

Walking Together or Divided Agenda?

Comparing Landmines and Small-Arms Campaigns

STEFAN BREM & KEN RUTHERFORD*

Center for International Studies, Zurich, Switzerland, and Department of Political Science, Southwest Missouri State University, Springfield, MO, USA

Introduction

JUST AS THE 19TH CENTURY closed with the 1899 Hague Peace Conference, where 26 governments were represented, the 20th century ended with the 1999 Hague Appeal for Peace (HAP) Conference, where the delegates represented more than 1,000 nongovernmental organizations (NGOs). The HAP Conference delegates took special pride in the entry into force on 1 March 1999 of the NGO-inspired Ottawa Treaty banning anti-personnel landmines (APMs). During the conference (11–15 May 1999), the International Action Network on Small Arms (IANSA) was launched, a coalition of international NGOs calling for the prevention of ‘proliferation and unlawful use of light weapons’.¹ The IANSA and other NGO campaigns that started in The Hague held up the International Campaign to Ban Landmines (ICBL), a coalition of more than 1,300 NGOs from 70 countries, as an example of how to work with medium-sized states on security issues – even in opposition to major powers, such as the United States, China, and Russia.

With the ICBL’s encouragement and support, the Canadian government and other pro-ban states called for the creation of a new regime, to be negotiated outside the consensus-based format of UN multilateral arms control fora. The main distinguishing features of the negotiations begun as a result of this were that they were guided by majority-voting procedures, and NGOs were welcome participants. The treaty negotiations, more commonly known as the Ottawa process, eventually culminated in the Ottawa Treaty banning anti-personnel

mines, which was signed by 122 states in Ottawa, Canada, in December 1997. This treaty entered into force in March 1998, passing from conception to enactment more quickly than any other major treaty in the history of the world.

Besides the ICBL and IANSA activities, there has been much government and private activity around such international security issues as banning child soldiers and prohibiting weapons in outer space. This article hopes to focus this behavior by providing a comparative analysis of the NGO role in banning landmines and in restricting the use of small arms and light weapons. It hopes to contribute to dialogue among researchers and users of research, such as NGO activists and diplomats, concerned with international security issues that states are either unwilling or unable to address. While this article examines how the success of the Ottawa Treaty could provide lessons for the IANSA and for international debate concerning small arms and light weapons, it does not seek to evaluate either the ratification and implementation procedures or the effectiveness of the Ottawa Treaty. Nor does the article analyze either relations between the ICBL and the IANSA or their funding mechanisms, which are beyond the scope of its purpose.

The following sections provide a comparative analysis of the IANSA and the ICBL, and ask whether the debate on small arms and light weapons should or could 'walk together' with the ICBL model in its relatively successful effort to ban landmines. In the first section, we specifically examine the roles of the three major actors influencing the mine-ban negotiation process: international organizations (IOs), NGOs, and medium-sized states. The second section investigates the role these actors play in the small-arms and light-weapons (SALW) campaign. The final section provides a comparative study summarizing the landmine and SALW negotiations, and looks at the similarities and differences between the two issue areas and processes. The article ends by examining adjustments that the NGOs involved in the SALW debate need to make in order to be successful.

Landmines

Academics, diplomats, and NGO representatives see the genesis and negotiations of the Ottawa Treaty as an innovative model for future multilateral discussions.² Even the Nobel Committee recognized the unique coalition behind this treaty by awarding the 1997 Nobel Peace Prize to the ICBL and its coordinator Jody Williams, in part for helping to create a fresh form of diplomacy. The ICBL started in October 1991, when Robert (Bobby) Mueller, executive director of the Vietnam Veterans of America Foundation (VVAF) and Thomas Gebauer, director of Medico International (MI), decided to form a worldwide movement to ban landmines. They thought 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 a unified worldwide movement.³ Less than nine years later, Gebauer and Mueller's dream of a treaty banning landmines was achieved. This remarkable success 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.

The Role of International Organizations

The Ottawa Treaty development process began during the Review of the 1980 United Nations Convention on Conventional Weapons (CCW) meetings in Geneva in January 1996. At that time, Protocol II to the CCW was the only existing international law dealing with anti-personnel landmines.⁴ The review was originally called by the UN General Assembly to explore other international legal mechanisms for controlling the use of landmines in a way that would reduce to the risks to civilians and innocents in conflicts and in post-conflict societies.

