landmine experts to NGO non-expert parties signified that the message was being heard. The incorporation of non-landmine experts, such as religious organizations, professional associations and civic-minded grassroots groups, showed how the ban landmine issue entered into contemporary

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<sup>279</sup> Wapner, 51.

international discourse and politics. While the issue originated at the expert, epistemic community level, it was spread by non-experts to the community as a whole, and eventually the issue became part of normal everyday discourse in the international political arena. This broader base of support, moreover, gave the ICBL a stronger sense of legitimacy, both in the public eye and to government policy makers

The core group of pro-ban states, led by Canada, made a conscious decision early on “for the complete integration of the ICBL” into the treaty negotiations.<sup>280</sup> The decision by the core states to incorporate the ICBL into the negotiating process is unprecedented for any arms control agreement. The ICBL was also included in the process because of its ability to mobilize public opinion and the media. States wanted to take advantage of the ICBL’s technical expertise to develop the treaty, but also to combat opposition from major states, such as the United States and China, and their attempts to delay and/or derail the treaty process. In sum, the ICBL brought together a range of NGOs to bring pressure on UN members, landmine producers and the military and individual governments.

Understanding the lobbying role of the NGO landmine epistemic community is important in explaining why the international community supported a landmine ban. These experts initiated and encouraged international organizations and states to discuss the issue. NGO experts were instrumental in networking among a range of international actors, such as the United Nations and state leaders, in building international momentum

toward a landmine ban. When reputable NGOs, such as HRW, HI and the ICRC, join with international organizations, such as the UN, to ban landmines, people “recognize that the integrity of this issue and the reputations of these organizations and agencies standing behind this together are going to give us [NGOs] the ability” to bring the ban landmine message to prominent sectors of the international community.<sup>281</sup>

The ICBL leadership capitalized on the strengths of its multi-national and multi-sectoral membership in order to leverage its influence. One way they accomplished this was by lobbying for speaking slots at international conferences and positions at the negotiating table, as well as by directly accessing the media and public. The result was a socialization process in changing international perception toward landmine use. It was also able to work in a productive and collegial manner with pro-landmine states, while at the same time actively and aggressively confronting anti-ban states behind closed doors and in public.

NGO networking shows how the two key stages of its involvement in developing an international treaty banning landmines. Networking helped NGOs initiate the landmine ban issue and develop the Mine Ban Treaty through its ability to provide information and analysis. The second stage of networking entailed recruiting other NGOs to the campaign, which in turn helped pressure states to join the Ottawa Process and eventually sign the Mine Ban Treaty. These stages also represent the agency process in

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<sup>280</sup> Robert J. Lawson, Mark Gwozdecky, Jill Sinclair, and Ralph Lysyshyn, “The Ottawa Process and the International Movement to Ban Anti-Personnel Mines,” in Cameron, et al, 161.



international relations that constructivism has been debating. This chapter shows that networking helped NGO information and recruiting stages, which in turn helped change the process toward creating an international landmine ban norm. Finally, the presentation of the two-stage process shows how NGOs can affect the international structure.

This chapter sought to demonstrate how the NGO expert's ability to network among a range of international actors helped achieve success. Specifically examined were the ways and means NGOs constructed and subsequently coordinated a global partnership of international actors. Theoretically, this chapter reveals how a group of NGO experts were able to educate certain governments to perceive at landmines in a certain way, which, in turn, resulted in coalescing an international movement toward a ban. While some NGOs feared "being co-opted by governments and their goals compromised if they work too closely with government representatives,"<sup>282</sup> they saw a need to work with state partners in marshalling the landmine ban issue through the international diplomatic and legal process. State multilateral conferences, such as the CCW sessions in Vienna and Geneva, the Ottawa Process meetings, and the OAU meeting in Kempton Park, "helped spur the dramatic growth of the campaign's membership."<sup>283</sup> In the wake of these conferences, the ICBL landmine expert NGOs, such as VVAF, HRW and HI, proceeded with a "clear sense of forward movement

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<sup>281</sup> Statement by Robert Mueller, Executive Director, Vietnam Veterans of America Foundation, to the Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994.

<sup>282</sup> JoAnn Fagot Aviel, "NGOs and International Affairs: A New Dimension of Diplomacy," *Multilateral Diplomacy and the United Nations Today* (Westview Press: Boulder, 1999) p. 161.

<sup>283</sup> Williams and Goose, 25.

articulated thorough ICBL ‘action plans.’”<sup>284</sup> Taken in train, the NGO coalition was able to mobilize, articulate, and implement strategies into international legal commitments.

Nevertheless, the epistemic community concept does not go far enough in explaining the ICBL formation and success and it becomes necessary to link it with the advocacy network approach. While the ICBL was initially created by a group of NGO experts and provided expert information to states, it differs from an epistemic community. The epistemic community notion cannot adequately explain how and why NGOs that were not experts in the landmine issue, or unaffected by landmine use, joined the ICBL and became such active participants. The broadening and expansion of the ICBL’s membership provided the coalition more legitimacy and “power” in terms of its relationship with other actors, including states.

The ICBL’s success in achieving the ban is explained by the behavior and influence of the landmine expert NGOs, though it cannot explain why non-expert NGOs would join its cause. The networking skills of the ICBL landmine experts, such as HRW and VVAF, helped propel international momentum toward a ban landmine norm by transforming the issue into a concern for various NGOs and governments, especially Canada. By attracting other NGOs to its campaign, the ICBL landmine experts created a nearly universal movement, thereby strengthening its power and sustaining international political momentum toward attainment of a comprehensive ban. The confluence of

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<sup>284</sup> Ibid., 25.

landmine expert NGOs with a broadened NGO membership enabled the NGOs to cooperate more effectively in pushing for a ban.

The next two chapters will explain factors that enhanced the ICBL's ability to persuade states to ban landmines. Chapter 5 will address how communications technologies facilitated the construction of the ICBL into a nearly universal NGO coalition, and the way they helped it disseminate information to states and other NGOs. Chapter 4 assesses the specific ICBL lobbying strategies that helped accelerate the landmine treaty's development, including a clear prohibition against mine use.



**NGOS AND THE INTERNATIONAL BAN  
ON ANTI-PERSONNEL LANDMINES**

**Volume Two Of Two**

**A Dissertation  
Submitted to the Faculty of the  
Graduate School of Arts and Sciences  
of Georgetown University  
in partial fulfillment of the requirements for the  
degree of  
Doctor of Philosophy  
in Government**

**By**

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**Washington, D.C.  
June 14, 2000**

*T. Rutherford #25, Pt. 2*

## **CHAPTER FIVE: NGOS AND THE ROLE OF INTERNET BASED INFORMATION TECHNOLOGIES**

*“The involvement of civil society and the information technology revolution are the foundations on which a profound democratization of international politics is being built.”*

Statement by Lloyd Axworthy, Canadian Foreign Minister, to the NGO Forum on Banning Anti-Personnel Landmines, Oslo, Norway, September 7, 1997.

### **A. Introduction**

For many governmental decision-makers and media, ICBL experts were the only sources of landmine information since they were the only people addressing the mine problem in the early 1990s. The ICBL experts' ability to control and disseminate information increased their negotiating power with states. Since landmines kill and maim people one by one or in small groups, while weapons of mass destruction grab more attention, the landmine issue did not appear on the government decision-makers' agenda. Most landmine accidents take place in rural areas, and after wars end, which further distances landmines from governments.

The NGO expert use of Internet-based information technology, specifically E-mail, faxes, and to a lesser extent web sites, helped the ICBL educate and influence the international community, as well as build a large NGO transnational movement.

International political commentators have claimed that NGOs proliferated in recent years because of “the revolution in information and communications technology.”<sup>1</sup> They point out that new developments in telecommunications undermine governmental authority by reducing its monopoly on information, which thereby increased the importance of NGOs for “for focus and direction, drafting, and implementation of declarations, platforms, and treaties on crucial international issues, including human rights, the environment, and the proliferation of land mines.”<sup>2</sup> The potential implications are that these technologies allow NGOs power in shaping issues traditionally monopolized by governments. A noted international scholar, Virginia Haufler, comments that “increasing technological interdependence....make[s] it more and more difficult for states to control their environment.”<sup>3</sup> This became a critical asset for the NGOs in the landmine ban campaign.

In this chapter, I examine how the ICBL utilized information technologies for external lobbying activities to promote the landmine ban to the international community, and in their internal activities to construct and maintain the organization. The chapter is

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<sup>1</sup> Statement by Richard H. Stanley, President, Stanley Foundation, at the Opening of “The United Nations and Civil Society: The Role of NGOs,” 30<sup>th</sup> United Nations Conference, February 19, 1999. Quoted in *The United Nations and Civil Society: The Role of NGOs: 30<sup>th</sup> United Nations Issues Conference 1999* (Muscatine, Iowa: Stanley Foundation, 1999) 7.

<sup>2</sup> Richard Reitano and Caleb Elfenbein, “Diplomacy in the Twenty-First Century: Civil Society Versus the State,” in James P. Muldoon, Jr., JoAnn Fagot Aviel, Richard Retiano, and Earl Sullivan, eds., *Multilateral Diplomacy and the United Nations Today* (Boulder: Westview Press, 1999) 234.

<sup>3</sup> Virginia Haufler, “International Regimes and Non-State Actors,” 99.

organized in two sections based on how NGOs used E-mail and web sites (see Table 5-1). The chapter's first section addresses the ICBL experts' use of information technologies in educating states about the landmine issue, principally with subject to: (1) the ability to quickly gather, analyse and disseminate landmine information; (2) using the media as a dissemination avenue; and (3) increasing communication opportunities with states. The experts' use of Internet-based technologies allowed NGOs to educate quickly and influence governmental decisionmakers early and often in their foreign policy decision-making channels. At the broader level, this portends new avenues by which informational technologies can be used to influence foreign policymaking.

The second section explains how ICBL members used Internet-based information technologies to socialize other NGOs to the landmine issue. Specifically, it reveals how they used these technologies to communicate and coordinate among themselves and construct a transnational virtual organization. Internet-based information technologies were used in three ways: (1) coordinating information and strategy among themselves; (2) reducing coalitional building costs, especially in terms of attracting southern NGOs; and (3) allowing NGOs to speak with a collective voice.

These two sections refer to the information and recruiting state of the ICBL. They represent different stages of NGOs initiation of the landmine ban issue and development of the Mine Ban Treaty on the international agenda. They also represent the agency and process in international relations that constructivism has been debating. What this chapter shows is how the information technologies affected the NGO information and



recruiting stages, which in turn helped change the process toward creating an international landmine ban norm. Finally, the presentation of the two-stage process shows how NGOs (or agents) can affect the international structure by relating it to the constructivist idea of the role of agency in international relations.

*Table 5-1: Dissertation Theoretical Model and ICBL's Uses for Information Technologies*

<b>Constructivist Assumption</b>	<b>Information Stage</b>	<b>Recruiting Stage</b>
NGOs circumvent inter-state relations and the state itself in advancing the landmine ban issue.	<b>External Uses -- Epistemic Community Understanding</b> NGO experts generating the issue with causal explanations and detailed information regarding the landmine problem.	<b>Internal Uses -- Activist Campaign Understanding</b> NGO Landmine EC initiating the landmine ban movement as the solution to the problems caused by landmines. Socializing other NGOs to view landmine use as illegal and to take action.
<b>Information Technology Use</b>	Using E-mail and web sites to attract attention and educate other international actors	Using E-mail and web sites to coordinate and build international campaign
<b>Specific Use of Internet-based Information Technologies</b>	1. Quick landmine information and analysis 2. Use of the media 3. Increasing communication opportunities with states	1. Coordinating ICBL members 2. Reducing coalitional building costs 3. Speaking with a collective voice

The chapter ends with a brief summary of how Internet-based information technologies affected the NGO experts' use of information technologies as both a tool to lobby government decision-makers and socialize other NGOs, as well as an analysis of

whether the ICBL's example provides a model for future NGO coalitional building and strategies toward working with or against state interest.

## B. ICBL Experts And The Uses Of Internet-Based Information Technologies: Landmine Issue Education And Promotion

The ICBL experts' use of information technologies improved their ability to quickly communicate the ban message to the international community. Richard Falk notes that these information technologies allow a "revolutionary control over information" to help guide international politics.<sup>4</sup> Furthermore, many governmental decision- and policy-makers learned to become team players with the ICBL experts because they needed landmine information and analysis. In a survey conducted the day after the official Treaty signing, a majority of governmental officials participating in the treaty negotiations felt that "the role of NGOs throughout the process was invaluable and atypical with respect to the high degree of NGO and government cooperation."<sup>5</sup>

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<sup>4</sup> Richard Falk, "The Montheistic Religions in the Era of Globalisation" *Global Dialogue* 1:1 (September, 1999), 139.

<sup>5</sup> Ekos Research Associates, Inc., "Ban Convention on Anti-Personnel Mines: Government Representative Focus Group," as part of the *A Global Ban on Landmines: Survey of Participants*, Technical Report, December 22, 1997, 1.

The NGOs intense involvement in Mine Ban Treaty drafting process and working with like-minded states is atypical because rarely have NGOs been involved in the drafting of multilateral arms control treaties. While NGO involvement may have never happened before, it may happen in the future as several NGO international movements on security issues, such as restricting the use of small arms and light weapons and banning child soldiers, view the mine ban movement as a model for future NGO actions.

These information technologies “disrupt hierarchies by diffusing and redistributing power.”<sup>6</sup> Axworthy said that governments can no longer “ignore the power and reach of new information technologies that allow the experience of Angola or Cambodia to be brought into people’s living rooms.”<sup>7</sup> As NGOs participate at higher levels of international politics, they will continue to “increase their knowledge of multilateral diplomacy and refine their expertise in conference tactics.”<sup>8</sup> Information technologies also better allow for NGOs to draw the attention of publics across borders and to slowly diminish the primacy of the state – citizen relationship. Increasingly, governments must contend with domestic public opinion “on matters that have traditionally been handled strictly between governments.”<sup>9</sup>

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<sup>6</sup> Statement by Jessica Tuchman Mathews, September 25, 1999.

<sup>7</sup> Statement of Canadian Minister of Foreign Affairs, Lloyd Axworthy, at the Oslo NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997, 67.

<sup>8</sup> JoAnn Fagot Aviel, “NGOs and International Affairs: A New Dimension of Diplomacy,” in Muldoon, Jr. et al, 159.

<sup>9</sup> Ibid.

Scholarly work assessing how NGOs make a policy difference in state policies mostly relates to the issue-area of international environmental politics.<sup>10</sup> Paul Wapner has shown that during the 1980s, environmental NGOs influenced international negotiations on the environmental protection of the oceans, the ozone layer and Antarctica.<sup>11</sup> NGOs also increased public pressure on governments to protect the global environment as evidenced from a poll taken in 1981, when “forty-five percent of those polled in an U.S. survey said that protecting the environment was so important that requirements and standards cannot be too high and continuing environmental improvements must be made regardless of cost; in 1990, 74 percent supported the statement.”<sup>12</sup> While the environmental issue is different from landmines, because the latter lies at the heart of state sovereignty – military security and weapons, NGOs can have an effect on state behavior.

Similarly, in the landmines case, information technologies helped give the ICBL greater flexibility than governments to change and address time-sensitive issues because they were better able to mobilize and act quickly than governments. In an era of rapid political and technological change, the ICBL had gained strength in working with and against states. The Canadian diplomats leading the landmine ban negotiations and Ottawa

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<sup>10</sup> See generally Keck and Sikkink; Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 1996).

<sup>11</sup> Paul Wapner, "Politics Beyond the State: Environmental Activism and World Civic Politics," *World Politics*, 47 (April 1995), 311.

<sup>12</sup> George Gallup International Institute, "The Health of the Planet Survey," quoted in "Bush Out of Step, Poll Finds," *Terra Viva: The Independent Daily of the Earth Summit* (Rio De Janiro) June 3, 1992, 5, quoted in Wapner, 324.

Process also point out that the treaty reflects how NGOs can rapidly organize to address and solve issues, and that, coupled with “the new tools of the Information Age,” they are tremendously important in any state’s diplomatic tool-kit.<sup>13</sup>

## I. Quick Information Provision

ICBL expert NGOs had the technical ability to research and publicize information quickly and early enough in the agenda setting process of international conferences to affect the development of state landmine policy. Historically, it has been easy for governments to exclude NGOs from the security issue area because NGOs lack first-hand information, especially concerning weapons. Countering government arguments for maintaining landmines as a legal option, the ICBL ably influenced the decision- and policy-making process by providing quality information that was quickly disseminated through information technologies. From the ICBL’s beginning, its members were able to generate and disseminate landmine information.

ICBL experts were also able to produce solid analyses to support the case for a mine ban and refute specific arguments raised by government decision-makers. One of the leading Canadian Government negotiators, Robert Lawson, opined that the ICBL

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<sup>13</sup> Robert J. Lawson, Mark Gwozdecky, Jill Sinclair, and Ralph Lysyshyn. “The Ottawa Process and the International Movement to Ban Anti-Personnel Mines,” in Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, eds., *To Walk Without Fear: The Global Movement to Ban Landmines* (Oxford University Press: Toronto, 1998)163.

NGOs were critical to the success of the treaty because they were especially helpful “in bringing the issue from the field to foreign capitals.”<sup>14</sup> The ICBL experts’ analysis, information and dissemination influenced the landmine positions of many government leaders, including Canada, whose foreign minister Lloyd Axworthy commented that these technologies allowed for information collection and dissemination in an issue area once monopolized by states, namely security, and in from far-away places, to be brought to the public and their governments.<sup>15</sup> The ICBL provided faster and higher-quality information than governments were able to produce, analyze and address. Consequently, ICBL members became essential participants in the process that they helped initiate by participating in landmine conferences and treaty drafting. The ICBL experts became indispensable to this process in that they could provide informational power that states could not ignore.<sup>16</sup> Even during the consensus- and state- based United Nations (UN) negotiating forums, such as the Conference on Conventional Weapons (CCW)<sup>17</sup> and the Conference on Disarmament (CD),<sup>18</sup> ICBL experts became firmly established at all

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<sup>14</sup> Statement by Robert Lawson, Government of Canada, to the Workshop on Ratification and Implementation of the Mine Ban Treaty, Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 53.

<sup>15</sup> Statement by Lloyd Axworthy, Canadian Foreign Minister, to the NGO Forum on Banning Anti-Personnel Landmines, Oslo, Norway, September 7, 1997.

<sup>16</sup> Ibid.

<sup>17</sup> The Landmines Protocol was attached to the CCW as Protocol II is officially known as the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices. The two other Protocols were Non-detectable Fragments (Protocol I) and Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III). The CCW Review held in Vienna in September 1996 adopted Protocol IV that called for restrictions on the use of laser weapons. The four protocols are regulated by the provisions of the Weapons Convention. This essay will only address the Landmines Protocol.

<sup>18</sup> The CD was created by the United Nations to negotiate arms control agreements. The CD usually discusses weapons of mass destruction rather than conventional weapons, which is why the UN created the

landmine conferences because of the wealth and quality of the landmine information that they were able to provide states.<sup>19</sup> For example, the ICBL's ability to provide quick and reliable information during the UN CCW negotiations in 1995 and 1996 laid the groundwork for diplomatic and public disenchantment with the UN negotiating forums and for pressure to create a negotiating forum that could more quickly achieve a landmine ban.

The ICBL experts used information technologies during the mine ban treaty negotiations to initiate international action on the issue. The ICBL experts primarily relied on information technologies, such as the telephone and fax, from the campaign's inception in 1991 to the first CCW Review Conference in 1995. Beginning in 1996, the ICBL also began using world wide web pages to help promote the ban. These pages helped to provide the media and interested public and policymakers with easily accessible information on a 24-hour basis. One of the reasons the ICBL generated governmental respect, especially after the September 1997 Oslo conference, was because it quickly disseminated analysis and technical information about de-mining and victim assistance through the ICBL and related web sites. Moreover, web sites greatly enhanced the ability of NGOs to compile central information and make it available rapidly to activists. Communications technologies helped the ICBL overcome past informational barriers facing previous transnational NGO campaigns. For example, Eric Prokosch, in *The*

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CCW outside the auspices of the CD. CD negotiations are typically characterized by its long time line to reach agreements – usually decades – and by its consensus based negotiating format.

<sup>19</sup> Jody Williams and Stephen Goose, "The International Campaign to Ban Landmines," in Cameron, et al, 31.

*Technology of Killing*, claims the ICBL overcame two major handicaps that faced the anti-cluster bomb and anti-napalm campaigns of the 1960s and 1970s: (1) The ability to conduct field research and publish the results quickly, and (2) The ability to centralize information and make it available to the public.<sup>20</sup> Beyond being an information source for governments, members, and the media, the web sites also provide the public with a constantly available source for updated landmine information. Most of these sites are hyper-linked to each other, thereby increasing total 'hits' or 'visits.' These web sites are being used by ICBL members for fundraising and marketing. More specifically, they allow for individuals working from their homes and/or private locations to pressure governments on a continual basis.<sup>21</sup>

The ICBL did not have a web site until March 1996,<sup>22</sup> when VVAF donated some web pages to the ICBL to house the United States Campaign to Ban Landmines (USCBL) coordinator.<sup>23</sup> This initiative came in part from Mary Wareham, the USCBL Coordinator from 1995 to 1998, who wanted a few pages to store the USCBL and ICBL web site. Only afterwards did the major organizations in the ICBL start acquiring web sites.<sup>24</sup> At the time, very little landmine information was available on the web, except for a UN

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<sup>20</sup> Eric Prokosch, *The Technology of Killing: A Military and Political History of Antipersonnel Weapons* (Zed Books: London, 1995), 183.