The review conference ended with the adoption of the amended landmines protocol in May 1996. The amendments included 'extending its scope of application to cover both international and armed conflicts, by prohibiting the use of non-detectable APMs (albeit with a nine-year deferral period from entry into force) and their transfer, and by prohibiting the use of non-self-destructing and non-self-deactivating mines outside marked areas'.⁵ While the amended protocol was the best that could be achieved under consensus rules, the ICBL decided that a non-consensus negotiating forum outside the auspices of the UN would provide a better avenue to achieving a global ban. Stephen Goose of Human Rights Watch, who was also one of the major ICBL leaders, stated: 'You don't have to follow or work through the traditional rules and become a "slave" to UN negotiations. It is possible to step outside the boundaries of traditional diplomacy.'⁶ The ICBL did not want to be held to the UN consensus-based rule system, which holds 'treaty negotiations to the lowest common denominator'.⁷

The new negotiating format, as devised by the Canadian government with ICBL support, is important because it allows for those states supporting a ban to join together and sign a convention without being blocked by a veto of the other states. Ironically, the United Nations stepped in to support the Ottawa process rather than its own negotiating fora – defying a majority of the permanent members of the UN Security Council. In fact, UN Secretary-General Boutros Boutros-Ghali's surprisingly strong statements during the CCW review conference, in which he condemned the slow pace of its discussions, helped add a sense of legitimacy and urgency to creating a non-UN track to ban landmines. Boutros-Ghali made it absolutely clear that he wished to see a

comprehensive ban come out of the conference: '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!'⁸

Kofi Annan, who replaced Boutros-Ghali as UN Secretary-General, added further legitimacy to the convention by stating, 'Only a living, thriving "international community" could come together, across borders and beyond regions, to eliminate this universal plague.'⁹ Subsequently, he seemed to be basking in the glow of the convention when he remarked that 'the thing that I am happiest about is not what we do by ourselves, but the fruitful cooperation between this organization and the non-State actors, which taken together, form the embryo of global civil society'.¹⁰

The Role of NGOs

The ICBL continually criticized those states that made policy statements either supporting continued landmine use or advocating a step-by-step approach to a ban, meaning going through the consensus-based CCW or Conference on Disarmament (CD). The ICBL coordinator Jody Williams said that such states were 'not really prepared to match their rhetoric of a world free of anti-personnel 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.'¹¹ Therefore, the ICBL 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'.¹²

Eventually, those states not supporting the treaty, either owing to their continued opposition to a ban or their preference for an alternative forum, were isolated by a 'self-selection' process. According to John English, Special Adviser on Landmines to Canadian Foreign Minister Lloyd Axworthy, in order to prevent ban treaty opponents from sabotaging the conference, 'organizers developed a process of "self-selection" whereby a Final Declaration was circulated prior to the conference.... Those who could sign on were invited as participants: those who would not came as observers.'¹³ In order to combat state opposition to the process, the ICBL, the Canadians, and the International Committee of the Red Cross (ICRC) formed a group of core partners 'to rally support for the ban'.¹⁴

The ICBL planned NGO meetings in order to recruit more NGOs to the campaign and to pressure states into banning landmines. ICBL members organized NGO meetings in Mozambique (February 1997), Japan (6–7 March), Sweden (23–25 May), Turkmenistan (10–12 June), Australia (14–17 July), India (13–14 August), and Yemen (November). These conferences were planned and organized by national campaigns or NGOs in the individual host countries. The major purpose of these conferences was to generate political will for the

ban in the host countries and/or local region. One of the most effective ways of accomplishing this objective was to recruit more NGOs to the ICBL.

Since the landmine issue affected many sectors of society (e.g. doctors caring for survivors, international humanitarian lawyers concerned with indiscriminate weapons, and development workers concerned with rehabilitating post-conflict societies), it was important for the ICBL to incorporate the energy of the different sectors into the 'ban landmines' 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'.¹⁵ That the ICBL 'had excellent leadership which continually worked to broaden the base of support'¹⁶ clearly facilitated coalition-building as a process world-wide. The progressive expansion of the ICBL is evidenced by the rapid growth in its NGO membership. For example, at the initial ICBL international conference in May 1993 in London, 40–70 NGOs attended.¹⁷ Two years later, at the June 1995 ICBL international conferences in Cambodia, there were more than 350 NGOs.¹⁸ Finally, when the treaty entered into force on 1 March 1999, the ICBL claimed that its membership included more than 1,300 NGOs from more than 80 states.¹⁹

Table 1. Founding ICBL members and their areas of expertise

ICBL founding members	Landmine expertise area	Home state
Handicap International	Physical rehabilitation	France
Human Rights Watch	Human rights	USA
Medico International	Physical rehabilitation	Germany
Mines Advisory Group	Demining	United Kingdom
Physicians for Human Rights	Medical support and human rights	USA
Vietnam Veterans of America	Physical rehabilitation	USA
Foundation		

The Role of the Core Group of States

After the announcement by the Canadian government in May 1996 that it wanted to discuss banning landmines outside the CCW, it hosted a landmine conference in Ottawa in October 1996. The conference was attended by more than 50 states, all of which recognized 'the urgency of halting all new deployments of APMs; increasing resources for mine-awareness, clearance, and victim assistance programs, and concluding as soon as possible a legally binding international agreement to ban APMs, the first draft of which Austria undertook to produce'.²⁰ The conference was also attended by the ICBL, whose members were welcomed to the negotiating table by the Canadian government. The Canadian government's commitment to the NGO community was

emphasized by the title of one of the conference's strategy sessions, 'NGO and Parliamentary Agenda for Action'.

At the conclusion of the October 1996 meeting in Ottawa, Foreign Minister Axworthy called for a conference, to be held in December 1997 in Ottawa, that would conclude with a comprehensive treaty banning landmines. Those states favoring a ban were welcome to sign. In effect, the Canadian government took the landmine negotiations out of UN hands and developed a new negotiating process, which became known as the Ottawa process. The dynamics of this process can be illustrated by the list of some of the initiatives taken by Canada and other pro-ban states partnering with NGOs.

Austria, 12–14 February 1997: *Expert Meeting on Possible Verification Measures for a Convention to Ban Anti-Personnel Landmines.* The 111 countries attending the conference sponsored by the Austrian government discussed the elements of a comprehensive ban treaty.

Germany, 24–25 April 1997: *Bonn Seminar on Compliance.* The German government hosted a meeting of experts to discuss verification and compliance measures related to the drafting of the landmine convention. The Bonn meeting attracted 130 countries, 19 more than the Vienna conference. The unexpected increase in governmental delegations illustrated that the treaty process was gathering support and that it was becoming increasingly desirable for states to be part of the process.

South Africa, 19–21 May 1997: *Conference Towards a Landmine-Free Africa: The OAU and the Legacy of Landmines.* Forty-two African countries attended the conference, making it one of the better-attended non-annual Organization of African Unity (OAU) conferences in history. There was unanimous agreement among the assembled governments to call on OAU members to ban landmines and establish Africa as a landmine-free zone.²¹

Belgium, 24–27 June 1997: *International Conference for the Total Ban on Anti-Personnel Landmines.* Supported by Belgium's commitment to realizing the treaty, pro-ban states and the ICBL drafted a declaration calling on all states to support 'the objective of concluding the negotiation and signing of such an agreement banning anti-personnel land mines before the end of 1997 in Ottawa'.²²

Norway, September 1997: *International Total Ban on Anti-Personnel Land Mines.* In Oslo, the Norwegian government hosted the final treaty-drafting conference, which was given a boost in international media coverage as a result of the death of Princess Diana, who had championed a landmine ban during the last year of her life. The Norwegian government gave the ICBL a seat at the negotiating table, which was the first time that NGOs had been given 'official status in international negotiations of disarmament/arms control or humanitarian law treaty'.²³

Switzerland, November 1997: *Establishment of the Geneva International Centre for Humanitarian Demining (GICHD) and Information Management System for Mine Action (IMSMA).* Switzerland decided to strengthen its involvement in humanitarian demining by establishing the GICHD and the IMSMA for the United Nations Mine Action Service. In January 1999, the UN approved the IMSMA Field Module as the international standard for collecting information in humanitarian demining.²⁴

Canada, 3–4 December 1997: *Ottawa Treaty to Ban Anti-Personnel Landmines.* In front of a diplomatic and NGO audience, Canada, Norway, and South Africa became the first governments to sign the treaty. NGOs were invited to give speeches and to attend the celebration, which signaled the close working relationship between states and NGOs. In commenting on the NGO role in banning landmines, Axworthy said:

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.²⁵

Small Arms and Light Weapons

Following the success of the ICBL, a number of like-minded states and NGOs began to use similar mechanisms to deal with the problems caused by small arms and light weapons (SALW). However, the availability and wide use of these weapons pose problems that are different from and more complex than the problems related to landmines. Even though the simple and easily comprehensible NGO call of 'no exceptions, no reservations, no loopholes'²⁶ (as used in the Ottawa process) seems very attractive, strategies aimed at curbing the availability of small arms are differentiated and multi-layered.