<sup>21</sup> Pete Engardio, "Activists Without Borders," *Business Week*, October 4, 1999, 144.

<sup>22</sup> Marissa Vitagliano, Coordinator, U.S. Campaign to Ban Landmines, telephone conversation with author, VVAF, October 19, 1999.

<sup>23</sup> Mary Wareham, Senior Researcher, Human Rights Watch and former Coordinator, U.S. Campaign to Ban Landmines, telephone conversation with author, October 19, 1999.

<sup>24</sup> Ibid.



Department of Peacekeeping Operations (UNDPKO) site<sup>25</sup> that provided outdated and unreliable information.<sup>26</sup> Soon, obtaining individual organizational web sites addressing the landmine issue became very popular among ICBL members. By May 1999, more than 25 major landmine sites had been established on the ICBL recommended list as sources of further information.<sup>27</sup>

It was only in early 1998 that the ICBL created their own organizational web site, which was maintained in Oslo, Norway by Kjell Knudsen, a young Norwegian webmaster. In early 1997, the ICBL encouraged people interested in starting a landmine ban campaign in their own countries, or researching more about landmine information, to visit its website.<sup>28</sup> More importantly, people could investigate the landmine situation by searching the site's ICBL Resource Center.<sup>29</sup> The center offers documents and other materials to assist those people, especially campaigners, interested in particular landmine issues. Viewers can research their own governments' landmine policies through the easy to navigate site. They can answer questions such as: (1) Does your country produce and/or export APMs?; (2) Has your country signed/ratified the Mine Ban Treaty? and, (3)

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<sup>25</sup> Ibid.

<sup>26</sup> UN Department of Humanitarian Affairs official telephone interview with author, September 1996.

<sup>27</sup> ICBL pamphlet, "So you want to order resources on landmines?," Liz Bernstein and Sue Wixley, May 1997, 10-11.

<sup>28</sup> ICBL pamphlet, "So you want to plan and evaluate your campaign?," Liz Bernstein and Sue Wixley, May 1997, 3.

<sup>29</sup> [www.icbl.org/resources/center/](http://www.icbl.org/resources/center/)

Are there many victims and survivors of mine injuries eg. ex-military or children living in certain parts of the country?<sup>30</sup>

The ICBL Resource Center web site provides a publication list that can be ordered directly on-line or from the authors. The center also offers a video catalogue of films about landmines, a campaign kit of campaigning tools and techniques to run successful campaign, and a list of all landmine resources for the school classroom. The center is managed by Dalma Foldes, a Hungarian who cut her teeth on activist work in Cold War Hungary protesting the communist government. While many of the Center resources are in Europe and the United States, Foldes operates and manages the Resource Center from Sana'a, Yemen.

The main visitors to the ICBL web site from its inception through Spring 2000 have been the media and people not connected with the ICBL. While the ICBL members used E-mail to communicate among fellow members, the web site was used as the main information technology dissemination tool for communicating their ban message to the media and the public. While ICBL leaders have encouraged members to use it for internal communication and coordination purposes, members use it infrequently. Knudsen believes that ICBL members probably do not use the site because of "their general level of tech knowledge and some also comes from the lack of direct Internet connection."<sup>31</sup>

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<sup>30</sup> ICBL pamphlet, "So you want to plan and evaluate your campaign?" 4.

<sup>31</sup> Author's E-mail correspondence with Kjell Knudsen, ICBL Webmaster March 14, 2000.

While the ICBL web site was not set up until early 1998, it did co-build a ban landmine website during the September 1997 Oslo treaty drafting conference.<sup>32</sup> The ICBL partner in its construction was Norwegian People's Aid (NPA), a Norwegian NGO, which later became an important member of the ICBL coordinating committee.

Knudsen, who at the time was an NPA intern, established links to related web sites and added in-depth landmine information for the visitors. According to Knudsen, the site was heavily used, especially by the media, and became rather popular in the days leading up to the treaty signing three months later.

E-mail was another Internet communication tool that helped the ICBL experts promote the ban issue in a way more constructive than web sites. Once many NGOs and governments obtained access to the Internet, E-mail communications allowed ICBL members to mobilize quickly in response to governmental actions or international events, following along the lines of a "war room" strategy allowing for quick and repeated NGO counter attacks to any government, actual or potential, threats to opposing the ban. By utilizing information technologies, the ICBL experts were able to capitalize on information provided by their field operations and other ICBL members working in mine-infested countries, in a quick and timely fashion. These technologies helped diminish governmental control of the landmine information processing in their decision- and policy-making channels. To take advantage of time zones and because information was

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<sup>32</sup> This site can be found at [www.icbl.org/oslo97](http://www.icbl.org/oslo97)

so pressing, ICBL Co-coordinator Jody Williams often woke around 4:00 AM to send E-mail instructions to ICBL members and to respond to recent events.<sup>33</sup>

Nevertheless, attributing the speed of the Mine Ban Treaty's achievement solely to ICBL experts' quick information analysis and dissemination does not suffice. Rather, these technologies moved the ban landmine issue by helping to provide governments and international organizations high quality information in an efficient and timely manner. The ICBL experts did not emphasize E-mail or web site technology as a major communication tool until later in the campaign, when in 1995 and 1996 these technologies became more readily available.

## II. Media Technologies

The ICBL's use of media technologies also facilitated the ability of ICBL experts to disseminate landmine information. Media recruitment by ICBL experts became a critical part of the strategy to promote the landmine ban message, even among its own NGO members. As Keck and Sikkink commented, "Although NGO influence often depends on securing powerful allies, their credibility still depends in part on their ability to mobilize their own members and affect public opinion via the media."<sup>34</sup> For NGO

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<sup>33</sup> "Tireless Activist on Shoestring Budget: Nobelist runs global campaign out of her house," San Francisco Chronicle, October 11, 1997.

<sup>34</sup> Keck and Sikkink, 23.

networks, “The media is an essential partner in network information politics.”<sup>35</sup> It is no surprise that ICBL experts actively recruited journalists to cover their side of the ban landmine story by providing packets of information, physical access to their victim assistance and demining programs, and inviting reporters to the homes of activists and landmine victims. In fact, some ICBL leaders, such as Denise Coughlan, Chairperson of the Cambodia Campaign to Ban Landmines, became friends with many journalists covering the ban landmine story.<sup>36</sup>

As Chapter 4 highlighted, most media attention during the ICBL’s early years focused on the stories of landmine victims or the challenges faced by de-miners. This was a deliberate action on the ICBL’s part, as it decided early on in the movement to develop “several traveling photograph exhibits and videos” that graphically portrayed consequences of landmine use.<sup>37</sup> Even after the victim and de-mining angle of the landmine story became worn, the media continued to focus on the unlawfulness of the weapons and the ICBL experts’ core arguments supporting a ban. Soon, “one by one, major media sources in almost all regions of the world began to endorse the concept of a global ban on AP mines.”<sup>38</sup> The media influenced public opinion by covering the landmine issue and, more important, ICBL public awareness activities. In one notable case in 1997, campaigners organized a “Ban Bus” tour across the United States. The

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<sup>35</sup> Ibid., 22.

<sup>36</sup> Denise Coughlan, Chairperson of the Cambodian Campaign to Ban Landmines, interview with author, Brussels, Belgium, January 31, 2000.

<sup>37</sup> Lora Lumpe and Jeff Donarski, *The Arms Trade Revealed: A Guide for Investigators and Activists* (Federation of American Scientists: Washington, D.C., 1998) 86

<sup>38</sup> Williams and Goose, 23.

campaigners traveled 7500 miles across the country, speaking at more than 1000 events in over 75 cities.<sup>39</sup> During the trip, they “operated a mobile media center using a computer with modem, mobile telephone and digital camera to record each days events and E-mail back to the broader US campaign with daily updates recorded on the campaign’s web site.”<sup>40</sup> In late 1997, a similar Ban Bus program was held in Belgium, contributing further to the media’s high-profile coverage of the landmine issue in Europe.<sup>41</sup>

The environmental NGO Greenpeace furnishes an example of how information technologies assist transnational NGO efforts in highlighting particular issues. One reason that Greenpeace and other environmental NGOs have been successful is that their actions are directly disseminated by an international media. Paul Wapner observes these groups are more successful in publicizing their actions now: “While direct action has always been a political tool for those seeking change, the technology did not exist to publicize specific actions to a global audience.”<sup>42</sup> He explains how and why Greenpeace’s advocacy strategy has changed with rapid advances in media technologies:

In the 1970s Greenpeace ships used Morse code to communicate with their offices on land. Information from sailing expeditions would be translated in a central

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<sup>39</sup> Statement by John Rodsted, ICBL Photographer, to the Panel Presentation and Discussion “Campaigning: Launching National Campaigns, Using the Media, Public Awareness Raising, Coalition Building, and Direct Action,” Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 65.

<sup>40</sup> Ibid., 65.

<sup>41</sup> Ibid., 66.

<sup>42</sup> Wapner, 51.

office and then sent out to other offices and onto the media via the telephone. This was cumbersome and expensive and compromised much of the information that could prove persuasive to public audiences. After weeks at sea, ships would return with still photographs, and these would be the most convincing images Greenpeace could use to communicate about environmental destruction taking place on the high seas. With the advent of affordable innovations in the field of communications, Greenpeace has been able to update its ability to reach diverse and numerous audiences. Instead of Morse code, Greenpeace ships now use telephones, fax machines, and satellite uplinks to communicate with home offices. This allows for instantaneous information to be communicated and verified.<sup>43</sup>

The involvement of Diana, Princess of Wales, provides a specific example of how the ICBL leveraged the media to cover the landmine issue. Through her visits to landmine-infested Angola and Bosnia, extensive international media coverage heightened public awareness of the landmine issue. In the wake of her death in August 1997, the media targeted the ban landmine issue as one of her favorite causes, thereby giving the proposed ban momentum. Because her death immediately preceded the final Ban Landmine Convention drafting conference in Oslo in September 1997, “it certainly increased the media attention to the process unfolding.”<sup>44</sup> One leading international newspaper ran an editorial the first week of the Oslo Conference that called upon states for “the eradication of land mines and help for their victims” as the best way to remember her life.<sup>45</sup> The *USA Today* said that “Princess Diana’s death may ultimately achieve what she had fought for much of her adult life: new limits or even a global ban on land

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<sup>43</sup> Ibid., 51-52.

<sup>44</sup> Williams and Goose, 43.

<sup>45</sup> “The Land Mine Cause,” *Christian Science Monitor*, September 8, 1997, 20.

mines.”<sup>46</sup> According to Robert (Bobby) Mueller, Executive Director of Vietnam Veterans of America Foundation (VVAFA) and one of the ICBL’s co-founders, “We should not underestimate the power that her personality had on this issue.....[her death had] put the issue before the world public as few other events had on this issue.”<sup>47</sup> There is no question that Mueller’s observation was right on point.

### III. Increased Communications Opportunities With States

Information technologies also greatly broadened the range of contact points for the ICBL experts to directly communicate with government policymakers. Some international relations scholars argue that these technologies are a major reason for the globalization of world politics, helping facilitate the de-coupling of various international activities from fixed geographical locations and weakening issue control by governments.<sup>48</sup> They helped build transparency and trust of governmental decision-making by providing increased access and opportunities to communicate directly with governments, thereby making it easier for NGOs and governments to communicate and encourage cooperation and understanding. Technology also allows the opportunity to solicit state reaction and responses. Since “it is natural that a web of informal links

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<sup>46</sup> Jack Kelly and William M. Welch, “Death could be impetus for land mine ban,” *USA Today*, September 2, 1997, 20A.

<sup>47</sup> Robert O. Mueller, “New Partnerships for a New World Order: NGOs, State Actors, and International Law in the Post-Cold War World,” *Hofstra Law Review*, Fall 1998, 1.  
<http://web.lexis.nexis.com/univers...ae68bc5b69828b8cc037e6&taggedDoca> October 13, 1999.

<sup>48</sup> Maarten Smeets, “Globalization: Threat or Promise?” *Global Dialogue*, 1:1 (Summer 1999), 11.



develops to confront issues defined in the formal structure,<sup>49</sup> information technologies further strengthen NGO and state relationships.

Building trust and transparency with governments on the landmine ban issue via Internet communications, however, proved difficult for NGOs to achieve. First, many governments, including those in the North, did not have e-mail capability.<sup>50</sup> It was not until mid-1998 that use of E-mail took off in Europe, especially among governments. Moreover, subscriptions to Internet service providers (ISPs) are more expensive than in the United States, further limiting Internet use in Europe.<sup>51</sup> Because governments and ICBL members in Africa, Asia and Europe lacked Internet technologies, the ICBL relied more heavily on traditional communications, such as the telephone, fax and personal visits, especially in the early years of the campaign.

Second, even if some governments had E-mail capability, their Internet systems were limited to internal or inter-governmental correspondence. Some diplomats did not want to be accountable for their written correspondence via E-mail, which could then be disseminated to an activist subscriber network, and governments discouraged outside E-mail correspondence for political and security reasons.<sup>52</sup> In 1995, the US Department of

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<sup>49</sup> Leon Gordenker and Thomas G. Weiss, "Pluralizing Global Governance: Analytical Approaches and Dimensions," in Thomas G. Weiss and Leon Gordenker, eds., *NGOs, The UN, and Global Governance* (Boulder: Lynne Rienner, 1996) 35.

<sup>50</sup> Mary Wareham, Senior Researcher, Human Rights Watch and former Coordinator, U.S. Campaign to Ban Landmines, telephone with the interview author, October 12, 1999.

<sup>51</sup> Ibid.

<sup>52</sup> Interview with, Washington, D.C. October 5, 1999.

Defense, for example, some employees were refused outside lines for the Internet, for security reasons.<sup>53</sup>

Third, some diplomats who had E-mail capability simply preferred telephone conversations and fax correspondence. They may have been wary of communicating with NGOs through the Internet and therefore wanted to narrow the range of prospective leaks and/or minimize their exposure. For example, during the early stages of the campaign, when states were not rapidly endorsing the ban, some diplomats exhibited considerable courage and tenacity in encouraging their own governments to sign the treaty. At times, some of these diplomats felt more kinship with the ban coalition forces than their own government.<sup>54</sup> Some diplomats may have wished to protect their views from their government's scrutiny and therefore conducted negotiations in a more secretive manner, for which the Internet is not suited. Moreover, there were many face-to-face meetings and informal discussions,<sup>55</sup> which negated the need for substantive dialogue through E-mail.

While E-mail may have been integral to ICBL communications strategy during the later years of the campaign, especially in developing the treaty draft and internal communications (see section C below), it "alone did not 'move the movement.'"<sup>56</sup>

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<sup>53</sup> Ann Peters, Director, Landmines Project at the Open Society Institute, interview with author, Washington, D.C., October 5, 1999. Dr. Andrew Bennett, Associate Professor of Government, Georgetown University, written correspondence with author, June 7, 2000. In 1995, Dr. Bennett worked on the staff of the Secretary of Defense.

<sup>54</sup> Swiss diplomat's remarks at the Ottawa Process Forum, Ottawa, Canada, December 5, 1997.

<sup>55</sup> Robert J. Lawson, Mark Gwozdecky, Jill Sinclair, and Ralph Lysyshyn, "The Ottawa Process and the International Movement to Ban Anti-Personnel Mines," in Cameron, et al. 167-168.

<sup>56</sup> Williams and Goose, 24.

External communications also primarily emphasized personal lobbying, such as “banging on the doors of everybody on a regular basis,” which also became a major part of the campaign in bringing governments to support. An ICBL co-founder, Bobby Mueller, Executive Directors of the Vietnam Veterans of America Foundation, disparages any notion that the Internet was the major factor in helping the ICBL to achieve the treaty. He opined: “There is so much romanticized gobbledegook going on out there today about people clattering away on E-mail and moving the world on this issue [landmines]. Nonsense. This is basic politics 101. It’s political strength. It’s money.”<sup>57</sup> Tim Carstairs, of the Mines Advisory Group (MAG), was one of the six founding ICBL NGOs, said that E-mail may have been helpful to provide information and mobilize people to the cause, but “it is not a great confidence-building tool” in constructing an effective and sustained lobbying campaign.<sup>58</sup> He believes that European governments moved on the landmine issue because of “the vote- threatening public concern [and] the size of parliamentarians’ post bags” that was achieved by knocking on doors and engaging the media.<sup>59</sup>

Pre-Internet technologies, primarily the telephone, were important to ICBL experts in their communications with governments. For example, the framework for action concerning the treaty’s development was discussed for hundreds of hours during numerous telephone discussions.<sup>60</sup> ICBL experts also encouraged their members to E-

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<sup>57</sup> Francis X. Clines, “28-Year Quest to Abolish Land Mines Pays Off for Veteran, Who Fights On,” *The New York Times*, December 3, 1997, A10.

<sup>58</sup> E-mail correspondence with Tim Carstairs, Mines Advisory Group, January 31, 2000.

<sup>59</sup> Ibid.

<sup>60</sup> Lawson, Gwozdecky, Sinclair, and Lysyshyn. 167-168

mail their government decision-makers and policymakers as an appropriate form of “contact,” but these E-mails were not considered a major part of the ICBL lobbying strategy.<sup>61</sup> Rather emphasis was placed on person to person meetings and lobbying delegations at international conferences and or through the media.

#### IV. Conclusion: External Uses

In sum, solely crediting the Internet for the successful creation and initiation of the landmine ban movement and the achievement of the Ottawa is not completely accurate for two reasons: (1) First, when the ICBL was created in 1991, the Internet was not a familiar or utilized communication tool until several years later into the campaign. The lack of e-mail use in the early years is more reflective of the low rate of Internet availability and use among society as e-mail and other Internet technologies were just coming on-line. Therefore, during the early years, the campaign relied extensively on telephone and fax communication technologies. Because fax technology was relatively new in the early 1990s, “it was ‘exciting’” and since the “information arriving almost instantaneously by fax was perceived to be more important – and thus more deserving of an immediate response – than regular mail.”<sup>62</sup> E-mail communications became more important later in the campaign as the technology became available and, more

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<sup>61</sup> ICBL pamphlet, “So you want to lobby decisionmakers?,” written by Liz Bernstein and Sue Wixley, May 1997, 7.

<sup>62</sup> Williams and Goose, 24.

importantly, when the ICBL broadened its focus from the Western states, many of which produced mines, to Southern states, where most of the landmines are located. ICBL members began to use e-mail communication more frequently until the switch fully occurred in late 1995 and early 1996.<sup>63</sup>

(2) The second reason is that person-to-person meetings among ICBL representatives and governmental officials were important in building a strong relationship among the NGOs and governments. It would be difficult to build such deep and personal relationships through the Internet. MAG's Caistairs observes that

People learn to trust each other, and therefore share strategic and tactical objectives when they know each other. I do not believe that an electronic link is sufficient to make people feel part of something/belonging, and therefore want to do more. There must be a meeting/meetings of people in the flesh."<sup>64</sup>

In sum, more than most international issues, the need for a global ban on landmines required a human dimension not available in the electronic media.

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<sup>63</sup> Ibid., 20.

<sup>64</sup> E-mail correspondence with Tim Carstairs, Mines Advisory Group, January 31, 2000.

## C: The ICBL's Socialization of Other NGOs: Constructing a Virtual Organization

One of the biggest problems with collective action is that the transaction costs are usually prohibitive in trying to coordinate a large number of organizations, especially over large distances. It is both difficult and expensive to conduct group meetings and information sharing. Information technologies help the ICBL overcome these collective action challenges. Robert Keohane has shown that the success of regimes is part a function of providing high quality information to other international actors, especially decision-makers.<sup>65</sup> Internet-based information technologies helped construct the ICBL as a “virtual organization.” The term “virtual organization” is defined here as an “unstructured ad hoc clusters of people who perhaps never met,” but share a sense of common passion and quickly mobilize for political action.<sup>66</sup> The central organizational features of the ICBL are no overall budget, no permanent operations headquarters and no permanent employees, except for Jody Williams’s position as coordinator, which VVAF funded. Rapid advances in information technologies, such as E-mail and web sites, permitted the ICBL not only to spread its ban landmine message, but also to socialize other NGOs into an international campaign and construct a relatively inexpensive virtual organization. E-mail and web site information technology also helped the ICBL to

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<sup>65</sup> Robert Keohane, “The demand for international regimes,” in Stephen D. Krasner, ed., *International Regimes* (Ithaca, New York: Cornell University Press, 1983), 163 and 165.

<sup>66</sup> Engardio, 145.

remain unified and cohesive coalition, which entailed communicating and coordinating strategy among a wide variety of NGOs in more than seventy states.