Small arms are on the agenda of various international fora, which suggests that there is a growing consensus on the urgency of the issue. But few international SALW regulations are in place, with the exception of some practical measures that have been formulated and implemented.²⁷ Nevertheless, it is time – especially in the run-up to the UN Conference on Small Arms²⁸ – to take a closer look at endeavors to address the SALW issue and compare them with the mechanisms used by NGOs in the Ottawa process.

The Role of International Organizations

After being bypassed by NGOs and a core group of states during the Ottawa process, the United Nations wanted to reassert its right to control future arms

control processes.²⁹ To better coordinate UN activities, Secretary-General Kofi Annan pooled UN policies on small arms and light weapons under the authority of the UN Department for Disarmament Affairs in August 1998. The Coordinating Action on Small Arms (CASA) helped to facilitate and harmonize different activities under the auspices of the United Nations, which included departments and branches responsible for political affairs, humanitarian affairs, peacekeeping operations, development programs, economic and social affairs, crime prevention and criminal justice, refugee relief, and children in armed conflict.³⁰ The reaction of the Secretary-General was long overdue, since the UN body that was most influential on and primarily responsible for disarmament issues, the Conference on Disarmament (CD) in Geneva, had failed to establish a negotiating committee, even though conventional weapons had been on its agenda for years. Nevertheless, the United Nations was criticized for being too slow, and it was suggested that the organization would not be able to coordinate the efforts of UN subgroups and regional organizations. There was also considerable displeasure expressed by NGOs and some medium-sized states already active in banning landmines about the UN's lack of activity and its inertia under the influence of the Great Powers.

This criticism was only partially justifiable, since UN action had already started in December 1995, when the General Assembly adopted a resolution requesting the Secretary-General to prepare a report with the assistance of governmental experts.³¹ On another UN track, in 1995 the Commission on Crime Prevention and Criminal Justice requested the Vienna-based Centre for International Crime Prevention to carry out a study on firearms regulation. On the basis of this International Study on Firearm Regulation, the General Assembly passed a resolution in December 1998 mandating the UN Commission for Crime Prevention and Criminal Justice to work out a Draft Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Other Related Materials.³² Negotiations on that draft protocol began in Vienna in January 1999, and the protocol will be part of the Convention Against Transnational Organized Crime. This so-called Vienna process will represent the first global measure regulating international (criminal) transfers of small arms by establishing enforcement mechanisms for crime prevention and the prosecution of traffickers.³³ Even though the Vienna process does not directly apply to state-to-state arms transactions, it highlights the close bonds between licit and illicit weapons transfers. Experience in the marking, registration, and tracing of non-state weapons transfers could be useful in controlling the spread and misuse of military-style small arms and light weapons. This aspect was also highlighted in the Report of the Panel of Governmental Experts on Small Arms, presented in August 1997, in which it was recommended that studies be carried out on establishing a reliable system for marking small arms and establishing a database of authorized manufacturers and dealers in order to restrict the activities of unauthorized parties.³⁴ The

subsequent Report of the Group of Governmental Experts on Small Arms re-emphasized this recommendation and encouraged the UN to take into account the need to control ammunition and explosives in its activities relating to the disarmament, demobilization, and reintegration of ex-combatants in the context of UN peacekeeping missions.³⁵

Both reports highlighted the importance of convening an international conference on the illicit arms trade in all its aspects. To prepare for this event in New York from 9 to 20 July,³⁶ three Preparatory Committees (PrepCom) for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects have been scheduled. The first session took place in New York from 28 February to 3 March 2000. The outcome was quite disappointing: the committee could not even decide on the date and venue of the conference. Key matters of the conference, such as its specific objectives, draft agenda, draft rules of procedure, and draft final document, were postponed for consideration in the subsequent sessions. These disappointing results lowered the expectations for the second PrepCom (8–19 January 2001, New York). However, in giving their overall impressions, several participants acknowledged the general progress of the second session and commended the chairman's draft program of action,³⁷ which was the basis for a fruitful exchange of views by the government representatives.³⁸ Again, governmental officials used this session to submit discussion papers, strengthen coalitions with like-minded states and interact with NGO delegates. The constructive work on the ground was continued during the third PrepCom (19–30 March 2001). An agreement on NGO participation was reached, and Ambassador Camilo Reyes of Colombia, who is experienced in arms control issues, was designated president of the UN Conference on Small Arms, which will be held at the ministerial level. Presumably, a program of action that includes different measures on the national, regional, and global levels to prevent, control, and curb the illicit trade in small arms and light weapons, together with follow-up mechanisms, can be established after the conference this July.

The Role of NGOs

In order to urge international organizations and governments to go further in their efforts to restrain proliferation and to control misuse of small arms and light weapons, NGOs held a series of regional meetings at the end of 1997 and the beginning of 1998. The first coordinated action on SALW by NGOs started in early December 1997, at a working session on small arms during the Land Mine Treaty signing ceremony in Ottawa. A Proposed Convention on the Prevention of the Indiscriminate and Unlawful Use of Light Weapons was worked out during this meeting.³⁹ Then, delegates from 33 NGOs in 18 countries met in Toronto (17–19 August 1998) to explore ways in which civil-society groups and academic institutions could work together more effectively

to advance policies and actions to control the diffusion and misuse of small arms. As in the preceding meetings, the representatives recognized that coordinated action on SALW would require more complex strategies than those used in the landmine campaign. A consensus developed around the need for a network of campaigns, rather than one single campaign.⁴⁰

At these regional meetings, it was decided to establish an International Action Network on Small Arms (IANSA) to pursue the overall objective of preventing the proliferation and unlawful use of SALW.⁴¹ As these meetings progressed, a web-site was launched in January 1998, which allowed NGOs to easily exchange ideas and access information on the spread and misuse of these weapons.⁴²

The IANSA was formally launched in The Hague on 11 May 1999, during the Hague Appeal for Peace, when the entry into force of the mine-ban treaty was also celebrated. The foundation ceremony was followed by a press conference in which IANSA representatives spoke about the need for civil-society activities to grasp the issue of small-arms control, to raise public awareness and to urge governments to take specific measures to control proliferation and misuse of small arms.⁴³ Nevertheless, critical voices have warned that the IANSA's approach may be too broad, as it covers 'virtually everything that comes under the umbrella of human security'.⁴⁴ While the ICBL could restrict its focus to one issue, namely that of banning landmines, the IANSA has to organize and prioritize its sundry campaign goals. Diverse and broad goals create a problem for coalition-building and information exchange. Since the SALW problem is much more complex than the landmine problem, the input of a larger variety of NGOs is necessary, which leads to a more diffuse campaign than that of the ICBL. Recognizing the need for enhanced coordination and prioritizing on reachable goals, three leading NGOs – BASIC, International Alert, and Saferworld – launched the 'Biting the Bullet' project in February 2000. By organizing seminars and meetings and informing national delegates and civil society about the UN Conference on Small Arms, they are trying to build support among governments and to mobilize a wider public for action. The main focus of their work has been on strengthening the regional initiatives to build mutual support, enhancing stockpile security, and reducing surplus weapons through international cooperation and assistance.⁴⁵

To work closely with committed delegates during the sessions of the PrepCom and the UN conference in July, interested NGOs wanted to have modalities that would provide direct access to the sessions. The Canadian and other governments pleaded for the close participation of civil-society representatives,⁴⁶ and a UN General Assembly resolution in November 2000 recognized the general importance of their involvement.⁴⁷ A decision on the precise modalities of NGO participation was deferred until the third PrepCom session, where it was agreed that, with the exception of sessions designated closed, NGOs will be able to attend meetings at the UN conference. However,

since actual negotiations will presumably take place in the closed sessions, many states have continued their support for full NGO access and included NGO representatives in their delegations at the second session.