## I. Coordinating ICBL Members

A major challenge for the ICBL was to keep the diverse composition of its membership on the same page, that is, to maintain focus on the drive for comprehensive ban. While human rights, medical and development NGOs all had differing reasons for banning landmines, their landmine ban activities required coordination in order to achieve their common goal. The medical NGOs, such as the ICRC, targeted landmines because their field medical staffs complained that landmine injuries, on average, require more blood units and repeated surgical care than other munition injuries.<sup>67</sup> This put another burden on already stretched medical infrastructure in many developing countries where landmines are present.<sup>68</sup> Human rights NGOs, such as HRW and PHR, complained that, since landmines are indiscriminate and disproportionate to their military utility, they violate the international humanitarian legal rights of civilians.<sup>69</sup> Lastly, NGOs such as

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<sup>67</sup> Robin M. Coupland and Adriaan Korver, "Injuries from antipersonnel landmines: the experience of the International Committee of the Red Cross," *British Medical Journal*, December 14, 1991, 1509-1512; The Arms Project/Human Rights Watch and Physicians for Human Rights, *Landmines: A Deadly Legacy*, October 1993, 117-140.

<sup>68</sup> Robin M. Coupland and Remi. Russbach, "Injuries from Anti-Personal Mines: What is Being Done?", *Medicine and Global Survival*, Volume 1, Number 1, March 1994, 18-22;

<sup>69</sup> *Ibid.*, 261-318.

VVAF and MEDICO, working with people with disabilities, asserted that landmines were a major cause of soaring amputee populations.

The ICBL resembles a collection of NGOs rather than one single hierarchically-based NGO, especially since its members independently decide lobbying, media and fund-raising strategies. In this context, the ICBL is truly a civil society based transnational movement. All ICBL members support the ICBL's call for a global and comprehensive landmine ban. In this regard, Internet-based communications greatly facilitated the construction and coordination of this transnational organization. According to ICBL leaders, these technologies helped "ease and speed of communication within the ICBL by allowing for "the ability of civil society organizations from diverse cultures to exchange information and develop integrated political strategies."<sup>70</sup>

Internal coordination among ICBL members was regular and promoted by and through the coordinator, Jody Williams. Her regular communications, whether by E-mail, fax, telephone, or face-to-face meetings, provided "members with a sense of the overall activities of the campaign," which "was key to the creation and maintenance of the momentum of the ICBL."<sup>71</sup> ICBL's utilization of inexpensive communication technologies proved a good counterweight to fragmentation among members. The establishment of regular newsletters and E-mail lists, moreover, was important for

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<sup>70</sup> Williams and Goose, 24.

<sup>71</sup> Ibid., 23.



building landmine ban transnational alliances and coalitions.<sup>72</sup> According to Mary Wareham, the former USCBL coordinator, coordination was critical to the ICBL, and the Internet was the “main organizing tool” for its “communications network.”<sup>73</sup> The ICBL’s core coordinating staff (e.g., Jody Williams, Stephen Goose, Liz Bernstein and Mary Wareham) used fax machines and the Internet to direct and connect more than 1000 NGOs representing more than 70 that comprised the network.<sup>74</sup>

At a broader level, information technologies facilitated construction of a virtual organization that did not require a “physical or formal institutional presence.”<sup>75</sup> E-mail communications were crucial for ICBL members to plan major international activities and conferences, such as those held in Cambodia in 1994 and Mozambique in 1997.<sup>76</sup> The ICBL June 1995 Cambodia Conference was the first international landmine conference held in a landmine-infested country and the first conference organized “primarily through E-mail.”<sup>77</sup> By 1997 and beyond, internal ICBL communication and information dissemination was “almost exclusively through e-mail.”<sup>78</sup>

Jody Williams and a few other ICBL leaders, such as Stephen Goose, were the main drivers and coordinators of the strategy to ensure a comprehensive treaty. The

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<sup>72</sup> ICBL pamphlet, “So you want to plan and evaluate your campaign,” Liz Bernstein and Sue Wixley, May 1997, 7.

<sup>73</sup> Tom Price, “A Lever to Move the World,” Foundation for Public Affairs, October 7, 1999, 7.

<sup>74</sup> Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, “To Walk Without Fear,” in Cameron, et al. 5.

<sup>75</sup> Statement by Jessica Tuchman, September 25, 1999.

<sup>76</sup> Williams and Goose, 24.

<sup>77</sup> Ibid., 30.

<sup>78</sup> E-mail correspondence with Kjell Knudsen, ICBL Webmaster, March 14, 2000.

utilization of e-mail lists by ICBL coordinators allowed them to communicate with member NGOs, media, and governmental officials in a quick and efficient manner about the treaty's progress and latest governmental policy positions. It also allowed the ICBL to coordinate and direct action in many states in order to hold diplomats to commitments made by their governments.<sup>79</sup> In other words, e-mail made state behavior at the conference more transparent. Since government officials knew their behavior was being observed, they were more likely to follow through on their commitments. Once governments committed themselves to certain positions, the ICBL was able to use that position statement and their communication technologies to monitor and track governmental obligations.

During the final ban landmine drafting conference in September 1997 in Oslo, the Norwegian Government gave to the ICBL members official observer status during the negotiations. According to Goose, a key ICBL leader, "There's never been an instance where, in negotiations on a treaty dealing with arms control or even international law issues, NGOs have been allowed inside the room, allowed to make interventions the same as any government."<sup>80</sup> During these important negotiations, Goose and other ICBL members coordinated among themselves to respond to government policies and conference statements. To ensure that states abided by their commitments, ICBL

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<sup>79</sup> Price, 7.

<sup>80</sup> Quoted in *Disarmament: The Future of Disarmament*, edited transcripts of the forums held in the UN on April 10, September 23, and October 21-23, 1997 by the NGO Committee on Disarmament, in cooperation with the UN Centre for Disarmament Affairs and the UN Department of Public Information, and the NGO presentations made during the NPT PrepCom on April 16, 1997 (United Nations: New York, 1998) p. 115.

members used E-mail to communicate with national ban landmine campaigns, directing them to contact and lobby their governments about critical issues and policies discussed at the treaty negotiations. These campaigns, in turn, communicated back to the ICBL activists in Oslo with updates regarding their government positions.<sup>81</sup> This communication network proved extremely useful in holding states accountable to their previous landmine policy commitments. For example, the Australian national campaign intensely lobbied their government in Canberra after being informed by ICBL activists in Oslo that they “heard the Australian delegation was supporting an effort to create a big loophole.”<sup>82</sup>

## II. Reducing Coalitional Building Costs

One ICBL strategy was to generate more public pressure through continued membership expansion, either by supporting the creation of new national landmine ban campaigns or by attracting existing NGOs to join. Recruitment became a priority. The creation of a wide-ranging coalition with broad ethnic, geographical, organizational and religious diversity stands as one of the ICBL’s major accomplishments. Keck and Sikkink succinctly explain why NGO coalition building at the international level is difficult: “International networking is costly. Geographic distance, the influence of

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<sup>81</sup> Telephone interview with Mary Wareham, Senior Researcher, Human Rights Watch, and former coordinator of the U.S. Campaign to Ban Landmines, October 12, 1999.

<sup>82</sup> Price, 7.

nationalism, the multiplicity of languages and cultures, and the costs of fax, phone, mail, and air travel make the proliferation of international networks a puzzle that needs explanation.”<sup>83</sup> Most credit should go to the ICBL leaders, such as Goose and Williams, who “did a fantastic job of identifying opportunities to advance the campaigns goals and alerting to its global network of supporters through newsletters, E-mail, [and] the web.”<sup>84</sup> In addition, Internet-based technologies also allowed ICBL experts to reach out to members across geographical space in an effort to broaden and expand its membership base, and deepen its influence on government officials, and the public and media alike.

These technologies helped the ICBL expand quickly and effectively at minimal cost, especially among the NGOs from the South. It was critical to get southern NGOs to join the ICBL, since most of the landmine infestation was in developing countries. Expansion was also important for the ICBL to increase receipt of landmine information from these countries as Keck and Sikkink observed, international NGO networks must “involve reciprocal information exchanges, and include activists from target countries as well as those able to get institutional leverage.”<sup>85</sup> Advanced communications and information technologies made this possible.

Such expansion truly helped create a global movement, rather than one that was “North Atlantic dominated” and provided guidance, enhanced data collection, and

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<sup>83</sup> Keck and Sikkink, 12.

<sup>84</sup> Lumpe and Donarski, 86.

<sup>85</sup> Keck and Sikkink, 28-29.

dissemination by regional campaigners.<sup>86</sup> The ICBL encouraged newly forming national landmine ban campaigns to begin with informational technology tools, such as E-mail addresses, in order to be connected to the campaign. Some funding for these technologies came from the Landmines Project at the Open Society Institute (OSI), which supported some NGO communications costs.<sup>87</sup> The ICBL also donated computer access to many start-up national campaigns so that they “could begin to write press releases, contact the media and public...“activities that can begin without many financial resources.”<sup>88</sup> As a way to help jump start the landmine ban campaigns in Russia and the Caucasus region, especially Chechnya and Abkhazia, the ICBL was asked to build up “a basic infrastructure for [the] mine campaigns” through “concrete” means, such as “help with getting basic communications like telephone, email, computer, etc.”<sup>89</sup> Individual NGOs, such as MAG, also supported procurement of communications technologies. Specifically, MAG formed a small grants project funded by Comic Relief, which raises money every other year for African development projects. MAG gave some of these

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<sup>86</sup> Recorded notes from workshop discussion on “Using the Campaign as a Model for Other Issues,” at the NGO Forum, Oslo, Norway, September 7, 1997 in the *ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 30.

<sup>87</sup> Statement by Ann Peters, Landmines Project, Open Society Institute, to the Panel Presentation and Discussion “Campaigning: Launching National Campaigns, Using the Media, Public Awareness Raising, Coalition Building, and Direct Action,” *Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 66.*

<sup>88</sup> Statement by Liz Bernstein, ICBL Co-Coordinator, to the Panel Presentation and Discussion “Campaigning: Launching National Campaigns, Using the Media, Public Awareness Raising, Coalition Building, and Direct Action,” *Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 59.*

<sup>89</sup> Conference Action Plan, *Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. 74.*

funds to ban landmine activists requesting “grants for the purpose of equipment purchase or E-mail/modems or fax machines...or towards communications costs.”<sup>90</sup>

Surprisingly, it was difficult for many European NGOs to join the ICBL Internet communications network for two reasons: First, in Europe, communications via the Internet are very expensive, and computer and other Internet technologies did not become prevalent until mid-1998.<sup>91</sup> Second, NGOs activists concerned with governmental policies were not seen “as prevalent in democracies outside the U.S.”<sup>92</sup>

These Internet-based technologies also helped reduce the costs associated with communications. These technologies were especially important to the ICBL in 1997, as more southern NGOs joined the campaign and as the early-December treaty signing date neared. While the traditional forms of communication, such as telephone, faxes and mail, were instrumental in the ICBL’s formative years, they required a tremendous amount of time and money. By 1997, when the intense treaty negotiations took place leading up to the December signing, the Internet became the ICBL’s major communication and information tool.

Once established on the Internet, ICBL members were able to send through e-mail more information in a shorter time at a cheaper cost. During the initial phase of the campaign, especially during 1992 and 1993, Jody Williams, the ICBL Coordinator, took meeting minutes and talking points, and then disseminated them by fax. In later years,

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<sup>90</sup> Tim Carstairs, Project Director, Mines Advisory Group, E-mail correspondence with author, January 31, 2000.

<sup>91</sup> Ibid.

<sup>92</sup> Engardio, 150.

she would take meeting notes by laptop computer, then send them directly by E-mail.<sup>93</sup>

The web site, moreover, informed members of campaign activities negating the need for further ICBL correspondence. Once Internet technologies were utilized, geographical distance no longer mattered.

### III. Speaking With A Collective Voice

One of the biggest problems with collective action is getting people, especially if they are geographically distant, together to discuss issues. Transaction costs inhibit people from getting together. Information technologies helped NGOs overcome these barriers by lowering communication costs to allow NGOs to speak with a collective voice. While “advances in technology may have broken the state’s monopoly on information...the coercive potential of regime-sanctioned violence often undermines criticism and opposition.”<sup>94</sup> Many non-democratic governments could take active measures to cut down on NGO utilization of informational technologies, even though they may not be able to control Internet activity.

Although information technologies had effect at the international level and in Western democratic states, they were not as important a factor in the internal landmine politics of non-democratic states and non-Western states. Perhaps the most salient reason for this is the lack of political pluralism in many non-democratic states, that is, “lobbying

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<sup>93</sup> Caryle Murphy, “The Nobel Prize Fight,” *Washington Post*, March 22, 1998, F4.

<sup>94</sup> Reitano and Elfenbein, 237.

groups aren't as prevalent.”<sup>95</sup> Nevertheless, since many governments cannot control these technological developments, it increases NGO salience in international politics since they are able to exert themselves more strongly outside government control.<sup>96</sup> It was, therefore, only when local NGOs could use information technologies, coupled with the collective pressure brought by the ICBL and pro-ban states who have economic and political influence through their bilateral and multilateral lending agencies, that authoritarian governments were influenced.<sup>97</sup>

Many governments cannot control Internet technologies. NGOs operating in countries with authoritarian governments could therefore avoid and circumvent state controls and censorship over traditional media outlets, such as newspapers and television. In some cases, the Internet was the only channel open to NGOs operating in countries where the government (or neighboring governments) imposed tight communications controls. Similarly, Keck and Sikkink have commented that, “Where channels between the state and its domestic actors are blocked, the boomerang pattern of influence characteristic of transnational networks may occur: domestic NGOs bypass their state and directly search out international allies to bring pressure on their states from the outside.”<sup>98</sup>

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<sup>95</sup> Engardio, 150.

<sup>96</sup> Leon Gordenker and Thomas G. Weiss, “Pluralizing Global Governance: Analytical Approaches and Dimensions,” in Thomas G. Weiss and Leon Gordenker, eds., *NGOs, The UN, and Global Governance* (Lynne Rienner Publishers: Boulder, Colorado, 1996), 25.

<sup>97</sup> Statement by Dr. Walter Odhiambo, International Physicians for the Prevention of Nuclear War (IPPNW) to the “Creating and Strengthening a Campaign” panel at the First International Conference on Landmines in Russia and the CIS,” Moscow, May 27, 1998, in IPPNW-ICBL *Report on the First International Conference on Landmines in Russia and CIS: New Steps For A Mine Free Future* (Boston: IPPNW, 1999) 41.

<sup>98</sup> Keck and Sikkink, 12.



A leader in a ban landmine campaign in Central Asia said that many times the neighboring government would curtail or block local communications; therefore, his only outlet for communicating with the ICBL was through the Internet.<sup>99</sup>

As the ICBL challenged major powers which opposed the ban, it became more important that national campaigns speak with a collective voice. Keck and Sikkink argue that speaking with a collective voice strengthens NGO networks. Specifically, networks “multiply the voices that are heard in international politics...[they] argue, persuade, strategize, document, lobby, pressure, and complain.”<sup>100</sup> The political strategy became aimed at getting as many states as possible on board the ban to counteract major power opposition. Moreover, since most landmines were used in southern countries, it would be symbolic as well as more effective for treaty implementation if southern governments joined the ban. Recruiting southern NGOs, and ensuring that they would not drop out, entailed keeping them in the ICBL coordination loop and on the ban landmine ban message. These efforts proved essential to the ICBL’s eventual success.

Information technologies dramatically reduced the communication costs for southern NGOs to participate as active ICBL members. These technologies also enabled northern NGOs to incorporate southern NGOs into the decision-making process, and for all to join in a collective voice. ICBL leaders observed that in late 1995 and early 1996, when e-mail “became established within the ICBL, its lower costs and increased reliability relative to telephone and fax made it particularly important in facilitating

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<sup>99</sup> Conversation with Author, Brussels, Belgium, February 1, 2000.

<sup>100</sup> Keck and Sikkink, x.

communication with campaigners in developing nations.”<sup>101</sup> Moreover, the relatively low cost of e-mail communications and collection of data and ICBL updates from the Web provided the ICBL with an avenue to assist southern landmine ban campaigns in a low-cost fashion. In turn, this provided the southern NGOs from the world’s most heavily mined areas with an inexpensive means to provide field data to northern NGOs, who, in turn, disseminated it to governmental representatives, the media and the public.

The ICBL’s ability to capitalize on developing information technologies to communicate and mobilize their members as one collective voice against landmine use made it a very effective international force. The ICBL model of mobilizing NGOs and working with small and middle-governments states to ban landmines might form the basis for a new international “superpower.”<sup>102</sup> The day after being awarded as co-recipient of the Nobel Peace Prize, Jody Williams stated that “From day one we [the ICBL founding members] recognized that instant communications was critical....It made people feel they were part of it.”<sup>103</sup> The historical record of the ICBL’s success proves her correct.

Informational technologies also helped bridge differences within regions to permit a collective regional voice to be heard. For example, African NGOs listed better communication and coordination among themselves as a top priority for “continental co-

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<sup>101</sup> Williams and Goose, 24.

<sup>102</sup> Ibid, 47.

<sup>103</sup> Quoted in Dana Priest, “U.S. Activist Receives Nobel Peace Prize for Land Mine Campaign: Home-Based Effort, Via Computer, Led to International Ban Treaty,” *Washington Post*, October 11, 1997, A20.

operation.”<sup>104</sup> Countries throughout the Americas also listed communication technologies as a top priority. The work plan they developed indicated that resources are key to national “campaigns in the less industrialized regions of the world to forward the ban process at the local, national, regional and international.”<sup>105</sup>

In other international advocacy networks, the North-South NGO linkage is critical and both sides benefit from coordinating policies with each other as Keck and Sikkink have posited. North-South linkages help NGOs from both regions: “For the less-powerful third world actors, networks provide access, leverage, and information (and often money) they could not expect to have on their own; for northern groups, they make credible the assertion that they are struggling with, and not only for, their southern partners.”<sup>106</sup> These developments contributed mightily to making the landmines ban campaign truly a global movement.

#### IV. Conclusion: Internal Communications

Information technologies helped NGOs reduce transaction costs, which, in turn, helped mobilize NGOs. One of the major obstacles to collective action in international relations is the high costs for conducting inter-agent transactions, such as getting together and

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<sup>104</sup> Africa Regional Action Plan, Developed at the NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997, 56.

<sup>105</sup> Americas Regional Action Plan, Developed at the NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997, 58.

<sup>106</sup> Keck and Sikkink, 12-13.

sharing information. The above section suggests that informational technologies facilitated ICBL communications and reduced its networking costs. It shows new avenues by which information technologies can be used to bridge geographical and cultural differences. These trends are likely to continue as more people look to the Internet as the primary source of their information and use it as one of their main communications tools. Recent advances in information technologies have subsequently allowed international NGOs greater flexibility in communicating with international actors. This trend is expected to grow, especially in non-Western states. In Latin America, for example, there are currently “[s]ome 1 million people [who] have Web accounts, not including many who get free access. Latin American users are expected to grow to 19 million by 2003.”<sup>107</sup>

The analysis also explains how informational technologies helped the ICBL maintain an unified and coordinated campaign, which eventually broadened to include NGOs from more than 70 states. Understanding the ICBL’s utilization of informational technologies is important because of the implications for future NGO coalitional efforts to address transnational issues.

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<sup>107</sup> Ibid., 150.

## D. Conclusion

The previous two sections refer to the information and recruiting state of the ICBL. They represent the two key stages of NGO involvement in developing an international treaty banning landmines. Information technologies helped NGOs initiate the landmine ban issue and develop the Mine Ban Treaty. These stages also represent the agency process in international relations that constructivism has been debating. This chapter reveals that information technologies affected the NGO information and recruiting stages, which in turn helped change the process toward creating an international landmine ban norm. Finally, the presentation of the two-stage process shows how NGOs can affect the international structure.

The ICBL experts and its other members utilized information technologies to facilitate a landmine ban norm and translate it into a powerful instrument with lasting influence. ICBL experts pressured governmental decision- and policy-makers with quick information and analysis in order to address the landmine issue in a particular way that eventually culminated in the Mine Ban Treaty. The ICBL experts also used information technologies across a range of information strategies, especially in the latter years of the campaign, such as media technologies and communication opportunities with governments.

The late contribution of Internet communications technologies to the ICBL's lobbying efforts can be attributed to its late adoption by many governments as a

communications tool and the lack of technological expertise and resources among many ICBL members. Some governments, moreover, were not yet comfortable or willing to use the Internet to communicate with external parties, such as the ICBL and its members. Instead, personal lobbying through face to face meetings and telephone calls proved essential in initiating and establishing productive relationships among many NGO representatives and state negotiators. Finally, communications technologies greatly facilitated state confidence-building that the ICBL could quickly deliver public support and provide expert information.

The ICBL members also employed information technologies for internal uses. From 1991-1995, the NGOs primarily used telephones and fax machines. It was more than five years into the campaign (in 1996) that E-mail became the dominant communications tool for ICBL leaders and members to coordinate strategies among themselves and that the web became an important landmine information source for the international community, including other ICBL members, the media, and governmental decision- and policy-makers. These leaders emphasize that E-mail communications were primarily used for internal ICBL communications rather than for external communications to non-campaigners.<sup>108</sup> Information technologies, especially E-mail and the Web, also helped ICBL members reduce costs of transnational coalition building and increased international media exposure. They significantly contributed to lessening a range of communications coalition building costs, especially with NGOs from Africa and

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<sup>108</sup> Williams and Goose, 24-25.

Asia. Finally, these technologies helped bridge the North-South NGO divide that had proved damaging to so many other NGO efforts, such as in the Nuclear Non-Proliferation Treaty (NPT) campaign.

As evidenced by the landmines case, information technologies can help NGOs identify these issues earlier on so that they can be addressed before becoming a major international problem. Moreover, if NGO coalitions are going to call for changing state behavior, especially in the face of state opposition, then information technologies are critical to bringing attention to the issue and then increasing public pressure on states to change, control, or stop their behavior.

Nevertheless, in some regions, disseminated landmine information or increased NGO internal and external communications resources alone did not move governments to participate in the ban. To move these regions toward a ban – and to propel others using the technology as a tool to spread the message – necessitates that NGOs develop a coherent strategy. The next chapter explores two main ICBL strategies that directed the use of communications technologies. The analysis also claims that the ICBL's use of communications technologies were only one part of the ICBL's success in achieving the Ottawa Convention and emerging ban landmine norm. In this chapter, I have attempted to show how the role of information technologies was an instrumental component of the NGO ban landmine movement.

The ICBL use of information technologies reveals how NGOs are able to address international issues quickly and move them onto and along the international political

agenda. The speed of the Mine Ban Treaty's development stands in contrast to past diplomatic attempts, especially multilateral, to address issues, which usually take years and sometimes decades to resolve issues. As information technologies continue to develop, come on-line, and increasingly become utilized by NGOs and states, especially those from the South, the result for international policymaking will be profound. It potentially also exacerbates the fact that states are increasingly losing the ability to control informational flows across their borders.

The broader implication from the ICBL's use of information technology is that current NGO coalition efforts to ban child soldiers, restrict small arms and light weapons, and ratify the international criminal court convention may be able to learn from the ICBL's experience. In sum, coupling these technologies with NGO cooperation through coalitions, such as the ICBL, gives NGOs access to a broader audience, which thereby creates a more informed public. Specifically, Internet-based technologies facilitated the ICBL experts' call to ban landmines, which, in turn, helped the ICBL experts socialize non-expert NGOs to join the campaign. There is no question that these contributions were critical to making successful the ICBL effort to ban anti-personnel landmines as a weapon of massive humanitarian destruction.



## **CHAPTER SIX: NGO STRATEGIES – CLEAR GOAL AND SIMPLE ISSUE**

*[Banning landmines] was about a “clear-cut issue with a clear and simple message.”*

Statement by Robert Lawson, Senior Policy Advisor in the Mine Action Team in the Canadian Department of Foreign Affairs and International Trade Canada, to the Workshop on Ratification and Implementation of the Mine Ban Treaty, Regional Conference on Landmines, Budapest, Hungary, March 27, 1998.

### **A. Introduction**

Reaching consensus agreements among a wide variety and large number of actors, especially in international relations, is difficult because the ultimate objectives of each party may be different. The attractiveness of studying the landmine campaign is that NGOs helped achieve a comprehensive ban through non-consensus negotiating methods. They were able to focus directly on banning landmines even though its campaign membership was very large and diverse. Typically, there are lots of problems when there are many parties involved. When parties disagree about the goals and means for reaching an agreement, the negotiation process and coalition building breakdown. Ernst Hass shows that when the ends and means of actors are the same, their agreements tend to be

more consensual and durable.<sup>1</sup> On the other hand, if issues and goals are linked to the negotiations for tactical reasons, opportunity costs increase and the agreement has a less chance for success.<sup>2</sup>

The norm is likely to be stronger if everybody knows what it is. People will not be arguing over what the norm means or represents. This, in turn, allows violators to be more easily identified therefore increasing confidence in the Convention.

Two strategies were necessary in helping the ICBL to overcome the transaction costs of negotiating among a large number of diverse parties to achieve the ban: First, the ICBL experts focused on a *clear goal* – a landmine ban. Second, the expert and non-expert ICBL members were able to confine ICBL arguments to antipersonnel landmines and their humanitarian effects, thereby keeping the debate on a *simple issue*.

The previous chapters examined three key factors that helped the ICBL to achieve its goal of banning landmines. Chapter three showed how NGOs controlled the agenda-setting dynamics for the ban landmine issue on the international political agenda. Chapter four revealed how NGOs networked among other NGOs, international organizations and states to form and support the Ottawa Process. Chapter five showed how NGOs used communications technologies to promote the ban landmine issue and construct a nearly universal campaign. However important these factors were to the ICBL's success, they

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<sup>1</sup> Ernst B. Haas, "Why Collaborate? Issue-Linkage and International Regimes," in Friedrich Kratochwil and Edward Mansfield, eds., *International Organization: A Reader* (Harper Collins College Publishers: New York, 1994) 365-367.

<sup>2</sup> *Ibid.*, 369-371.

would not have been as effective (or maybe even successful) if not coupled with a political strategy to get governments to act.

NGO experts employed twin strategies. First, it was decided to focus on a ban as the easiest method to accomplish their objective, and to debate further restrictions regarding their use. ICBL experts believed that by merely focusing on managing landmine use, such as allowing certain types of landmines and prohibiting others, or determining conditions when landmines could or could not be used, would be too vague to achieve and difficult to enforce. More important, they believed that the only realistic solution was the complete prohibition of anti-personnel landmines.

The second ICBL strategy was to keep the issue simple by focusing on only antipersonnel landmines and the humanitarian effects of their use. Rather than incorporate other victim-activated weapons, such as anti-tank landmines, sea mines, unexploded cluster bombs, and similar forms of ordinance into the campaign, ICBL members stuck to a simple issue – the anti-personnel landmine. Focusing on a single weapon also helped the ICBL to transform the landmine debate from one of the military utility of landmines to that of humanitarian consequences. The simple issue characteristics helped the ICBL to disseminate and educate other NGOs and the public about the consequences of mine use, which, in turn, helped broaden and expand the campaign.

By combining these strategies – *focusing on a clear goal and simple issue* the NGO landmine epistemic community kept the campaign's goal on the ban, while the

NGO non-expert members could explain very simply the landmine issue (See Table 6-1). The ICBL would not be as effective if it utilized a strategy concerning a complex issue with a multitude of goals. The following analysis discusses the clear goal and simple issue strategies.

Even though the previous three chapters discussed key factors – agenda-setting control, strong networking skills and use of communications technologies – that helped NGOs accomplish the mine ban treaty, they do not provide a sufficient explanation for its success. Potentially, some governments would have continued to resist, and indeed, never listen to the ICBL’s call to ban landmines if its strategy had not been effective. Many important international political issues are never addressed by the international community, let alone placed on the international political agenda.

*Table 6-1: ICBL Strategies*

<b>STRATEGY</b>	<b>PARTICIPATION</b>	<b>RESULT</b>
<b>Clear Goal</b>	ICBL NGO experts – Epistemic Community	Comprehensive ban with no reservations
<b>Simple Issue</b>	ICBL Members – Activist Campaign.	Facilitation of ICBL expansion and landmine information dissemination

## B. Clear Goal and Epistemic Community

One reason that the 1980 Landmines Protocol to the CCW failed to alleviate the consequences of landmine use is that it consisted of a large number of complex

restrictions that were hard to understand and enforce. These restrictions allowed landmine use in certain types of conflict, under specific conditions. Two founding ICBL members, Human Rights Watch and Physicians for Human Rights, highlighted these complexities in *The Deadly Legacy*. NGO experts showed that while Article 3(3) of the Landmine Protocol specifically prohibits indiscriminate landmine use, article 3 (4) contravenes it by insisting only on practical precautions that consider all the factors, including humanitarian concerns, at the time of landmine emplacement. Such complicated regulations convinced the ICBL and pro-ban governments to avoid legitimizing further discussions on landmine use management and focus on the ban. They knew that if management of landmines was the treaty's goal, it most likely would not have been signed within 14 months.<sup>3</sup> Furthermore, clear messages, such as a comprehensive ban, tend to have more durability.<sup>4</sup> ICBL leaders also realized that an explicit ban would be more effective. More restrictions would simply lead to more questions. For example, how could ICBL members agree on whether a self-destruct landmine did not function properly? Is it the state's responsibility or the manufacturer's? Under the landmine protocol, even if a mine does not self-destruct it may still be legal if the other mines exploded at the established ratio. However, what if this rate is not achieved? How can rates of landmine explosion be enforced and monitored since most of the victims are in isolated rural areas?

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<sup>3</sup> Statement by Steffen Kongstad, Permanent Mission of Norway to the United Nations at Geneva, at the Ottawa Process Forum, Ottawa, Canada, December 5, 1997.

Meanwhile, some government negotiators doubted whether restricting landmine use would hold up during wartime. The ICBL's focus on the ban eliminated the need to discuss how to limit and restrict landmines during wartime. It is noticeable that many governments began to heed the ICBL's call to factor "time" into measuring the effects of landmine use, meaning that when taking into account the whole time frame of the weapon system, landmines resulted in tremendous humanitarian suffering since most victims are injured after the wars end. The NGOs' focus on a ban set a clear goal that forced governments into taking a position and being held accountable.

ICBL experts had two strategies to achieve their clear goal of banning landmines. First, the ICBL experts wanted to create a negotiating forum based on majority-voting, rather than consensus-voting, rules. They knew that consensus voting usually resulted in lowest-common-denominator agreements, thereby effectively killing an immediate landmine ban agreement. Secondly, the ICBL experts opposed any discussion of landmine restrictions. Instead, they steadfastly remained committed to working only with those governments that which supported their clear goal of a comprehensive ban.

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<sup>4</sup> Jeffrey W. Legro, "Which norms matter? Revisiting the "failure" of internationalism," *International Organization* 51:1 (Winter 1997) 34-35.

## I. ICBL Epistemic Community Encouraging Majority Voting

While the ICBL wanted a landmine ban to be incorporated into the CCW Review Conference agenda for the 1995 and 1996 meetings, governments limited those discussions to further restrictions on landmine use. These negotiations followed along the lines of similar landmine conference discussions hosted by the ICRC in the years leading up to the CCW conference.

In April 1993, the ICRC hosted a landmine symposium in Montreux, Switzerland the purpose of which was simply to “collect the necessary facts and ideas to coordinate future action by bodies that are interested in improving the fate of mine victims and in undertaking preventive action.”<sup>5</sup> In June 1995 in Budapest, Hungary, the United States and United Kingdom hosted a meeting where they proposed a control regime that would allow, *inter alia*, “smart” mines to replace “dumb” mines, which they believed would reduce civilian casualties. The Americans and British believed that the humanitarian suffering and irresponsible use of landmines should be controlled, not the weapon itself.<sup>6</sup> In the face of this pressure, the ICBL held firm to its goal of a comprehensive ban. However, in order to achieve this, the ICBL had to find some way to overcome the procedural obstacles inherent in the consensus negotiating rules.

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<sup>5</sup> “Introduction” to the Report on the ICRC Symposium on Anti-Personnel Mines held in Montreux, Switzerland, April 21-23, 1993, 1.

<sup>6</sup> Carnahan, *Military Law Review*; Peter Ekberg, “Remotely Delivered Landmines and International Law,” *Columbia Journal of Transnational Law* 33:1 (1995), 94.

At the final Review CCW conference in May 1996, the Landmines Protocol to the CCW was finally amended to prohibit the use of non-detectable mines, long-life (non-self destruct) mines outside marked areas, and self-destruct landmines that do not self destruct within a 30 day period at less than a 90 percent effective rate. While the amended protocol was the best that could be achieved under consensus rules, the ICBL continued to push for a comprehensive ban outside the UN system.<sup>7</sup> Therefore, the ICBL encouraged and supported Canada's initiative to consider a ban treaty negotiated outside the CCW. In the meantime, the United States and other governments, such as Australia, proposed discussion of the ban in the UN-based Conference on Disarmament (CD). The ICBL believed that it needed to break out from restrictive and traditional diplomatic practices in discussing weapons.<sup>8</sup> The mine ban treaty's majority-voting format allowed the ban treaty negotiations to move forward and to be negotiated differently than the CCW, CD and other multilateral weapons regimes negotiated this century.<sup>9</sup>

There are various interpretations of consensus-based voting, but all include a similar characteristic: All negotiating parties must approve (or at least not disapprove) the resolution in some form. Setting aside abstention votes, any resolution that draws less than one hundred percent support from all members does not pass, while any resolution without opposition signals that all parties agree to it. Without opposition "means that

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<sup>7</sup> *Final Report, Review CCW Conference*, 11, U.N. Document CCW/CONF. (/16 1 (Part I) (1996).

<sup>8</sup> Statement by Steve Goose, Human Rights Watch, to the Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 52.



there is general agreement on the contents of the resolution.”<sup>10</sup> In other words, under consensus rules, resolutions are only adopted “when no participant opposes it so strongly as to insist on blocking it.”<sup>11</sup> For example the Law of the Sea Convention defines consensus as ‘the absence of any formal objection.’<sup>12</sup>

The Hague Conference of 1899 passed through majority voting a ban on exploding bullets. Under consensus voting rules, the ban would not have been accomplished because it was opposed by both the United States and British delegations. The US delegation did not sign because it believed that the ban declaration’s wording was too detailed and therefore would not cover bullets not yet developed. The majority defeated the American proposal for less specific language.<sup>13</sup> A European delegate said it was his “duty to declare that he regrets that the US cannot agree with the majority,” and he “maintains[ed] that it is best to deal here with existing projectiles and not with future inventions that are at present unknown.”<sup>14</sup>

While the landmine ban treaty was negotiated by majority-voting rules, no votes were ever taken. The knowledge that a vote could be taken appeared to be a very strong

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<sup>9</sup> The Hague Convention is the only other multilateral disarmament convention negotiated by majority voting – of course, it occurred in the 19<sup>th</sup> century. See Rutherford for more information.

<sup>10</sup> Krzysztof Skubiszewski, “The Elaboration of General Multilateral Conventions and of Non-Contractual Instruments Having a Normative Function or Objective, Resolutions of the General Assembly of the United Nations, Definitive Report and Draft Resolution,” *Yearbook of the Institute of International Law* 61 (1984 I), 325, quoted in *Ibid.*, 304.

<sup>11</sup> Paul C. Szaz, “Improving the International Legislative Process 519 (1979), 529, quoted in *Ibid.*, *Georgia Journal of International and Comparative Law* 305.

<sup>12</sup> Article 161(7)(e) of the UN Convention of the Sea, quoted in Sabel., 304.

<sup>13</sup> Sixth Meeting Conference Notes in James Brown Scott, *The Reports to the Hague Conferences of 1899 and 1907* (Oxford: Clarendon Press, July 21, 1899) 82.

deterrent to those governments who sought changes to the core concept of the ban. Governments were thereby hesitant to introduce a resolution in which they were unsure if they could carry a large number of delegates before introducing a resolution. The treaty negotiating environment proved difficult for those opposing the ban to be heard because a percent of the governments negotiating the landmine ban treaty were in favor of an immediate ban.<sup>15</sup>

Consensus voting procedures had become a staple of international negotiations during the Cold War, so as not to omit large ideological or regional blocs (see Table 6-2). Since World War II, the U.S. and Soviets/Russians have continued to claim that consensus rules should be applied to all international conference negotiations.<sup>16</sup> The Soviet delegate to the 1946 Paris Peace Conference said that the USSR “will always be proud to defend the necessity of achieving unanimity in the settlement of international problems and considers it inadmissible to abandon this principle.”<sup>17</sup> In 1999, for example, the United States sought to block a Netherlands’ proposal that called for

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<sup>14</sup> Ibid., 86.

<sup>15</sup> Number of states participating is counted from those attending the first conference. In the case of the Ottawa Treaty, the figure used is 157 states since that is how many states attended the second Ottawa Conference (Lawson, et, al, “The Ottawa Process and the International Movement to Ban Anti-Personnel Landmines,” in Lawson, et at, 160).

<sup>16</sup> There is a fine distinction between “consensus” and “unanimity” based negotiations. Consensus based resolutions are adopted without a vote, while unanimity based resolutions are passed by a vote in which all parties agree to the resolution.(Sabel, 285). For our current argument here, both the Hague Conferences and Ottawa Treaty negotiations used neither, and hence provide a contrast to consensus and unanimity based forums currently prevalent in international negotiations.

<sup>17</sup> Rule 6(a), Paris Conference to Consider the Draft Treaties of Peace with Italy, Rumania, Hungary and Finland, 1946, *Collection of Documents of the Paris Peace Conference, Verbatim Records of the 7<sup>th</sup> Plenary Meeting, C.P/Plen./7*, p. 110 (1946), quoted in Sabel, 283.

substituting majority voting rules for consensus voting rules in the 1954 Hague Cultural Convention.

*Table 6- 2: Weapons Regime Negotiating Formats:*

<b>CONVENTION</b>	<b>NEGOTIATING FORMAT</b>
<b>First Hague Conference</b>	Majority Voting
<b>Biological Weapons Convention</b>	Consensus Voting
<b>Chemical Weapons Convention</b>	Consensus Voting
<b>Nuclear Non-Proliferation Treaty</b>	Consensus Voting
<b>Convention on Conventional Weapons</b>	Consensus Voting
<b>Ottawa Treaty</b>	Majority Voting

The United States also sought to avoid a majority-voting format because it wanted to focus on restricting landmine production rather than use. Its delegates argued that the ban landmine treaty include a small percentage of the major producers because the major producers, China and Russia, did not sign (see Table 6-3). For example, 300 million landmines are covered by the treaty signatories, while China, a non-signatory, has more than four billion landmines deployed or stockpiled and Russia, another non-signatory, has one billion and eight hundred million landmines. The United States believed that both the consensus-based CCW and the CD, which include China and Russia, were more appropriate vehicles to address the landmine problem. In contrast, the ICBL argued that the CD process was too slow and would only result in millions of mines being emplaced and hundreds of thousands of casualties during the negotiating period. Even supporters

of the CD admitted that it "could take years to reach even a narrow agreement."<sup>18</sup> The Clinton administration, however, "believed that the Conference on Disarmament is the best — offers the most practical and effective forum for reaching and negotiating a global ban on landmines."<sup>19</sup> While the mine ban treaty included many producer countries, it did not include the major producers. According to the U.S. CCW delegation, to choke off supply, "you need to go where the money is" and that is by incorporating the major producers into a treaty (see Table 6-4).<sup>20</sup>

*Table 6-3: Mine years cap by Mine Ban Treaty*

	<b>U.S. Total</b>	<b>Mine Ban Treaty</b>	<b>Russia</b>	<b>China</b>
<b>Mine Years<sup>21</sup></b>	38,617,716	300,000,000	1,800,000,000	4,000,000,000

In response, the ICBL argued that the mine ban treaty include a majority of all landmine exporter and producer states, including the Great Britain, Italy, Belgium, Poland, Hungary and the Czech Republic. The ICBL also feared that discussions in the

<sup>18</sup> Dana Priest, "U.S. Holds Key to Ban of Mines: Clinton Set to Decide on Options for Talks," *Washington Post*, January 2, 1997, A6.

<sup>19</sup> Department of State Daily Press Briefing, April 18, 1997.

<sup>20</sup> Robert Sheridan, Director of Advanced Projects, ACDA, at a presentation to The American Bar Association (ABA): Section of International Law and Practice, October 23, 1997. He also serves as ACDA's chief representative on landmines, and as the deputy chief US negotiator to the CCW and the Oslo conference.

<sup>21</sup> Mine year = the number of mines stockpiled multiplied by the life years of those mines.

CCW and CD concerning banning landmine use would be held hostage by recalcitrant states, which could hold up discussions for years.

*Table 6-4: Three international processes dealing with landmines*

	<b>Speed</b>	<b>Mass</b>	<b>Pure Ban?</b>
<b>Mine Ban Treaty Negotiating Process</b>	FAST: Like-minded states, but the dollars and mines are not there.	LIGHT: 29% of mine stocks.	YES: But the major producers are not captured.
<b>UN CCW</b>	MEDIUM	HEAVY: Large populations, mine producers and mine stocks	NO: But the major producers are captured.
<b>UN CD</b>	SLOW	Heavy (see above)	MAYBE: Major producers are captured.

UN Secretary-General Boutros Boutros-Ghali stepped in to support the landmine ban negotiations, rather than the UN's own negotiating forums (CCW and CD) – an act that contravened a majority of the permanent members in the UN Security Council. His statements during the CCW Review conferences in fall 1995 and spring 1996 that condemned the conference's slow pace helped to add a sense of legitimacy and urgency to creating a non-UN track to ban landmines. He stated clearly that a comprehensive ban to emanate from the conference was doable:

I wish to state again that we must eliminate land mines once and for all!  
We must ban their use! We must ban their production! We must destroy  
those that are stockpiled!<sup>22</sup>

Support for the UN Secretary-General in the landmine ban issue was a salient  
symbol in sustaining momentum for the campaign.

## II. ICBL Epistemic Community Opposing Restrictions

As a signal of support for the ICBL ban call, some governments enacted unilateral  
measures to ban landmines, which, in turn, helped Canada's push to negotiate the treaty  
outside UN fora. Partially due to pressure by the ICBL, these governments accepted the  
argument that the CCW landmines protocol was futile because it was an "utterly  
ineffective document which fails to comport with customary law, and which does not  
and, indeed, on its own terms, cannot, significantly diminish abuses against civilians."<sup>23</sup>  
Such unilateral announcements by governments reflect a non-conventional approach to  
international law. According to a present International Court of Justice (ICJ) judge, "The  
failure of the international legal system, coupled with fundamentally changed  
circumstances since the time when the relevant tests were agreed, makes preferable

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<sup>22</sup> Statement by UN Secretary-General Boutros Boutros-Ghali to the Review Conference of States Parties  
to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May  
Be Deemed to Be Excessively Injurious Or to Have Indiscriminate Effects, Vienna, Austria, September  
1995.