Table 2. Core NGOs that led to the formation of the IANSA and their expertise areas*

Core NGOs	SALW expertise area	Home state(s)
Amnesty International	Human rights	United Kingdom
BASIC	Arms control	United Kingdom, USA
Federation of American Scientists	Arms control and security studies	United States
GRIP	Peace and security studies	Belgium
Human Rights Watch	Human rights	United Kingdom
International Alert	Security studies and conflict research	United Kingdom
Oxfam	Development programs	United Kingdom
Pax Christi	Human rights	Belgium
Saferworld	Conflict management and arms trade	United Kingdom

* The table does not represent the founding members of the IANSA. See IANSA, *Founding Document*, May 1999, pp. 13–14. The selection of the NGOs is mainly based on their early involvement in the small-arms issue, through organizing workshops and issuing publications, and on their participation at the relevant NGO meeting that led to the founding of the IANSA. See also Keith Krause, *Norm-Building in Security Spaces: The Emergence of the Light Weapons Problematic*, Research Group in International Security Occasional Paper, Montreal, October 2000, p. 18.

The Role of the Core Group of States

In the group of like-minded states that promotes action on SALW, there is some sort of division of labor and burden-sharing. The list of these states and their respective activities is only illustrative and not conclusive. To varying degrees, each of these states has embraced the Ottawa process format of government–NGO collaboration.⁴⁸

Mali, 6 November 1997: *Assistance to States and Moratorium on Light Weapons in West Africa.* The Mali UN representative announced a draft UN resolution on Assistance to States for Curbing the Illicit Traffic in Small Arms and Collecting Them,⁴⁹ which stated that the proliferation of small arms has contributed to the persistence and exacerbation of conflicts. At a conference organized by the Norwegian Initiative on Small Arms Transfers (NISAT) in Oslo (1–2 April 1998), the President of Mali, H. E. Alpha Oumar Konaré, presented the idea of a moratorium in West Africa, and the moratorium was announced half a year later by the 16 heads of state in the Economic Community of West African States.⁵⁰ Mali was also an important regional actor through its organizing of workshops on small-arms proliferation.

Japan, 21 October 1997: *Study on the problems of ammunition and explosives.* Ambassador Donowaki, chairman of the Panel of Governmental Experts on Small Arms, promoted a resolution that calls for a study on the problems of

ammunition and explosives.⁵¹ He also pledged for an early coming into force of the Convention on the Marking of Plastic Explosives for the Purpose of Detection.

Norway, 13–14 July 1998; 6–7 December 1999: *Oslo Meetings on Small Arms.* In the communiqué from the first Oslo meeting, the representatives of 21 countries recommended improved control over the manufacture and sale of light weapons, stronger laws and police cooperation against illicit trafficking, and the provision of assistance in the disposal of stockpiles at the end of armed conflicts.⁵² At the second Oslo meeting, delegates from 18 countries worked out an international small-arms agenda to control and reduce the excessive and destabilizing accumulation and use of these weapons.⁵³

Canada, 19 August 1998: *International Register of Small Arms and Light Weapons.* At the International NGO Consultation on Small Arms Action, funded by the Canadian government, Foreign Minister Axworthy outlined Canada's three-pronged humanitarian-action approach to dealing with the small-arms subject through peacebuilding, combating illicit trafficking, and regulating licit trade. In addition, he stated that Canada recognized the 'key role of non-governmental experts and activists, including academics and members of NGOs' in tackling the complex and multifaceted problem of small arms.⁵⁴

Switzerland, 25 September 1998: *Marking and transparency measures.* During a BASIC-sponsored seminar at the United Nations in New York on 25 September 1998, Jacob Kellenberger, State Secretary of the Ministry of Foreign Affairs, said that Switzerland was focusing on marking and transparency measures. The goal was to establish a transparency regime that consisted of several binding obligations.⁵⁵ In 1999, Switzerland organized two workshops, bringing together governmental officials and representatives from the arms industry, the gun lobby, and humanitarian NGOs to discuss the marking and traceability of small arms and light weapons.⁵⁶ At the second PrepCom, Switzerland and France submitted a working paper on establishing a tracing mechanism – which could be included in the follow-up process of the UN conference – to reduce excessive accumulation and transfer of small arms and light weapons.⁵⁷

South Africa, 28 September 1998: *Call for an international conference on small arms.* Speaking at a briefing at the United Nations in New York, South African Foreign Minister Alfred Nzo called for a UN conference on small arms and light weapons. He said that this conference, to be held after 1999, should formulate an action plan to fight the proliferation of small arms. Among other things, this initiative led to a resolution of the UN General Assembly in December 1999 calling for a UN conference on the illicit trade in small arms and light weapons. This conference will take place in July 2001.⁵⁸

Belgium, 12–13 October 1998: *The Brussels Call for Action.* The 98 countries attending the conference on 'Sustainable Disarmament for Sustainable Devel-

opment' initiated calls for immediate action on different issues (human security and development, victim assistance, and the availability, transfer, and use of small arms). Special attention was paid to practical disarmament, peace-building, and development programs.⁵⁹

Over the last years, committed states have strengthened their cooperation with interested NGOs and acknowledged the importance of NGOs in conducting and disseminating research, educating the public, and providing advice to governments on small-arms issues. In sum, a core group of states decided that it was in their hands to strengthen the collaboration with interested NGOs in order to build a solid coalition to situate the SALW crisis at the top of the international political agenda. In that respect, the 2001 UN conference on small arms could be a watershed event. It seems now that the conference is better prepared than what appeared to be the case a year ago, after the first PrepCom. But it is still crucial that the core states address the most pressing problems of international assistance, work out a politically binding set of principles, and establish a follow-up process without overburdening the agenda with too many issues that do not find broader support among the international community.⁶⁰

Conclusion

This article has focused on similarities and differences in strategies used to create and develop both the Ottawa Treaty and international restrictions on small arms and light weapons. It has also assessed the potential implications of these for future collaborations of states and NGOs in negotiating security issues. Lessons learned from the various processes examined may be applicable to other issues of concern to the international community, such as child soldiers, fissile-material cut-off, and ratification of the International Criminal Court and the Comprehensive Test Ban Treaty.

One of the article's principal conclusions is that NGOs must build broad international support among states and other NGOs in order to be effective in changing international behavior, especially when dealing with security issues. The article finds that the ICBL's main roles in the landmine-ban negotiating process were those of creating an international political environment for the holding of landmine discussions and fostering political support for signing the treaty within states. As suggested by Jody Williams, the model for mobilizing NGOs and working with small and medium-sized states can form the basis for a new international 'superpower'.⁶¹ The ICBL's ability to generate results through regional conferences and through working with small and medium-sized states provides an excellent framework for future international NGO

contributions to changing state behavior. At a broader level, one international relations scholar comments that international NGO coalitions have 'the potential to help unite diverse interests into a cohesive new social pact',⁶² which, in turn, affects international politics. This is clearly what occurred in the case of the ICBL and what seems to be emerging in the SALW debate.

The creation and development of the Ottawa Treaty and the ongoing discussions in the field of SALW show the importance of NGOs and states working together to move upstream in addressing security issues. However, new weapons may be developed to replace landmines, and these might be capable of causing similar, or even increased, levels of harm to civilians. But if the international community must always adopt the extreme tactics used in the Ottawa process – calling for weapons-prohibition regimes without major-power support and subsequently controlling weapons through the actions of coalitions of non-major states and NGOs – it may in future be difficult to achieve similar successes in controlling or eliminating targeted weapons.

The entry into force of the Ottawa Treaty does not signal closure for the ICBL on the landmine issue. Rather, the ICBL renewed its commitment to banning landmines by holding states accountable to their convention commitments, by encouraging quick ratification, and by pressuring non-signatory states to sign and ratify the treaty. NGO participation in drafting the treaty while simultaneously rallying public and governmental support for it proved invaluable to its success. In return, the ICBL was welcomed as a participant in the conference's implementation, since it was seen as critical for mobilizing public opinion and as possessing valuable landmine expertise.

Table 3. Comparing the Ottawa process and the SALW debate

	Ottawa process	SALW debate
Complexity	Low-mid	High
Regulation	'No exceptions, no reservations, no loopholes'	Differentiated mechanism
Outreach	Global	Different layers
Supporters	NGOs (ICBL), medium-sized states, affected countries, UN (Secretary-General)	NGOs (IANSA), medium-sized states, UN (Secretary-General, CASA, DDA), regional los
Opponents	Major powers	Major powers, weapons-producing and exporting countries, gun lobbies

* Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, at the Brussels Conference on Anti-Personnel Mines, 24 June 1997.

Whether the leading NGOs in the SALW campaign will enjoy a fate similar to that of the ICBL in helping to establish a legally binding treaty to regulate small-arms trade and use remains to be seen. To profit from their huge reser-

voir of expertise and know-how, they need to prioritize their campaign goals and closely coordinate their actions with interested, like-minded states. Even though the 2001 UN conference could not meet all the expectations of the broad network of NGOs and committed governments, this movement is far from dead. The Ottawa process was also born out of frustration with the permanent blockade in the UN negotiating framework. But the walk through the 'bonfire of lit small arms' might be longer and more challenging than the walk through a minefield.