<sup>23</sup> *Landmines: Deadly Legacy*, 317.

unilateral actions for the common good even if it is at a variance with the norms articulated in the Charter and elsewhere."<sup>24</sup>

The ICBL experts' goal remained the same throughout the campaign – a complete prohibition on landmines. They argued that anything less than a ban would result in a complex set of legalistic rules that anybody could interpret to their own ends. The clear goal of a comprehensive ban also would affect how the treaty was implemented. Legal scholars have argued that legal norms should be consistent to be effective.<sup>25</sup> Such norms require uniform application “in every ‘similar’ or ‘applicable’ instance.”<sup>26</sup>

A clear goal is key, as some legal concepts may have very different interpretations and meanings in other cultures and languages.<sup>27</sup> The linguistic richness that is characteristic of the global community complicates international legal dialogue; clear and simple language therefore is important when the law's intended recipients speak no single common language.<sup>28</sup> When the norm is clear and concise, governments can better understand its meaning and intent. Since diplomats and legal advisors speak different languages than politicians, it is critical to converse in clearer terms.<sup>29</sup>

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<sup>24</sup> Rosalyn Higgins, *Problems and Process: International Law and How We Use It* (Oxford University Press, Oxford: 1995), 252.

<sup>25</sup> Thomas M. Franck, *Fairness in International Law and Institutions* (Oxford University Press: Oxford, 1995) 121-122.

<sup>26</sup> Ronald Dworkin, *Law's Empire* (1986) 79, quoted in Franck, 38.

<sup>27</sup> Christopher Joyner and John C. Dettling, “Bridging the Cultural Chasm: Cultural Relativism and the Future of International Law,” *California Western International Law Journal* 20 (1989-1990), 284.

<sup>28</sup> *Ibid.*, 279.

<sup>29</sup> Christopher C. Joyner, “Crossing the Great Divide: Views Of A Political Scientist Wandering In The World of International Law,” in *American Society of International Law 1987 Proceedings* (1990), 393.

Precise international legal rules that are clearly understood are more likely to effect behavior change and, therefore, are more likely to be perceived as legitimate international law.<sup>30</sup> In contrast, unclear international legal rules make it difficult to understand what is right and wrong, which makes it easier to justify noncompliance.<sup>31</sup>

At one point in the treaty negotiations, Canada considered allowing some exceptions, or “flexibility,” in the treaty to induce some of the major powers, especially the United States, to sign.<sup>32</sup> The ICBL experts immediately stepped forward to oppose any exceptions to the treaty. Despite government pressure — even among pro-ban states — the ICBL refused to permit exceptions to the treaty.<sup>33</sup>

In arguing for a comprehensive ban, the ICBL contended that both the CCW and CD were inadequate. As previously discussed, the CCW landmine protocol only restricts landmine use, while the landmine ban was not on the CD agenda. The language of the CCW amended protocol gives states much wiggle room to determine which mines are legal, and when and how they can be used. In the mine ban treaty, there was no such interpretative flexibility. The NGO landmine experts' knowledge of landmines, developed in the field, provided strong arguments and evidence as to why landmine restrictions will not help solve the humanitarian problem, and that a ban is the only legitimate solution.

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<sup>30</sup> Franck, 30-31.

<sup>31</sup> *Ibid.*, 31.

<sup>32</sup> Michael Dolan and Chris Hunt, “Negotiating in the Ottawa Process: The New Multilateralism,” in Cameron, et. al., p. 408.

<sup>33</sup> The United States came to the September 1997 final treaty drafting negotiations in Oslo with a series of requests that they wanted incorporated into the treaty. The demands were presented in a take it or leave it package consisting of five interlocking components: exception for landmine use in Korea; deferral of the



NGO experts also helped deflate U.S. arguments for creating exceptions to the Treaty. The United States did not participate in the treaty's final drafting conference in Oslo, but its delegation came with a series of changes that they wanted to incorporate into the treaty in order for the United States to sign. The U.S. requests were presented in a "take – it-or-leave-it" package, and consisted of five interlocking components: An exception for landmine use in Korea, deferral of the treaty enter into force date, changes in the definition of an anti-personnel landmine, more intensive verification measures, and a withdrawal clause from the treaty in cases of national emergency. Ultimately, the US delegation reduced their demands to the Korea exception and redefining a landmine, but NGOs and pro-ban governments were opposed these requests. The ICBL argued that the treaty should be "a simple, comprehensive ban treaty. No exceptions, no reservations, no loopholes ...the goal of this campaign has always been clear. It is the same goal we declared upon launching the campaign, and that is a complete ban."<sup>34</sup>

The ICBL argued that smart mine production and export would be nearly impossible to control because they are similar in appearance and size to long life mines. The control of land mines, in fact, may be feasible only if these weapons are stigmatized internationally, which is unlikely to occur if some uses remain acceptable.<sup>35</sup> A comprehensive ban provides "a clear and compelling stigma," as the concept of a ban can

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treaty's entry-into-force date; changes in definition of an anti-personnel landmine; more intensive verification measures; and a withdrawal clause from the treaty in cases of national emergency.

<sup>34</sup> Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, at the Brussels Conference on Antipersonnel landmines, June 24, 1997.

<sup>35</sup> Janne E. Nolan, "Land Mines: The Arms Control Dimension," in Kevin M. Cahill, ed., *Clearing the Fields: Solutions to the Global Land Mines Crisis* (HarperCollins Publishers: New York, 1995) 88.

be easily translated and understood in any language or culture, while complex and ambiguous restrictions not only make weak law, but “invite cynicism and fatalism.”<sup>36</sup>

Commenting later on these events, President Clinton asserted that the U.S. delegation at the treaty drafting conference asked for “the exceptions we needed.”<sup>37</sup> In opposing the U.S. attempt to create exceptions, the NGO experts found key support in U.S. Senator Patrick Leahy, a leader on the ban landmine issue in the Congress, who argued that holding states to different standards would defeat the stigmatization force that a comprehensive treaty could deliver. He said during the final treaty negotiations, “An effective international agreement that is based on stigmatizing a weapon cannot have different standards for different nations.”<sup>38</sup> Senator Leahy remained a very important NGO supporter throughout the negotiating process, and indeed, came to personify Congressional support for a global ban on landmines.

While knowledge is important for understanding how to set clear goals, it is important also that that knowledge is understood and agreed upon by all. Ernst Haas has observed that “knowledge is the sum of technical information and of theories about that information which commands sufficient consensus at a given time among interested actors to serve as a guide to public policy designed to achieve some social goal.”<sup>39</sup> This

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<sup>36</sup> Ibid., 87.

<sup>37</sup> Lineuvid Gollust, “Clinton/Canada/Landmines,” *Voice of America* gopher://gopher.voa.gov:70/00/newswire/sun/CLINTON\_\_CANADA\_\_LAND\_MINES, November 23, 1997.

<sup>38</sup> Senator Patrick Leahy, “Seize the Moment,” *ICBL Ban Treaty News*, September 9, 1997, 1. quoted in Lawson, et al “The Ottawa Process,” 178, in Lawson, et, al.

<sup>39</sup> Ernst Haas, 368.

is difficult to achieve, since knowledge is rarely value free or devoid of self interest by the proponents.<sup>40</sup> However, knowledge can also bridge ideological gaps between opposing political groups.<sup>41</sup> Stephen Krasner points out that if knowledge is to have “an independent impact in the international system, it must be widely accepted by policymakers.”<sup>42</sup> This is where the ICBL strategy proved effective in convincing policymakers of the importance of the banning landmines.

In its early years, the ICBL applauded and encouraged international and governmental efforts to restrict landmine use even though most of these efforts fell far short of a landmine ban. Williams and other ICBL leaders constantly stated that national policy announcements that unilaterally restricted landmine use should not be seen as the final step, but as a first step toward the end solution.<sup>43</sup> This view was reconfirmed at the Second ICBL NGO International Conference in Geneva in 1994, when NGO discussions centered on whether the ban was a utopian goal. Some NGOs believed that the focus should focus on improving the existing landmines protocol rather than the ban. This view was soundly rejected, as the group believed that a ban the only solution to alleviate the landmine.<sup>44</sup>

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<sup>40</sup> Ibid., 368.

<sup>41</sup> Ibid., 368.

<sup>42</sup> Stephen Krasner, “Structural Causes and Regime Consequences: Regimes as Intervening Variables,” in Kratochwil and Mansfeld, 106.

<sup>43</sup> Jody Williams, “Brief Assessment and Chronology of the Movement to Ban Landmines,” Vietnam Veterans of America Foundation, undated documents, [not dated], 2.

<sup>44</sup> Report of Working Group 3: Promoting the Ban: Countering the Opposition,” at the Second NGO Conference on Landmines, Report of Proceedings, Geneva, May 9-11, 1994, 114.

By presenting governments with a clear choice – either to completely ban landmines by signing the treaty or to abstain – the ICBL pressured governments to act. According to Mark Gwozdecky, a leading Canadian negotiator, the dilemma that governments faced in deciding whether to sign the Convention was a simple one: “you’re either in or you’re out.”<sup>45</sup> Along similar lines, David Atwood of the Quaker UN office, an ICBL leader in initiating the Ottawa Process, wrote that “states did not participate out of right; they were allowed to take part only if they were prepared to accept the general goal of a total ban and were taking steps nationally to put their own policies in line with such a goal.”<sup>46</sup> Plus, a clear goal with no compromises keeps the activist community mobilized: No schisms over compromises with the United States or others. These clear and present criteria made it easier for government policy makers to decide on the key question of whether to support a legal commitment to ban landmines.

ICBL pressure on governments increased as the ICBL continued to grow and more states agreed to the ban. As state opposition to the ban started to crumble, and eventually break down in a matter of months, more states announced their support for the ban. Part of the ICBL strategy was to convince governments that signing was the civilized choice. The day before the state signing of the convention, Jody Williams posited that

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<sup>45</sup> Statement by Mark Gwozdecky, Government of Canada, to the Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. ICBL Report: Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 50.

<sup>46</sup> David C. Atwood, Associate Representative, Disarmament and Peace, Friends World Committee and Consultation, Quaker United Nations Office, Geneva, “Banning Landmines: Observations on the Role of Civil Society,” Paper prepared for the volume *Peace Politics of Civil Society*, June 1998, 8.

This treaty, and the large number of signatories, clearly establishes a new international norm against any use of antipersonnel mines... We will see who is on the right side of humanity. Those who do not sign the treaty will be stigmatized. Those who continue to use mines will be ostracized.<sup>47</sup>

According to the UN Department for Disarmament Affairs, the clear solution also became a major factor pushing the Ottawa Process so quickly, since its “clarity of purpose allowed for work to proceed quickly through a series of short negotiating sessions” and help thwart “attempts...to diminish the scope of the draft convention.”<sup>48</sup> Consequently, “negotiations were conducted without the need to meet all the security concerns of a number of other States that felt they were not in a position to support a total ban immediately.”<sup>49</sup> This mirrors the opinion of Ernst Haas, who asserted that “all other things being equal, the narrower the scope of issues to be negotiated, the higher the degree of certainty about efficient solutions.”<sup>50</sup>

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<sup>47</sup> Quoted in ICBL Press Release, “Mine Ban Campaign Praises Treaty, Challenges Governments to Ratify Now,” Ottawa, Canada, December 1, 1997.

<sup>48</sup> *The United Nations Disarmament Yearbook*, Volume 22: 1997, (United Nations Publications: United States, 1998) 107.

<sup>49</sup> Ibid.

<sup>50</sup> Ernst B. Haas, “Why Collaborate? Issue-Linkage and International Regimes,” in Friedrich Kratochwil and Edward Mansfield, eds., *International Organization: A Reader* (Harper Collins College Publishers: New York, 1994) 369.

## C. Activist Campaign – Simple Issue

Since the ICBL framed the debate in simple terms on a single weapon, it became an easy issue for NGOs not directly affected by and involved in the landmine issue to understand. Robert Mueller, co-founder of the ICBL, suggested as much when he explained that people

cannot relate to the very broader issues of war and peace in the grand sense, but when you get the chance to talk to people about specifically what landmines are doing, they understand that and they get angry about that, and is what has been driving the formation of an incredible worldwide campaign that has been coming together to deal with this weapon.<sup>51</sup>

By presenting the landmine ban as a humanitarian issue, and by targeting only one weapon for prohibition, it was easier for ICBL non-expert members to present the issue to their own constituencies and defend their position. The ICBL focused the debate on whether continued landmine use was right or wrong.

Such framing helped the ICBL recruit new NGOs to the campaign. It has been shown elsewhere that issues highlighting right and wrong are most conducive to transnational NGO coalitions. This is because “issues that involve ideas about right and

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<sup>51</sup> Statement of Robert Mueller, Executive Director of the Vietnam Veterans of American Foundation, Foundation, to the Subcommittee of the Committee on Appropriations, United States Senate, May 13, 1994. Senate Hearing 103-666 Report, 68.

wrong are amenable to advocacy networking...they arouse strong feelings, allow networks to recruit volunteers and activists.”<sup>52</sup>

The importance of presenting the landmine debate as a simple issue was key to expanding the campaign. Williams encouraged ICBL members “to educate the public, our governments and our military to our point of view: that the social cost of the landmines so greatly outweighs their military utility that they must be banned.”<sup>53</sup> This was essential, she posited because, “The point of the campaign is not to win for victory’s sake. The point is to alleviate suffering.”<sup>54</sup> According to UN Disarmament observers, the clarity of purpose in desiring to address the extreme humanitarian and socio-economic costs associated with landmines “allowed for work to proceed quickly.”<sup>55</sup> As discussed above, Jody Williams credits the ICBL’s discipline in overcoming internal and external difficulties by keeping “its focus clear: the achievement of a new international norm...banning of the use, production, trade and stockpiling of antipersonnel landmines.”<sup>56</sup> Clarity of purpose and application became critical for formulating an instrument and securing its adoption.

This section examines two ICBL strategies that helped make the landmine ban a simple issue. First, how the ICBL was able to alter the debate’s discourse from that of a

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<sup>52</sup> Ibid., 26.

<sup>53</sup> Jody Williams, “Brief Assessment and Chronology of the Movement to Ban Landmines,” Vietnam Veterans of America Foundation, undated documents, [not dated], 3.

<sup>54</sup> Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of “International Conference: The Socio-Economic Impact of Landmines: Towards an International Ban.” June 2, 1995.

<sup>55</sup> *The United Nations Disarmament Yearbook*, Volume 22: 1997, 107.

military concern to a humanitarian issue. This change in the debate's focus allowed non-military experts, including NGOs, to become involved in the process and help influence the outcome. Second, the landmine's effects – immediate injury to the person detonating the landmine – provide a short causal chain to understanding the problem. Both these characteristics made it easier for non-experts to understand the legal issue, in a graphic, human way.

## I. Changing Discourse: Military to Humanitarian

In encouraging a broad definition of “the landmine crisis” that emanated from a humanitarian and legal perspective, the ICBL leadership was able to include more provincial and sectarian interests in the campaign. By forming a broad formulation of concerns, the ICBL was able to blur the sometimes incompatible views of its members, while at the same time sticking to its clear goal – banning landmines. The ICBL was to keep the message simple – banning landmines – while successfully recruiting a wide variety of organizations to its cause.

The high profile given by ICBL members to landmine victims helped to keep the landmine issue in the international political spotlight. Graphic photos of people injured by mines were employed as a means to generate and sustain campaign momentum. The humanitarian focus of the ICBL's presentations allowed non-expert members to highlight

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<sup>56</sup> Statement by Jody Williams, ICBL Coordinator, to the NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997, 2-3.



the nature and purpose of most landmines: To maim, not kill, the targeted individual. The conventional wisdom behind this strategy is that a wounded enemy soldier is more costly to the enemy than a dead one, and that he becomes more of a burden to the enemy's military mobility and medical infrastructure.

Keck and Sikkink have explained how NGO "networks try not only to influence policy outcomes, but to transform the terms and nature of the debate."<sup>57</sup> The ICBL forced expansion of the landmine issue by addressing the security of combatants and non-combatants, whereas previous landmine discussions had been confined to combatant security in a range of battlefield situations. Even though the ICBL realized that landmines retained a military utility, it wanted to concentrate efforts on the humanitarian consequences of landmine use. This debate transformation also expanded the scope of conflict about landmine policy, and thus helped to increase the visibility of the landmine issue to policymakers and the public, which, in turn, involved the public more actively in policy discourse.<sup>58</sup>

This study has already shown how the ICBL encouraged and facilitated the debate's transformation from military to humanitarian language, which, in turn helped people think about landmines in a particular way. The short causal chain helped to effect this change. According to an observer of NGO environmental transnational activism:

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<sup>57</sup> Keck and Sikkink, 2.

<sup>58</sup> E.E. Schattschneider argues that the expansion of conflict signifies a healthy democracy because it allows for increased public participation, usually through "responsible leaders and organizations," into the policy process. In E.E. Schattschneider, 142.

**“One indication of widespread shifts in attitudes and behavior is changes in discourse. People express political concerns through language. Changes in vocabulary, then, reflect a shift in the way people conceive of political issues.”<sup>59</sup>**

**Scott Kingdon, a public policy expert, has suggested that “putting the subject into one category rather than another” helps bring the problem to the attention of those in and around government.<sup>60</sup> In the Mine Ban Treaty case, opening up the debate to humanitarian discussion allowed significant access to non-traditional foreign and security policy actors, such as humanitarian and religious groups, and into the public policy making process. NGO experts attained credibility in the discussions from their humanitarian focus, which allowed them to deflect criticism alleging that NGOs were playing politics with national security. The humanitarian focus of the ICBL’s work, moreover, allowed them to attract high profile citizens, such as Foreign Minister Axworthy, Senator Leahy, President Mandela and Princess Diana to engage military leaders directly on the humanitarian aspects of the landmine issue.**

**Most important for the ICBL lobbying strategy was to eschew controversy about the role of landmines in military strategy, which can be protracted and complex. Non-landmine experts would quickly lose interest in the debate if military strategy, rather than the more easily understandable humanitarian aspects, became the debate’s focus. For instance, during the first CCW Review session in Vienna, governments enmeshed themselves in debating “technical issues,” such as the time-period for mines to self-**

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<sup>59</sup> Wapner, 59.

destruct. The ICBL did not engage itself in this issue, as it would imply “continued acceptance of APMs and undermine the campaign view a total ban was the only real solution.”<sup>61</sup> Finally, by engaging in such debate, the ICBL would become involved in an extremely complicated issue that would not resonate with the media, public or most policy-makers, nor likely generate support. On the contrary, it might turn off potential supporters.

Some critics complained that the ICBL over-simplified complex landmine arguments in order to reach its goal.<sup>62</sup> Nevertheless, the ICBL Vienna Report indicates just how complicated the issue can become if the military needs of landmines are taken into consideration, resulting in restrictions: As one excerpt posits,

Going into Vienna, nations were discussing a self-destruct time limit of 7-90 days, with an acceptable failure rate of 1 in 1,000. The emerging consensus now seems to be 30 days and 1 in 20, though some nations have advocated 365 or more days and 1 in 10 failure rate. For self-deactivation, initial parameters of 30-365 days have given way to 120-200 days. Moreover, some nations, notably Russia, are insisting on a 15 year grace period for the new restrictions to take effect.<sup>63</sup>

These kinds of data do little to further serious consideration of landmines as a weapon designed to destroy parts of the human body. The humanitarian aspects of the

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<sup>60</sup> Kingdon.

<sup>61</sup> “Assessment of the Review Conference,” *Report on Activities: Review Conference of the Convention on Conventional Weapons, Vienna, Austria, September 25 to October 13, 1995*, International Campaign to Ban Landmines, 2.

<sup>62</sup> Colin King, *Legislation and the Landmine*, *Jane’s Intelligence Review*, Special Report No. 16, (November 1997), 3 and 8.

landmine issue as picked up by international leaders, such as President Clinton, were noticeable in their expressed desire to help solve the landmine problem. When confronted with the humanitarian side of the debate, President Clinton decided to address the humanitarian aspects of the issue and increase US funding opportunities for landmine victim assistance and demining programs. In speaking on the landmine issue, he exposed great sensitivity to the issue.<sup>64</sup> As a result, the Clinton Administration's response produced an increase in the budgets of the State Department and Defense Department of more than 200% within the last two years to help alleviate the effects of landmines through de-mining and victim assistance programs. This kind of humanitarian support should not be lost in criticizing the US regime to support the landmine ban treaty.

## II. Short Causal Chain and Time Frame

The effects of landmines – from landmine emplacement to injury – are obvious. Landmine injuries are “unlike the more often complex attributions of responsibility for other tragedies such as starvation.”<sup>65</sup> The short chain between cause and effect allows parameters of the discussion to be narrowed. Moreover, the solution to the landmine problem is relatively easy to understand — “Ban Landmines” — thereby also making it

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<sup>63</sup> Ibid., 2.

<sup>64</sup> Peter Baker, “A Dispute Between Neighbors: Clinton Heatedly Restates Opposition to Canada's Move to Ban Antipersonnel Land Mines.” *Washington Post*, November 24, 1997, A20.

easier for state diplomats to manage.<sup>66</sup> As one prominent NGO activist wrote, due to the simplicity of the issue, “the impact of the use of APMs is visible and shocking” and the ICBL was able to generate “public opinion which has been so important in moving governments to taking action of the APM problem.”<sup>67</sup> Recently, it has been shown that “issues involving bodily harm to vulnerable individuals, especially when there is a short causal chain (or story) assigning responsibility...[provide stories that are] particularly compelling.”<sup>68</sup> This human element makes the need for humanitarian legal rules all the more compelling.

Continual adjustment to understanding the landmine issue was not necessary, largely because the problem is a single play event – a landmine explosion that results in a casualty, usually a civilian. In other international issue-areas where NGOs have been active, the complexity of the issue has led to failure to induce policy change by governments. An example of an international issue with a complex problem due to its long-term causal relationship is global warming: The Antarctic ice caps melts and then causes flooding in low level areas in Asia and South America distant from the cause. One problem in managing international transboundary environmental problems is that it requires states to “mutually adjust their policies towards sources of transboundary

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<sup>65</sup> Price, 623.

<sup>66</sup> Statement by Jurg Lauber, Diplomatic Adviser, Switzerland Ministry of Foreign Affairs, at the Ottawa Process Forum, Ottawa, Canada, December 5, 1997.

<sup>67</sup> David C. Atwood, Associate Representative, Disarmament and Peace, Friends World Committee and Consultation, Quaker United Nations Office, Geneva, “Banning Landmines: Observations on the Role of Civil Society,” Paper prepared for the volume *Peace Politics of Civil Society*, June 1998, 7.

<sup>68</sup> *Ibid.*, 27.

pollution.”<sup>69</sup> Long-term, gradual concerns are often more difficult to attract short-term political and economic commitments.

The short-term causal effect of landmines helped to accelerate the mine ban treaty process. The interstate learning process in understanding the landmine issue was also expedited by Canadian Foreign Minister Lloyd Axworthy’s October 1996 call for governments to return to Ottawa in 14 months to sign a landmine ban treaty. The announcement, and the easy understanding of landmine effects, convinced many governments of the need to set a firm date for signing, or to back off from their previous ban declarations. State reaction to Axworthy’s announcement was that of surprise, and some governments, such as the United States, even thought the notion laughable.<sup>70</sup> Nevertheless, his announcement forced many governments to immediately address the landmine situation because, while many states supported a ban, they had not yet set a deadline. The United States, for example, in 1994 called for “the eventual elimination” of landmines in a speech at the UN General Assembly,<sup>71</sup> yet was not committed to banning them immediately. The Axworthy announcement drew a line in the sand for legal commitment to a landmine ban.

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<sup>69</sup> Peter Haas, “Epistemic Communities and Regimes,” 172.

<sup>70</sup> Brian W. Tomlin, “On A Fast Track To A Ban: The Canadian Policy Process,” in Cameron, et. al. p. 206.

<sup>71</sup> White House, Press Release, September 26, 1994, “Fact Sheet: U.S. Policy on a Landmine Control Regime.”

Since weapons bans have usually taken decades, there was no reason to assume that landmines would be banned at all or as quickly as they were – in fourteen months.<sup>72</sup> Most multilateral disarmament agreements have taken years rather than months to attain. The Chemical Weapons Convention (CWC), for example, took more than 24 years to negotiate once it was placed on the international political agenda.

The short negotiating time frame also proved important, as it compounded the public pressure already being applied to government representatives into moving quickly beyond procedural issues and agenda-setting and to achieving an actual agreement. The short time-frame forced many governments to declare their support earlier than they otherwise would have, and created a bandwagon effect where states signed on so as not to be left out or politically vulnerable back home. The upshot was that the Mine Ban Treaty shattered normal expectations for modern day weapons negotiations (see Table 6-5).

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<sup>72</sup> Ken Rutherford, "The Hague and Ottawa Conventions: A Model for Future Weapon Ban Regimes?" *Nonproliferation Review*, Spring-Summer 1999, Volume 6, Number 3, 43-44.

*Table 6-5: Convention Negotiating Time Period (in months):*

<b>CONVENTION</b>	<b>NEGOTIATIONS STARTED</b>	<b>ENDED</b>	<b>TOTAL MONTHS</b>
<b>1899 Hague Conference</b>	May 1899	July 1899	Three
<b>1907 Hague Conference</b>	June 1907	October 1907	Five
<b>Biological Weapons Convention</b>	December 1969	April 1972	Twenty-nine
<b>Chemical Weapons Convention</b>	December 1969	January 1993	Thirty-eight
<b>Nuclear Non-Proliferation Treaty</b>	1956 <sup>73</sup>	1968	More than one hundred
<b>Convention on Conventional Weapons</b>	September 1974 <sup>74</sup>	October 1980	Seventy-three
<b>Ottawa Treaty<sup>75</sup></b>	October 1996	December 1997	Fifteen

The short-time frame for negotiations became enhanced by the ICBL's focus on banning only one weapon – anti-personnel landmines. This issue of whether to include anti-tank mines in the campaign became an issue of contention for ICBL members. Both the German and Italian campaigns targeted both kinds of mines, while the ICBL remained focused just on anti-personnel landmines. The ICBL leaders continually wrestled with the decision. At a September 1994 United States to Campaign to Ban Landmines (USCBL) meeting, Jody Williams explained that, “In the U.S. we went after anti-personnel mines because we felt we could win. We knew that if we went after anti-

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<sup>73</sup> Creation of the International Atomic Agency Authority (IAEA) for peaceful use of atomic energy. Croft, 53.

<sup>74</sup> Conference of Government Experts on the Use of Conventional Weapons, September 24 - October 18, 1974, Lucerne, Switzerland.



tank mines we could lose and we wanted success in the early stages of the campaign.”<sup>76</sup> At the ICBL meeting in Rome from March 16-17, 1995, NGO representatives discussed whether the ICBL should expand its mission. The consensus agreement was that the ICBL “would continue to focus on APMs and that each national campaign or individual NGOs can focus on other weapons as well.”<sup>77</sup> According to Pierre Ryckmans and Vincent Stainer of Handicap International (HI) and the Belgium Campaign to Ban Landmines, one reason that Belgium became the first country to ban landmines is because the campaign “never attempted to include anti-tank mines in the ban,” thereby avoiding stronger opposition from the military and great support for the antipersonnel ban.<sup>78</sup> Simplicity and singularity became the keystones for successfully promoting the international need to legally ban the use of landmines as a weapon of war.

## D. Conclusion

The two sections above refer to the twin ICBL strategies in bringing international attention and action to the landmine ban. They represent different strategies of the NGO

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<sup>75</sup> The convention start date is from Canadian Foreign Minister Lloyd Axworthy’s announcement at the Ottawa Conference in October 1996, calling for states interested in signing an immediate ban on landmines to return to Ottawa in December 1997 to sign a ban treaty.

<sup>76</sup> US Groups Meeting on Landmines, Washington, D.C. September 26, 1994.

<sup>77</sup> ICBL Landmines Campaign Rome Meeting Summary Points, March 16/17, 1995, 3.

<sup>78</sup> Statement of Pierre Ryckmans and Vincent Stainer, Belgium Campaign to Ban Landmines and HI, at the “Networking for a Country Campaign” workshop, Cambodia Landmines Conference, June 4, 1995.

process in focusing on a comprehensive landmine ban and educating others about the landmine issue. These strategies helped NGOs initiate the landmine ban issue and develop the Mine Ban Treaty. This chapter shows that the clear goal and simple issue strategies affected the NGO lobbying government practices and educating the public and other NGOs about the landmine ban issue. The resultant effect was that they helped change the process for creating an international landmine ban norm.

The ICBL's focus on the clear goal of banning landmines and transformation of the debate from a complex to simple issue were instrumental factors in helping to attain the Mine Ban Treaty. The clear goal of an immediate, comprehensive ban persuaded many governments to take a position on the issue, rather than to incorporate exceptions or assert that they would ban landmines in the future. The idea also provided "a clear and compelling stigma" in which "many countries may see no particular interest in restricting their production, sales, or use of mines"<sup>79</sup> Even UN Secretary-General Boutros Boutros-Ghali lent his support to the ICBL's goal by affirming that landmine restrictions were futile and that the final solution lay in a ban.<sup>80</sup> Even government diplomats credited the ICBL's focus as one of the reasons why the treaty was achieved so fast in the face of major state opposition.<sup>81</sup>

In addition, the ICBL's narrow focus on the ban allowed the campaign to avoid addressing complicated and potentially contentious issues related to what landmines

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<sup>79</sup> Nolan, 95.

<sup>80</sup> Message of the UN Secretary-General, Boutros Boutros-Ghali, to the Conference "The Socio-Economic Impact of Land-Mines: Towards an International Ban," Phnom Penh, June 2-4, 1995.

should be regulated, or which type of mine should be prohibited. By focusing on one clear goal, rather than on diffuse and complex goals, the ICBL was able to hold the campaign together under a common umbrella. A simple and clear ban signified a clear and humanitarian message about what the treaty aimed to achieve.

The ICBL's cohesion is important to acknowledge, since its multiple members pursued the same goal – banning landmines. This ICBL characteristic clearly differentiates itself from many other transnational NGO movements. For example, cohesiveness among various environmental NGO coalitions has proved to be lacking as individual NGOs “claimed various areas of expertise and concern, and [have] pursued goals almost independent of each other. The result was that environmentalists could easily be ignored because when they voiced their position, they sounded more like a cacophony than a chorus.”<sup>82</sup> By focusing on a clear goal and framing it in terms of a simple issue, the ICBL overcame potential cleavages among its NGO members. One ICBL leader wrote that “the differences that did emerge were subordinated to the common goal of achieving the new ban treaty”<sup>83</sup>—differences in tactics, rather than disparities in how and whether to focus on substantive issues pertaining to landmine use and production.

The ICBL experts also successfully transformed the landmine debate from a military to a humanitarian issue. Rather than discuss complex military strategies, the

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<sup>81</sup> Lawson, Gwozdecky, Sinclair, and Ralph Lysyshyn, in Cameron et al, 183.

<sup>82</sup> Wapner, 125.

<sup>83</sup> Atwood, 7.

ICBL aimed to address humanitarian problems caused by landmines. The graphic, short causal chain of a landmine injury made the issue simpler to understand. NGO non-experts, therefore, were able to explain more easily the issue, educate their constituencies, and lobby their governments. All this in turn was transformed in greater support for and increased commitment by governments and the public to legally banning the production, manufacture, storing and distribution, or use of landmines by states.

## **CHAPTER SEVEN: CONCLUSION**

*“The post-Cold War world is different, and we have made it different, and we should be proud we are a superpower.”*

Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, at the Ottawa Treaty Signing Conference and Mine Action Forum, Ottawa, Canada, December 3, 1997.

*“The fight against land-mines has become a model of international cooperation and action.”*

Statement of United Nations Secretary-General Kofi Annan, to the Diplomatic Conference on Landmines, Oslo, Norway, September 2, 1997.

### **A. Introduction**

NGOs helped initiate, develop and attain a comprehensive mine ban treaty through a two-stage process. During the first stage, NGO landmine experts provided quality information and analysis to governments, international organizations and other NGOs that helped to set the international political agenda and draw the attention of the international community. The second stage of the mine ban movement entailed broadening and expansion of the ICBL from the six founding NGOs in four countries to more than 1,300 NGOs in more than 70 countries. NGO expertise in the landmine issue, coupled with the expanded international campaign network, helped strengthen and direct

the movement's lobbying efforts. Conceptual understanding of the role of NGOs in banning landmines, and the direct relevance of this study, is important because this case has been perceived by those in academic and policy positions as a potential harbinger of international politics.<sup>1</sup> Current international NGO-based campaigns, such as working for the ratification of a permanent International Criminal Court, restricting the use of small arms and light weapons, and banning of child soldiers, are examples of movements that are striving to replicate the mine ban campaign's organizational structure and strategies. For example the Global Campaign on Small Arms and Light Weapons is composed of NGOs and seeks to address the problems caused by the proliferation and misuse of small arms and light weapons.<sup>2</sup> The ICBL success on the ban landmine issue "provided the foundation" for this effort to alleviate the effects of "the widespread availability of light weapons."<sup>3</sup>

The theoretical framework most useful in explaining the campaign's first stage stems from the epistemic community concept. Typical of epistemic communities, the NGO experts were important in introducing and educating the international community, especially governments, to the tragedy of landmines. Epistemic communities "are important actors for shaping what learning occurs, and moulding the path by which

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<sup>1</sup> William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine*, (New York: St. Martins Press, 1998) 25-27; P.J. Simmons, "Learning to Live with NGOs," *Foreign Policy* (Fall 1998), 84,

<sup>2</sup> Preparatory Committee for a Global Campaign on Small Arms and Light Weapons, <http://www.prepcom.org>. February 14, 1999.

<sup>3</sup> Liz Clegg, "NGOs Take Aim," *The Bulletin of the Atomic Scientists* 55 (January/February 1999), 49.

regimes evolve.”<sup>4</sup> The epistemic community concept as developed in the literature, however, does not go far enough in explaining the formation and success of the ICBL. While Peter Haas shows that scientific experts within governmental bureaucracies generated environmental policy change in the case of the Mediterranean Sea Plan, this study demonstrates that NGO landmine experts not only initiated the landmine ban issue and disseminated information globally, but mobilized an international campaign with specific strategies. As a result, NGO experts were invited by pro-ban governments to participate in the treaty negotiations. According to four important members of Canada’s negotiating team, the decision for the “the complete integration of the ICBL” in the treaty negotiations was made early on the drafting process.<sup>5</sup> This decision was taken not only to include the NGO’s technical expertise, but also to combat opposition by the major powers and their attempts to delay and/or derail the treaty process.

In several ways, NGO landmine experts provided politicians and the public with the informational resources and political cover necessary to move the issue forward. In most cases, decision-makers were open to the expert research that the NGOs were able to provide. Moreover, the NGO experts made effective use of international diplomatic contacts to advance the issue in negotiating forums and to help create the Ottawa Process. Several governmental representatives cited the NGO presence at the negotiating table as a

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<sup>4</sup> Peter M. Haas, “Epistemic Communities and the Dynamics of International Environmental Cooperation” in Volker Rittberger, ed., *Regime Theory and International Relations* (Oxford: Clarendon Press, 1993), 199.

<sup>5</sup> Robert J. Lawson, Mark Gwozdecky, Jill Sinclair, and Ralph Lysyshyn in Maxwell A. Cameron, Robert J. Lawson, and Brian W. Tomlin, eds., *To Walk Without Fear: The Global Movement to Ban Landmines* (Oxford University Press: Toronto, 1998) 161. These authors are Canadian diplomats and all played important roles during the Mine Ban Treaty drafting process and networking with NGOs and the UN.

powerful influence that affected the ban policy decisions of their countries.<sup>6</sup> These diplomats also favored inclusion of NGOs at the negotiating table. They felt that “the role of NGOs throughout the process as invaluable and atypical with respect to the high degree of NGO/government cooperation.”<sup>7</sup>

This analysis departs from a wholly epistemic community explanation, as it links up with the advocacy network literature. While the mine ban movement was created by NGO experts and supplied knowledgeable information to governments, the epistemic community approach cannot explain how and why many NGOs that were not experts in the landmine issue, or were unaffected by landmine use, joined the ICBL and became active participants. Rather, the epistemic community concept suggests that small groups of experts can influence government policies through an internal bureaucratic process rather than external pressures. More specifically, this literature believes that the policy development within a state’s bureaucracy reinforces the authority of those experts providing advice to decision-makers.<sup>8</sup> The broadening and expansion of the ICBL’s membership provided the coalition with more legitimacy and “power” in terms of its relationship with other actors, including states.

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<sup>6</sup> Ekos Research Associates, Inc., “Ban Convention on Anti-Personnel Mines: Government Representative Focus Group,” as part of the *A Global Ban on Landmines: Survey of Participants*, Technical Report, December 22, 1997, 1.

<sup>7</sup> *Ibid.*, 1.

<sup>8</sup> Haas, 190. Matthew Evangelista, *Unarmed Forces: The Transnational Movement to End the Cold War* (Ithaca, New York: Cornell University Press, 1999), 7. Evangelista shows that transnational antinuclear movements had more influence in Soviet internal nuclear policy decision-making than in the United States because, in contrast to the Soviet Union, the open political system in the United States led to the transnational movement competing with a larger number of better funded special interest groups. 8.



This study reveals a second stage in NGO opinion-shaping through campaign expansion as a socialization process and entrepreneurial agenda-setting by means of an advocacy network, which resulted in a nearly global collection of NGOs. This expansion allowed the ICBL to gain greater international diplomatic and public credibility and financial resources. The activist stage of the campaign generated international attention to the humanitarian severity of the landmine problem. The ICBL leadership was able to broaden the campaign, which enabled it to capitalize on the strengths of its transnational membership, which included relatively well-organized grassroots organizations, such as Mine Action Canada, membership organizations, such as the American Red Cross, and vocal human rights organizations, such as Human Rights Watch. Many ICBL members, moreover, had pivotal roles in delivering services to landmine victims, which enhanced their legitimacy with governments and within the United Nations.

Understanding the formation and expansion of the ICBL requires the use of theoretical contributions from epistemic community and advocacy network scholars. The evidence from the campaign suggests that insights from each stage is appropriate for understanding how the mine ban treaty was achieved and for assessing the prospects for current and future NGO attempts to ban certain weapons or military practices, especially those with a dubious military utility and large humanitarian effects.

## B. Implications for International Relations Theory

Chapter Two suggested that rationalistic approaches, such as neo-realism and neo-liberalism, to international relations are unable to explain the emergence of the landmine ban, let alone the NGO role in that process. Moreover, these approaches are not able to explain why states that use or produce mines supported the treaty. As explained in Chapter Two, neo-realist and neo-liberal approaches are unable to explain the NGO role in moving the landmine issue onto and up the international political agenda. These scholars, especially the neo-realists ignore the contribution of NGOs to international relations and the influence of non-material factors.<sup>9</sup> Rationalistic approaches miss the critical role of the NGOs in altering how the international community viewed landmines. They cannot explain, for example, why the landmine issue was placed on the international political agenda and escalated on the list of international issues to be addressed, while other worthwhile issues, such as environmental degradation and child soldiers, remained low-priority items for governments. Neo-realism and neo-liberalism also fail to show why states responded in such an overwhelmingly positive way to the ban, even though it was not in their national security interests to do so. Haas posits that, “Neo-realists predict patterns of *follow the leader* under conditions of concentrated

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<sup>9</sup>Haas, 169.

systemic power.”<sup>10</sup> Nevertheless, in the landmines case, the great powers were resistant to the ban landmine convention while the majority of states, supported its promulgation.

The NGO role in initiating the landmine ban issue and in working to develop the Mine Ban Treaty has altered state behavior, even among the major state signatories, in an area traditionally at the heart of state sovereignty: military methods and weaponry. Once NGOs established that landmine use was inhuman and uncivilized, this new standard of landmine use affected state behavior by reinforcing the patterned behavior of not using landmines. According to the ICBL’s coordinator Jody Williams, “It wasn’t until the voice of civil society was raised to such a high degree that governments began to listen, that change began to move the world, with lightning and unexpected speed.”<sup>11</sup>

The study also details how the constructivist approach to understanding international relations provides a better understanding of the NGOs’ role in changing state behavior toward landmines. This approach suggests that international relations are socially constructed and that norms matter, in addition to relative power.<sup>12</sup> Theories based on material resources alone are indeterminate unless we account for how international actors interpret and act upon them. According to one prominent exponent, Alexander Wendt, constructivists believe that interests are endogenous to the social

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<sup>10</sup> Ibid.,190. Italics mine.

<sup>11</sup> Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, at the Ottawa Treaty Signing Conference and Mine Action Forum, December 3, 1997.

<sup>12</sup> Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” in Friedrich Kratochwil and Edward Mansfield, eds., *International Organization: A Reader* (Harper Collins College Publishers: New York, 1994) 81.

dynamics at work in international relations.<sup>13</sup> Social identities are shaped while states interact with one another, and identities can be modified as the expectations and actions of other actors change. Consequently, social identities are a key link in the mutual constitution of actors and social structures in international politics.<sup>14</sup>

The thrust of the constructivist argument holds that actor identities shape actor preferences and actor behavior in international relations, which are socially as well as materially constructed. Wendt's particular vein of constructivist thought, however, fails to explain why similarly situated states react differently to identical international legal norms.<sup>15</sup> He does not explain the origins of actor identity and interests, but simply asserts that "anarchy is what states make of it."<sup>16</sup> While this is not to say that Wendt and other constructivists present a blank slate for understanding agent identity and interests, they do not adequately explain why they look at identity and interests in a particular way. They do not demonstrate what factors generate state identity, or tell us why states behave as they do.

This dissertation assumed a constructivist approach that differs from Wendt's conception and leans more toward Nicholas Onuf's view of international relations, which suggests that the discourse and interaction among a range of international agents, such as

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<sup>13</sup> Alexander Wendt, "Collective Identity Formation and the International State," *American Political Review* 88 (June 1994), 384.

<sup>14</sup> *Ibid.*, 385.

<sup>15</sup> There have been a few constructivist studies on the factors involved at the domestic-international nexus of state behavior. These include Jeffrey T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly*, 43 (1999) 83-114; Thomas Risse-Kappen, "Ideas Do Not Float Freely. Transnational Coalitions, Domestic Structures, and the End of the Cold War," *International Organization*, 48:2, (Spring 1994), 185-214.

<sup>16</sup> Alexander Wendt, "Anarchy is What States Make of It: The Social Construction of Power Politics," 78-79.

individuals, NGOs and states, more fully explain international relations.<sup>17</sup> Onuf's ontology accepts the major premises and implications of Wendt and other constructivists' work, but it does not rely on states as the only agents in the international system.<sup>18</sup> Since this study focuses on the NGO role in banning landmines, Wendt's approach is not suitable as the framework for analysis since it does not factor in non-state actors as salient international influences in international relations.

This project's main thesis is that NGOs affect state behavior. The study provides mainly an empirical analysis of how and why NGOs change state behavior toward landmines. They could not do it by traditional diplomatic means, such as coercion and war. Instead, NGOs changed how governments thought about landmines. Constructivism provides a useful approach for getting at those techniques used to change government beliefs. This project builds on fundamental insights of how NGOs can build and affect norms by identifying conditions under which they can create norms to alter state thinking on certain issues.

This study contributes to constructivism by drawing on two literatures that take norms and non-state actors seriously. It adds to the epistemic community literature by revealing how NGO experts contribute to state policies. In contrast, the epistemic community literature limits itself to state policy change from experts located within the government bureaucratic structure. The roles of NGOs and of prominent individuals

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<sup>17</sup> Nicholas Onuf, "Constructivism: A User's Manual," in Vendulka Kubalkova, Nicholas Onuf, and Paul Kowert, eds., *International Relations in a Constructed World* (M.E. Sharpe: Amonk, New York, 1998) 58-78.

<sup>18</sup> *Ibid.*, 63.

associated with NGOs, such as Princess Diana, are not incorporated in the epistemic community explanation. Therefore, this study also uses the activist community framework to enhance understanding as to why non-expert NGOs joined the campaign, and in turn, how they contributed to changing state behavior.

The ICBL founders realized the need to create a broad-based international coalition in order to achieve a landmine ban.<sup>19</sup> They focused on arguments that landmine use was inhumane and not legally justifiable, as the humanitarian impact was more severe than its military utility. ICBL recruitment of non-expert NGOs was best characterized as a transnational activist movement based on the common goal of banning landmines. As explained in Chapter Two, the common goal of the landmine ban was created by NGO experts in order to tailor a simple and coherent message for many diverse NGOs. With respect to recruitment, scholars stress the influence of transnational NGO movements that are grounded in principles and norms.<sup>20</sup> This study contributes to the literature by more intensely investigating the NGOs' role in the landmines issue, especially their ability to generate international action, shape and control the political agenda. As the ICBL began to expand, the number of technical experts relative to its membership began to decline. Moreover, with expanding campaign membership, the ICBL's power increased.

As an example, Canadian Government officials credited the NGOs with helping to influence their landmine policies. Mark Gwozdecky, Co-ordinator of the Mine Action

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<sup>19</sup> Jody Williams, Coordinator, Landmines Campaign, "Brief Assessment and Chronology of the Movement to Ban Landmines," Vietnam Veterans of America Foundation memo, n.d. (author's estimate is 1994). 1.

<sup>20</sup> Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy in International Politics* (Cornell University Press: Ithaca, New York, 1998).

Team in the Canadian Department of Foreign Affairs and International Trade, concluded that “pressure from NGOs can force review of the policy;” for instance, “in the case of Canada, the Foreign Affairs Minister started a policy review after one letter received from Mines Action Canada.”<sup>21</sup>

The two- stage process of ICBL interaction with the international community explains the achievement and implementation of the ban landmine norm. Four key strategic areas – agenda setting, networking, communications and information technology and strategy – provide a model for understanding how the ban was achieved (see Table 7-1). This model can be similarly applied to recent international efforts at banning or restricting certain weapons and/or military practices.

The argument for this project is summarized in Table 7-1. The table shows the steps of the process by which NGOs can alter state behavior. These steps include getting the landmine ban placed on the international political agenda and then drawing governmental attention to the issue. NGOs were also able to network with and around governments by providing expert landmine information, thereby influencing and guiding it towards the Mine Ban Treaty’s conclusion. Furthermore, information technologies facilitated the campaign’s ability to gather and disseminate information to the international community. Finally, the campaign was able to keep its focus on the clear

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<sup>21</sup> Statement by Mark Gwozdecky, Government of Canada, to the Regional Conference on Landmines, Budapest, Hungary, March 27, 1998. *Report: Regional Conference on Landmines*, International Campaign to Ban Landmines, Budapest, Hungary, March 26-28, 1998, 50.

goal of banning landmines, while at the same time keeping the debate on the simple issue of understanding humanitarian aspects of the issue.

*Table 7-1: Summary of Study's Model: ICBL Levels of Activity*

<b>Chapter</b>	<b>NGO Activity</b>	<b>Theoretical Framework – Epistemic Community</b>	<b>Theoretical Framework – Activist Network</b>
Three	Agenda Setting	Getting Governments to address the landmine issue	Getting Governments to address the landmine issue in a particular way.
Four	Networking	Providing expert landmine information.	Socializing Governments, the UN, and other NGOs to support the Mine Ban Movement.
Five	Information Technologies	1. Quickly gathering, analysing and disseminating landmine information; 2. Using the media as a dissemination avenue; and 3. Increasing communication opportunities with states.	1. Coordinating information and strategy among themselves; 2. Reducing coalitional building costs, especially in terms of attracting southern NGOs; and 3. Allowing NGOs to speak with a collective voice.
Six	Strategy	Focusing on a clear goal – Comprehensive landmine ban.	Emphasizing a simple issue – landmines a humanitarian problem that should be addressed with a humanitarian solution.

### C. Empirical Evidence

Chapter Three focused on the NGO roles in setting the agenda for the mine ban issue. First, NGO experts initiated the issue by placing it on the international political



agenda, which resulted in intense media and public attention. Second, NGO experts facilitated transfer of the issue to the broader ICBL campaign membership, which allowed its members to lobby governments. The activist campaign members, including the ICBL experts, helped to articulate and codify banning landmines into international law by changing how governments perceived the lawfulness of landmines and how they viewed the effects of landmine use. In comparison most other most major arms control and disarmament treaties, such as the Biological Weapons Convention (BWC), Chemical Weapons Convention (CWC) and Nuclear Non-Proliferation Treaty (NPT), were negotiated at the behest of great powers (see Table 7-2). Moreover, multilateral arms control and disarmament treaties rarely, if ever, include NGO participation.<sup>22</sup>

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<sup>22</sup>Ken Rutherford, "The Hague and Ottawa Conventions: A Model for Future Weapon Ban Regimes?" *Nonproliferation Review*, 6:3, (Spring-Summer 1999), 38-39, 45.

Table 7-2: International Arms Control Conventions

CONVENTION	MAJOR POWER INFLUENCE	ISSUE INITIATOR
1869 St. Petersburg Declaration	YES	Russia <sup>23</sup>
1899 Hague Conference	YES	Russia <sup>24</sup>
1907 Hague Conference	YES	Russia <sup>25</sup>
Biological Weapons Treaty	YES	Great Britain, USSR, United States <sup>26</sup>
Chemical Weapons Treaty	YES	Japan, Great Britain, United States, USSR <sup>27</sup>
Nuclear Non-Proliferation Treaty	YES	Canada, United Kingdom, United States <sup>28</sup>
Mine Ban Treaty	NO	NGOs <sup>29</sup>

<sup>23</sup> Declaration Renouncing the Use, in Time of War, of certain Explosive Projectiles. Saint Petersburg, 29 November/11 December 1868, <<http://www.lib.byu.edu/~rdh/wwi/1914m/gene68/html>>.

<sup>24</sup> Russian Circular Note Proposing the First Peace Conference, August 12, 1898, in James Brown Scott, *The Reports to the Hague Conferences of 1899 and 1907* (Oxford: Clarendon Press, 1917), 1-2.

<sup>25</sup> International Peace Bureau, <<http://www.ipb.org/org/history/history.html>>.

<sup>26</sup> On July 10, 1969, Great Britain became the first state to submit a plan to ban biological weapons. Two months later, the USSR proposed a similar plan, which included chemical weapons. The United States supported the British plan, which became the foundation for the Biological Weapons Convention. Arms Control and Disarmament Agency, <<http://www.acda.gov/treaties/bwcl.htm>>.

<sup>27</sup> Chemical Weapons Convention Proposals were floated by Japan (1974) and Great Britain (1976), but coordinated international action did not occur until bilateral talks broke down between the United States and USSR in the early 1980s, when each supported multilateral discussions. Organization for the Prohibition of Chemical Weapons, *Chemical Disarmament: Basic Facts* (Organization for the Prohibition of Chemical Weapons: The Hague, 1998) 5.

<sup>28</sup> On November 15, 1945, Canada, the United Kingdom, and the United States proposed the creation of the United Nations Atomic Energy Commission "for the purpose of 'entirely eliminating the use of atomic energy for destructive purposes.'" Arms Control and Disarmament Agency, <<http://www.acda.gov/treaties/npt1.htm>>.

<sup>29</sup> The ICBL started in 1991, more than four years before a single government publicly supported a ban. It is the "first time such a wide spectrum of NGOs has worked together toward a common goal — a total ban on AP [anti-personnel] landmines." Phillip C. Winslow, "The dry eye of the figureless god," *Red Cross, Red Crescent Story*, Issue 2 (1997), 11; Vietnam Veterans of America Foundation publication, "The International Campaign to Ban Landmines," u.d., p. 1.

Chapter 4 highlighted how NGOs networked among the United Nations, governments and other NGOs to initiate and sustain international momentum toward a Mine Ban Treaty. Collaboration on the Mine Ban Treaty suggests an innovative method to get governments to think beyond their own short-term and narrow self-interests and consider more non-material concerns, such as humanitarian issues. Richard Falk comments that the NGO success in achieving the Mine Ban Treaty is “illustrative of the political leverage and law-making impact that can be made under certain conditions by a timely collaboration between a coalition” of NGOs and “sympathetic governments.”<sup>30</sup> He is correct. Due to the knowledge of their landmine experts, the ICBL gained credibility with governments. At its inception, ICBL leaders decided to recruit similar expert NGOs. Ideally, the credibility of these NGOs should be “above question and show staff and leadership could bring the requisite expertise of their own experience to bear on the problem...[resulting in the fact that] their experience could not be ignored.”<sup>31</sup> It was important for the NGOs to show that they had credible information and analysis in order to convince governments to accept their landmine ban arguments.

The NGO role in networking together and with other international actors provides a distinct form of international politics: A collaborative process between moderate governments and transnational NGOs – “a new internationalism” that is evident in other

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<sup>30</sup> Richard Falk, “The Montheistic Religions in the Era of Globalisation,” *Global Dialogue*, 1:1 (September 1999), 146.

<sup>31</sup> Robert O. Mueller, “New Partnerships for a New World Order: NGOs, State Actors, and International Law in the Post-Cold War World,” *Hofstra Law Review* (Fall 1998)1.

settings. For example, the Coalition to Stop the Use of Child Soldiers is currently attempting to attach an optional protocol banning the recruitment and participation of child soldiers to the Convention on the Rights of the Child.<sup>32</sup> Because the child soldier issue is being negotiated in a consensus-negotiating forum, the United States and other states are able to block its adoption. United States opposition is based on “concerns over whether setting the minimum recruitment age at 18 would compromise national security or limit sovereignty.”<sup>33</sup> Most likely, the ban the child soldier NGO coalition and their state allies will be forced to mirror the NGO landmine campaign by taking the issue out of a consensus forum and creating a negotiating forum more open to NGO agenda control.

Many in the international community now see NGOs as essential partners in mobilizing international public opinion, policy implementation, and working in the field.<sup>34</sup> UN Secretary-General Annan observed that the UN enjoyed its NGO partnership because it strengthened the international community’s “collective ability to respond to the humanitarian crisis posed by landmines.”<sup>35</sup> Upon the awarding of the 1997 Nobel Peace Prize to the ICBL, remarked that “when civil society and non-governmental organizations come together and work with governments, a lot can happen in a relatively short time.”<sup>36</sup>

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<sup>32</sup> Coalition to Stop the Use of Child Soldiers, [www.child-soldiers.org](http://www.child-soldiers.org)

<sup>33</sup> Mike Wessells, “Child Soldiers” *The Bulletin of the Atomic Scientists*, (November/December 1997), 39.

<sup>34</sup> Quoted in Aviel, 156.

<sup>35</sup> Statement by Kofi Annan, United Nations Secretary-General, to the Organization of African Unity Conference: Towards a Landmine Free Africa, May 19, 1997.

<sup>36</sup> Kofi Annan, United Nations Secretary-General, in a message released by the United Nations Department of Public Information upon the occasion of the awarding of the 1997 Nobel Peace Prize to the ICBL.

In this regard, the mine ban campaign provides a unique model of public-interest intervention at the international level. The ICBL's influence in the mine ban treaty's creation and development demonstrates that governments need NGOs to initiate and follow through on security and social issues that states have thus far proven unable to manage.

By supporting the mine ban treaty's development and a non-United Nations negotiating track, NGOs precipitated a dramatic transformation of the UN's role from the international center of multilateral arms control and disarmament activity to encouraging external alternatives for controlling weapons. NGOs helped to encourage the development of negotiating and procedural mechanisms antithetical to UN traditions. The core group of pro-ban governments made a conscious decision early on to adopt majority voting in order to allow the landmine ban issue to move forward faster and to include the ICBL into the negotiations. This latter decision was made to utilize the ICBL's technical expertise and to combat opposition by major states, including three of the permanent UN Security Council members. Moreover, NGO networking also helped to increase international concern for the ban landmine issue by contributing to public and government action toward banning landmines. According to the UN Department for Disarmament Affairs, NGOs significantly influenced international public opinion and

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"Secretary-General Say Nobel, Peace Prize to International Campaign to Ban Landmines is 'Well-Deserved Honor,'" United Nations Department of Press Information, SG/SM/6354, October 10, 1997.

played a very important part in the “actual consultations and negotiations on the drafting of the Convention.”<sup>37</sup>

The principal conclusion in Chapter Four finds that the ICBL’s main role in the negotiating process was to create the international political environment for holding landmine discussions and the political will for states to sign the treaty. As suggested by Jody Williams, the model for mobilizing NGOs and working with small and mid-size states can form the basis for a new international “superpower.”<sup>38</sup> The ICBL’s ability to generate results at the UN provides an excellent framework for future international NGO contributions to changing state behavior. International political observers, such as Natalie Goldring of the British American Security Information Council, posit that the ICBL shows how critical it is for any NGO movement to get action and discussion at the UN level.<sup>39</sup> At the broader level, one international relations scholar comments that international NGO coalitions have the “the potential to help unite diverse interests into a cohesive new social pact,”<sup>40</sup> which, in turn, affect international politics. This is clearly what occurred in the case of the International Campaign to Ban Landmines.

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<sup>37</sup> *The United Nations Disarmament Yearbook*, Vol. 22: 1997, (United Nations Publications: United States, 1998) 110.

<sup>38</sup> Jody Williams and Stephen Goose, “The International Campaign to Ban Landmines,” in Cameron, et. al, 47.

<sup>39</sup> Quoted in *Disarmament: The Future of Disarmament*, Edited transcripts of the forums held in the United Nations on 10 April, 23 September and 21-23 October 1997 by the NGO Committee on Disarmament, in cooperation with the UN Centre for Disarmament Affairs and the UN Department of Public Information, and the NGO presentations made during the NPT PrepCom on 16 April 1997, United Nations, New York 1998, 149.

<sup>40</sup> Alicia Barcena, “The Role of Civil Society in Twenty-First-Century Diplomacy” in James P. Muldoon, Jr., JoAnn Fagot Aviel, Richard Retiano, and Earl Sullivan, eds., *Multilateral Diplomacy and the United Nations Today* (Westview Press: Boulder, 1999), 193.

Chapter Five addressed the NGO experts' use of information technologies in generating international momentum. It made two inter-related arguments: First, these technologies helped NGO experts to: (1) quickly gather, analyse and disseminate landmine information; (2) use the media as a dissemination avenue; and (3) increase communication opportunities with governments. The NGOs use of Internet-based technologies also allowed them to educate and influence governmental decision-makers early and often in their foreign policy decision-making processes. This portends new avenues by which informational technologies can be used to influence foreign policymaking.

Second, NGO experts and non-experts used Internet-based information technologies to socialize other NGOs to the landmine issue. Internet-based information technologies were used to: (1) coordinate information and strategy amongst themselves; (2) reduce coalitional building costs, especially in terms of attracting southern NGOs; and (3) allow NGOs to speak with a collective voice.

Information technologies helped NGOs lower transaction costs related to coordinating a geographically broad-based campaign. They facilitated the ICBL's efforts to disseminate the landmine ban message, and the construction and maintenance of the ICBL virtual organization. These technologies, specifically those based on the Internet, also helped to construct the ICBL as a "virtual organization," which is defined here as "unstructured ad hoc clusters of people who perhaps never met," but share a sense of

common passion and quickly mobilize for political action." The central organizational features of the ICBL are no overall budget, no permanent operations headquarters and no permanent employees, except for Jody Williams's position as coordinator, which VVAF funded. These technologies also helped to increase the speed of inter-NGO communications and "expand the number of NGOs at the global level as well as their role in multilateral diplomacy."<sup>42</sup> At the broader level, information technologies gave "to the private citizen, the civil groups and the expert the capacity for communication and exchange of information quickly, cheaply and across huge distances,"<sup>43</sup> all of which were ingredients critical to underscoring the need for a landmine ban treaty.

Because of recently introduced Internet-based information technologies, NGOs are now better able to inform governments and the public than ever before. NGOs can take advantage of their individual strengths, such as expertise in their narrowly defined issue-areas. When coupled a network connected by information technologies, NGOs can disseminate information to each other and the media, and lobby governments more quickly. These technologies also make it easier for NGOs to coordinate efforts and overcome geographical space challenges. When NGOs and other civil society members work "co-operatively in specific but interacting issue-areas" they create "the basis for the

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<sup>41</sup> Engardio, 145.

<sup>42</sup> JoAnn Fagot Aviel, "NGOs and International Affairs: A New Dimension of Diplomacy," in Muldoon, Jr., et al, 156.

<sup>43</sup> Statement of Canadian Minister of Foreign Affairs, Lloyd Axworthy, at the Oslo NGO Forum, Oslo, Norway, September 7, 1997 in the ICBL Report: NGO Forum on Landmines, Oslo, Norway, September 7-10, 1997,67-68.



emergence of new forms of political and social identity and action at all levels of governance.”<sup>44</sup>

The ICBL approach to employing information technologies also provides a model that could be useful in current and future efforts at changing state behavior toward certain issues, such as the Coalition to Stop the Use of Child Soldiers. Its web site, for example, lists the campaign’s steering group members from more than eleven states, encourages organizations to join the campaign, and offers links and database for further information.<sup>45</sup> The ICBL model also provides the basis for another effort, the International Action Network on Small Arms (IANSA).<sup>46</sup> Its web site provides action alerts directing supporters to E-mail their concerns directly to their governmental representatives.<sup>47</sup> The web site also provides an opportunity to join the campaign or to research further information about the campaign, and an area to read the latest campaign news.<sup>48</sup>

While E-mail and web-based communications technologies were not instrumental in launching the Mine Ban Movement or its lobbying efforts during the early years, the ICBL increasingly relied on them as the campaign expanded to the south and as the technologies, especially those based on the Internet, developed to ensure reliable and cheaper communications. These technologies now facilitate the ICBL efforts in monitoring the treaty.

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<sup>44</sup> J. Marshall Beier and Ann Denholm Crosby, “Harnessing Change for Continuity: The Play of Political and Economic Forces Behind The Ottawa Process,” in Cameron, et. al., 272.

<sup>45</sup> Ibid., [http://www.child-soldiers.org/coalition\\_and\\_its\\_supporters.htm/](http://www.child-soldiers.org/coalition_and_its_supporters.htm/). October 29, 1999.

<sup>46</sup> Clegg, 49.

<sup>47</sup> The International Action Network on Small Arms (IANSA), <http://www.iansa.org/> October 29, 1999.

<sup>48</sup> Ibid.

Chapter Six treated the two major lobbying strategies used by NGOs to achieve the ban. The first strategy conceived and implemented by NGO landmine experts focused on the clear goal of banning landmines, not merely restricting their use. The experts believed this strategy as the only realistic solution. To focus NGO legal and lobbying efforts on managing landmine use, such as allowing certain types of landmines and prohibiting others, or determining the conditions when landmines could be used, would result in regulations too vague to achieve and enforce adequately.

The second NGO strategy included NGO non-experts. The goal was to keep the debate simple by focusing on only anti-personnel landmines and the humanitarian effects of their use. Rather than incorporating other victim-activated weapons, such as anti-tank landmines, sea mines, unexploded cluster bombs and other forms of ordinance into the campaign, NGOs stuck to a simple issue – the anti-personnel landmine. The simple issue characteristics helped NGOs disseminate and educate others about the consequences of mine use, which, in turn, helped broaden and expand the campaign.

By transforming the landmine debate from a military to a humanitarian issue, NGOs were able to bring the landmine problem to the attention of those in and around the international diplomatic and legal process. Opening up the debate to humanitarian issues allowed significant access for non-traditional foreign and security policy NGOs, such as humanitarian and religious groups, and for individuals connected to NGOs, such as Princess Diana and the Landmine Survivors Network. This expanded the scope of conflict about landmine policy, thereby helping to increase the visibility of the issue to

policymakers and the public, and, in turn, to involve them more actively in policy discourse.<sup>49</sup>

By combining the strategies of a *clear goal and simple issue* the NGO landmine epistemic community was able to keep the campaign's goal on the ban, while the ICBL non-expert members could very simply explain the landmine issue. NGOs would not have been as effective if they had utilized a strategy based on a complex issue with a multitude of goals.

In both strategies, NGOs primarily focused on the effects of landmines, rather than the military and security implications of the ban. This emphasis is reflected in the treaty's call for state signatories to "provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims."<sup>50</sup> Since incorporating victim assistance in an arms control or disarmament convention is not standard practice, arguments had to include language that "would require states to accept certain affirmative duties toward individuals injured by mines" (see Table 3). The principal argument for victim assistance was that only in that manner could the treaty accomplish its goal of providing a complete response to the threats presented by landmines.<sup>51</sup>

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<sup>49</sup> E.E. Schattschneider argues that the expansion of conflict signifies a healthy democracy because it allows for increased public participation, usually through "responsible leaders and organizations," into the policy process. In E.E. Schattschneider, 142.

<sup>50</sup> Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, Article Six, Paragraph Three.

<sup>51</sup> Jerry White and Ken Rutherford, "The Role of the Landmine Survivors Network," in Cameron, et al., 113.

*Table 7- 3: Arms Control Treaties and Victim Assistance*

<b>REGIME</b>	<b>VICTIM ASSISTANCE</b>
Biological Weapons	No
NPT	No
Chemical Weapons	No
Mine Ban Treaty	Yes – Article 6, Paragraph 3

The result is that the Mine Ban Treaty became the first major multilateral disarmament or arms control treaty in history to include language for victim assistance. This reflects the NGO focus on the humanitarian message, rather than on military utility.

The study shows that, under certain conditions, NGOs contribute to creating international law, especially legal prohibitions on weapons that are strategically dubious and humanitarially suspect, which, in turn, can effect behavioral changes by governments. Several unique characteristics of the NGO - Mine Ban Treaty relationship are revealing of the roles that NGOs can play other issue-areas. The role that victims played in NGO strategies was a significant factor in drawing international attention to the landmine issue. The high-profile role of landmine victims, whether by being part of statistics and NGO stigmatization strategies, or through personal testimonies at international conference and media profiles, became a powerful and compelling instrument of suasion.

The dearth of victim participation in the great NGO effort to ban nuclear weapons might explain why it has not been as successful as the landmine campaign in attracting

international attention.<sup>52</sup> This failure may be due to the fact that these NGO movements are primarily composed of experts who did not articulate their demands in a way for the general public to understand and did not include civilian victims as part of their dissemination and lobbying strategies. Another possible explanation for the failure of the ban-nuclear-weapons movements is that violations of a landmine ban would not fundamentally threaten national security, while an undetected violation of a nuclear weapon ban could pose a serious threat to a society.

#### D. Does the Mine Ban Treaty Matter?

It is still too early to tell if defection and free-riding among Mine Ban Treaty parties will be problematic. The treaty has been signed and ratified by a broad range of governments. Among the parties are states such as Austria, Canada, Ireland, Norway and South Africa, which invested financial and diplomatic resources to sustain the treaty negotiations. Other parties include states that were once major landmine producers, such as France, Germany, Hungary, Italy and the United Kingdom, and many landmine-infested states, such as Bosnia, Croatia, Mozambique, Nicaragua and Zimbabwe.<sup>53</sup> Most significantly, the treaty has affected the landmine policies of the great powers. The

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<sup>52</sup> There are currently three NGO efforts to ban nuclear weapons: 1) Abolition 2000: A Global Network to Eliminate Nuclear Weapons, c/o Waging Peace [www.napf.org/abolition2000](http://www.napf.org/abolition2000); The Middle Powers Initiative (MPI) – Fast track to Zero Nuclear Weapons [www.napf.org/mpi](http://www.napf.org/mpi); and IALANA – Nuclear Weapons: Dismantling by Law [www.ddh.nl.org/ialana](http://www.ddh.nl.org/ialana).

<sup>53</sup> “Landmine Treaty Ratified by Forty Countries in Record Time.” International Campaign to Ban Landmine press release, September 17, 1998.

implication is that the NGO-initiated landmine ban movement resulted in dramatic landmine policy decisions among a range of states.

Notwithstanding some violations from signatories and criticisms from the United States, the attainment of the Mine Ban Treaty marks a tremendous achievement.<sup>54</sup> The NGO role in initiating and facilitating the Ottawa Process demonstrates that NGOs can assume an important influence in international affairs. According to Canadian Foreign Minister Lloyd Axworthy, governments “can no longer relegate NGOs to simple advisory or advocacy roles” as “they are now part of the way decisions have to be made. They have been the voice saying that governments belong to the people, and must respond to the people’s hopes, demands and ideals.”<sup>55</sup>

The mine ban case also indicates that a role exists for NGOs subsequent to a treaty’s signing in the form of a monitoring and verification system. Other international experts have shown that NGOs directly contribute to treaty enforcement by performing “the surveillance, information gathering, and enforcement functions of an already established regime.”<sup>56</sup> The presence of NGOs that are both motivated and sufficiently well-informed to monitor compliance is especially important for regimes that it would be costly or complex for states to monitor. A brief survey of the NGO role in monitoring and enforcing the Mine Ban Treaty follows.

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<sup>54</sup> Angola, Guinea-Bissau and Senegal were the three signatories who were condemned at the first states parties to the mine ban treaty conference for continuing to use landmines. *Landmine Monitor Report 1999*, 3

<sup>55</sup> Lloyd Axworthy, Canadian Minister of Foreign Affairs, to the NGO Forum on Banning Anti-Personnel Landmines, Oslo, Norway, September 7, 1997 in the *ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 67.

<sup>56</sup> Virginia Haufler, “International Regimes and Non-State Actors,” 107.

Before the treaty was signed, NGOs declared that they would be active in treaty implementation. In her opening plenary speech to the NGO Forum in Oslo on September 7, 1997, Jody Williams said that even though the ban was within the ICBL's reach it "must not think for even one moment that its work is done...[because] it is absolutely imperative that this Campaign continue its work to make this treaty a reality."<sup>57</sup> The ICBL presently conducts the NGO-managed Landmine Monitor Program to help implement and enforce the treaty's provisions.<sup>58</sup> This program is the first systematic effort by NGOs to monitor and report state compliance with an arms control treaty.<sup>59</sup> One goal is to make available a continuous flow of high-quality research and analysis on state landmine activities and policies in order to monitor implementation of the treaty. The executive summary, as well as full and country reports of the Landmine Monitor information, are available through the ICBL web site.<sup>60</sup> As a result, governments now realize that they should consider the involvement of NGOs in any of their landmine policies.

Does an increased role for NGOs in treaty making and implementation help or hinder the treaty's effectiveness? All the major powers opposed the Mine Ban Treaty, so

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<sup>57</sup> Statement by Jody Williams, ICBL Coordinator, to the NGO Forum, Oslo, Norway, September 7, 1997 in the *ICBL Report: NGO Forum on Landmines*, Oslo, Norway, September 7-10, 1997, 3. [capitalization mine].

<sup>58</sup> While the Landmine Monitor program is coordinated by Human Rights Watch, Handicap International, Kenya Coalition Against Mines, Mines Action Canada and Norwegian People's Aid, the research was conducted by "in-country researchers utilizing the ICBL's network of 1,300 non-governmental organizations working in over 80 countries." *ICBL press release*, May 3, 1999, "Landmine Monitor Report 1999: Toward a Mine-Free World," <http://www.icbl.org/>

<sup>59</sup> *ICBL press release*, October 1, 1998, "Mine Ban Movement Accelerates Into New Phase," <http://www.icbl.org/>

<sup>60</sup> Landmine Monitor Report 1999, <http://icbl.org/lm/1999/>

will it work? In responding to this question, one U.S. Department of Defense official characterized the Mine Ban Treaty as being as important as a treaty banning navies that was signed only by countries like Uganda and Nepal but not major naval powers.<sup>61</sup>

However, has the mine ban movement, at least for the moment, succeeded in its goals?

This question is addressed below.

After the formation of the Mine Ban movement in 1991, landmine production, transfers, use and landmine victim rates have all dramatically declined. Consider these developments:

- Landmine production has dropped from 54 to 16 countries. Most important, is that a majority of the large landmine producers have stopped production.<sup>62</sup>
- All former and current landmine-producing nations, except Iraq, have expressed their commitment to unilaterally banning landmine exports.<sup>63</sup>
- Landmine use has significantly declined around the world. In 1998 and early 1999, there were no reports of landmines being deployed on a large-scale basis.<sup>64</sup>
- The casualty rate in Cambodia has declined by more than 90 percent.<sup>65</sup>

Such dramatic changes primarily stem from the attention derived from NGOs active in the mine ban movement and their role in attaining the treaty. While it is

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<sup>61</sup> Conversation with author at Department of Defense in Arlington, Virginia, April 1999.

<sup>62</sup> *Landmine Monitor Report 1999*, 5.

<sup>63</sup> *Ibid.*, 8.

<sup>64</sup> *Ibid.*, 3.

<sup>65</sup> Statement of Pat Patierno, Director, Office of Humanitarian Demining, Bureau of Political-Military Affairs, Department of State, at the "Landmines: Human Rights and National Security Conference" at the Harvard Club, New York, New York, May 15, 2000.



extremely challenging to identify what proved instrumental in the NGOs' success, the study highlights that four key factors – agenda setting, networking, communications and information technology and strategy – were critical in attaining the ban.

The study's two-stage model highlighting NGO experts and non-experts interactions among themselves and with the international community reveals how NGOs developed and sustained the mine ban movement to its successful conclusion. The analysis also reveals the ways and means NGOs used information technologies and implemented coherent strategies to expand the campaign and attain completion of the Mine Ban Treaty. This success appears all the more surprising given that landmines were a widely used weapon and retained a military utility. The ban is quite an achievement not only to ban their use, but to do so in such quick fashion.

### E. Challenges for NGO Transnational Movements

The rise in NGO influence in creating and developing the Mine Ban Treaty suggests that governments might need information and services that NGOs can provide exclusively, or provide more quickly and effectively. Another implication is that governments should learn to cooperate with NGOs, rather than remain in a state-centric international negotiating process.

While this study highlights the strengths of the mine ban NGOs, there are serious challenges to the formation of similar transnational NGO campaigns. While Mine Ban NGOs attained their goal of a mine ban treaty, they, too, faced several obstacles that could weaken other NGO transnational movements. Three key obstacles that confront the ICBL and other similar transnational NGO movements are the following:

*1 NGOs as Service Agents for Special Interests.* Even though NGOs typically serve a public service or need, they can also serve the interests of special groups. Since they represent different communities and activities, NGOs can be “afflicted by tunnel vision, judging every public act by how it affects their particular interest.”<sup>66</sup> Some academics who support the theory that NGOs are infringing on state sovereignty complain about the singular focus and/or narrow mindedness of NGOs. The inherent danger is that an increasing NGO role “in which the piling up of special interests replaces a strong single voice for the common good” could eventually result in a threat to “the viability of democratic government.”<sup>67</sup> While focusing on one issue can be an NGO strength, it can be a weakness as well. In the mine ban case, for example, some ICBL members became so focused on the ban that they failed to see possibilities for compromise. Achieving consensus among NGOs with a range of interests can lead to limited approaches to solving the problem. In other words, NGOs can have a disrupter capacity, just as they can create movement toward issues and their solutions. Jody

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<sup>66</sup> Statement of Jessica Tuchman Mathews at the 75<sup>th</sup> Anniversary Symposium, Harvard School of Public Health, Boston, MA. <http://www.hsph.harvard.edu/digest.mathews.html> > September 25, 1999.

<sup>67</sup> Ibid.

Williams alluded to these difficulties in her speech on the occasion of the Mine Ban Treaty signing when she remarked, “It has been my privilege and sometimes my pleasure, not always my pleasure, to coordinate this campaign.”<sup>68</sup>

The “special interest” problem for NGOs involved in the mine ban movement is reflected in the fact that once the ban was achieved, the unifying banner overhanging the ICBL – banning landmines – disappeared. NGOs then started to intensify their attention to, or at least re-orient their focus on, subsidiary goals of funding mine removal, victim assistance programs, and controlling leadership positions in the ICBL. Because of the resultant disagreements over policy priorities, several founding members dropped out of the campaign after the Treaty’s signing. Canadian Foreign Minister Lloyd Axworthy referred to these challenges when he said that maintaining collegiality among members in the mine ban movement is most important, especially when “you start putting money on the table, that’s when people start reacting.”<sup>69</sup> Relatedly Ernst Haas observed that collaboration at the international level “becomes conflictual only when the parties begin to disagree on the distribution of benefits to be derived.”<sup>70</sup> This appears to have been the case upon achieving a successful anti-landmine treaty.

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<sup>68</sup> Statement of Jody Williams, ICBL Coordinator, to the “A Global Ban on Landmines – treaty signing conference and mine action forum,” December 3, 1997.

<sup>69</sup> Quoted in Bruce Cheadle, “Williams arrives at landmines conference amid champagne,” *Edmonton Journal Extra National News*, [www.southam.com/edmontonjo/cpfs/national971201/n120130.html](http://www.southam.com/edmontonjo/cpfs/national971201/n120130.html) December 2, 1997.

<sup>70</sup> Ernst B. Haas, , “Why Collaborate? Issue-Linkage and International Regimes,” in Friedrich Kratochwil and Edward Mansfield, eds., *International Organization: A Reader* (Harper Collins College Publishers: New York, 1994) 365.

*2. NGO Financial Dependence on Governments.* Throughout the campaign, many NGOs involved in the ICBL were dependent on financial assistance from governments, thereby potentially influencing their positions and activities.<sup>71</sup> U.S. government funding provides considerable portions of the budgets of some of the largest ICBL members, such as CARE, VVAF and World Vision. For example, more than 64 percent (or nearly \$233 million dollars) of CARE's 1998 total support and revenue – more than \$359 million dollars – was government funding. Nearly 90 percent or over \$208 million dollars of that support was from the U.S. government, a non-signatory of the Mine Ban Treaty.<sup>72</sup> Thus, some scholars claim that NGOs “are not as independent as they are portrayed to be,” which, in turn, results in behavior similar to other political actors, who “have a specific agenda and just like states should be viewed with a critical eye.”<sup>73</sup> In the international arena, it is notable that the governments of Canada and Norway contributed significantly to hosting ICBL and other NGO landmine conferences and events. The heavy reliance on government funding may belie the claim that NGOs are sovereignty free, or immune from interstate (or even intrastate) politics.

*3. Lack of Cohesion Among NGO members.* Another major challenge for NGO coalitions is that large transnational campaigns, such as the Mine Ban Movement, can lead to internal conflict and disruption between members. In any diverse group, tensions

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<sup>71</sup> One significant exception is Human Rights Watch, who refuses all government financial support. Human Rights Watch Annual Report, <http://www.hrw.org> November 3, 1999.

<sup>72</sup> CARE 1998 Annual Report, [http://www.care.org/publications/annualreport98/financial\\_statements2.html](http://www.care.org/publications/annualreport98/financial_statements2.html) November 3, 1999.

<sup>73</sup> Richard Reitano and Caleb Elfenbein, “Diplomacy in the Twenty-First Century: Civil Society Versus the State,” in Muldoon, Jr., et al, 238.

are bound to occur, and the mine ban movement proved to be no exception. The ICBL leadership challenges were typical of transnational NGOs. For example, NGO directors and staff are rarely elected.<sup>74</sup> Possibly some NGO leaders may hold views disparate from the regular members; if so, would the campaign truly speak for all members?

International relations scholar Virginia Haufler has concluded that, “The relationships among non-state actors may be just as strained as those among states, leading to the need to manage inter-organizational conflict.”<sup>75</sup> Frequently NGOs face the dilemma of choosing a radical and dramatic goal, with narrow but mobilized supports, or moderate goal with a broader but less committed group of supporters. ICBL goals managed to finesse this dilemma.

After the treaty signing, the two ICBL co-founders, VVAF and MI, resigned from the ICBL steering committee. VVAF said that it wanted to focus its “efforts to bringing the US aboard the Ottawa treaty,” which it believed that the ICBL leadership did not feel was terribly important.<sup>76</sup> A few months later Thomas Gebauer informed the ICBL that MI was resigning from the steering committee to focus more on its victim assistance activities. Gebauer stated that MI, which was also a member of the ICBL Steering Committee, was not informed of the Nobel Peace Prize nomination letter until “months after it was sent out.”<sup>77</sup> The most significant change in the ICBL’s structure was the

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<sup>74</sup> Wapner, 145.

<sup>75</sup> Haufler, 99.

<sup>76</sup> Torbjørn Pedersen, *The Boston Globe*, “Leading foe of mines quits, keeps prize,” [http://www.boston.com:80/dailyglobe/globhtml/041/Leading\\_foe\\_of\\_mines\\_quites\\_keeps\\_p.htm](http://www.boston.com:80/dailyglobe/globhtml/041/Leading_foe_of_mines_quites_keeps_p.htm). February 10, 1998.

<sup>77</sup> Quoted in Carlye Murphy, “The Nobel Prize Fight,” *Washington Post*, March 22, 1998, F4.

resignation of Jody Williams as ICBL coordinator and the hiring of Liz Bernstein and Susan Walker to be coordinators in February 1998.

A related difficulty for transnational NGO campaigns is the division within the campaign between northern and southern NGOs. This problem reflects the cultural and resource equality division among the NGO community. For example, at the UN there is a tendency for northern NGOs to dominate while the southern NGOs, including those in countries with landmine casualties, are under-funded and under-represented.<sup>78</sup> In the mine ban movement, a few ICBL southern NGOs complained that northern NGOs comprised a significant majority of the leadership positions, especially those regarding planning and strategy. The claim holds merit. For example, “[a] survey at the Ottawa Treaty signing found that only 20% of the NGOs were non European or non-North American.”<sup>79</sup> The ICBL did not begin focusing on massive expansion to the south until it had strengthened the campaign in the north and generated political momentum, which was in 1996 and 1997, more than five years after the ICBL’s founding.<sup>80</sup> Subsequently, the northern NGOs entrenched themselves in power positions throughout the campaigns. With few exceptions, the ICBL coordinators and international individual representatives to the Ottawa Process discussions were representatives from northern tier NGOs. This drew complaints from Sayed Aqa of Afghanistan, a main force behind the Afghanistan campaign to ban landmines and in the demining community, who said that during the

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<sup>78</sup> Statement of Richard H. Stanley, President, February 19, 1999. 16.

<sup>79</sup> English, 138.

<sup>80</sup> Ibid., 25.

Ottawa Treaty process, ICBL committee decisions were unilaterally changed by individuals and without consultation.<sup>81</sup>

## F. Conclusion

The networking skills of the ICBL landmine experts, such as HRW and VVAF, helped propel international momentum toward a ban landmine norm by transforming the issue into a humanitarian concern for various NGOs and governments, especially Canada. By attracting other NGOs to its campaign, the ICBL landmine experts created a near-universal movement, thereby strengthening its power and sustaining international political momentum toward attainment of a comprehensive ban treaty. The confluence of landmine expert NGOs with a broadened NGO membership enabled the NGOs to cooperate more effectively in pushing for a ban.

On the eve of signing of the convention, Jody Williams stated that

The Ottawa Process is one of the all too rare moments in history when governments all over the world have responded rapidly and without equivocation to the demands of civil society, when governments and civil society have worked together with courage and vision to achieve a most noble objective. This is a new way of conducting international diplomacy.<sup>82</sup>

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<sup>81</sup> Murphy, F4.

<sup>82</sup> Quoted in *ICBL Press Release*, "Mine Ban Campaign Praises Treaty, Challenges Governments to Ratify Now," Ottawa, Canada, December 1, 1997.

The principal finding in this dissertation concurs with her observation. It finds that NGO involvement in the landmine ban treaty process demonstrates how NGOs can be an important part of international law-making.

This study has provided a theoretical and practical framework for explaining the success or failure of other transnational NGO movements. The Mine Ban Treaty represents a significant joint venture between governments and NGOs. NGOs went beyond informing and moving international public opinion by educating and lobbying governments, who in turn were moved to view landmines differently – as a humanitarian threat rather than merely as a military weapons. The ICBL activities herald an international trend of NGOs moving into portions of international relations once dominated by governments. Perhaps the NGO role in banning landmines is evidence of how NGOs will be incorporated into future international negotiations and policymaking. If the past is prologue, the landmine campaign may auger how future international relations will be conducted. Should that be the case, NGO activities might well foster new sources of international norm creation, on the way to building a more civil international society.



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