NOTES AND REFERENCES

- * Stefan Brem is a Visiting Researcher at Georgetown University and a PhD candidate at the Center for International Studies, Zurich, Switzerland. Ken Rutherford is an Assistant Professor at Southwest Missouri State University, Springfield, MO, USA.
- 1 Liz Clegg, 'NGOs Take Aim', *Bulletin of the Atomic Scientists*, vol. 55, no. 1, January/February 1999, pp. 49–51, on p. 51.
- 2 Maxwell A. Cameron, Robert J. Lawson & Brian W. Tomlin, 'To Walk Without Fear', in Cameron, Lawson & Tomlin, eds, *To Walk Without Fear: The Global Movement to Ban Landmines* (Toronto: Oxford University Press, 1998), pp. 1–17, on p. 14; Jody Williams & Steve Goose, 'The International Campaign to Ban Landmines', in Cameron, Lawson & Tomlin, eds, pp. 20–47, on p. 47.
- 3 Jody Williams, 'Brief Assessment and Chronology of the Movement to Ban Landmines', Vietnam Veterans of America Foundation, undated documents, p. 1.
- 4 The full title of Protocol II is 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. The provisions of the Weapons Convention regulate these four protocols. See UN General Assembly document A/C.1/48/L.42.
- 5 *The United Nations Disarmament Yearbook, Volume 22: 1997* (New York: United Nations Department for Disarmament Affairs, 1998), pp. 105–106.
- 6 Statement by Steve Goose, Human Rights Watch, to the Regional Conference on Landmines, Budapest, Hungary, 27 March 1998. Report of the Regional Conference on Landmines, International Campaign to Ban Landmines, Budapest, 26–28 March 1998, p. 52.
- 7 *Ibid.*, p. 52.
- 8 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, September 1995.
- 9 Statement by UN Secretary-General, Kofi Annan, to the Signing Ceremony of the Anti-Personnel Mines Convention, Ottawa, 3 December 1997.
- 10 Statement by UN Secretary-General, Kofi Annan, to the opening of the UN General Assembly, New York, 22 September 1998.

- 11 Quoted in ICBL Summary of Vienna Meeting, 12–14 February 1997, in *An Explosion Every Twenty Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, 24–27 June 1997, p. 5.
- 12 Statement of the ICBL, Statement to the Expert Meeting on the Text of a Convention to Ban Antipersonnel Landmines, Vienna, Austria, 12 February 1997, in *An Explosion Every Twenty Minutes – Conference Report: Brussels International Conference for a Total Ban on Anti-Personnel Landmines*, 24–27 June 1997, p. 8.
- 13 John English, 'The Ottawa Process: Paths Followed, Paths Ahead', *Australian Journal of International Affairs*, vol. 52, no. 2, 1998, pp. 121–132, on p. 123.
- 14 *Ibid.*, p. 123.
- 15 Lora Lumpe & Jeff Donarski, *The Arms Trade Revealed: A Guide for Investigators and Activists* (Washington, DC: Federation of American Scientists, 1998), p. 86.
- 16 *Ibid.*, p. 86.
- 17 Statement of Jody Williams, VVAF, Chair of the ICBL, at the Plenary Session of the international conference 'The Socio-Economic Impact of Landmines: Towards an International Ban', Phnom Penh, Cambodia, 2 June 1995.
- 18 *Ibid.*
- 19 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, 1 March 1999.
- 20 *The United Nations Disarmament Yearbook* (note 5 above), p. 106.
- 21 OAU Delegate List, 'Towards a Landmine-Free Africa: First Continental Conference of African Experts on Landmines', Kempton Park, South Africa, 19–21 May 1997.
- 22 Final Declaration for the Brussels Conference on anti-personnel landmines.
- 23 Williams & Goose (note 2 above), p. 43.
- 24 Information Management System for Mine Action (IMSMA) web-site at <http://www.imsma.ethz.ch/>.
- 25 Statement of Canadian Minister of Foreign Affairs Lloyd Axworthy at the Oslo NGO Forum, Oslo, Norway, 7 September 1997, in the *ICBL Report: NGO Forum on Landmines*, Oslo, 7–10 September 1997, p. 67.
- 26 Statement by Jody Williams, Coordinator, International Campaign to Ban Landmines, at the Brussels Conference on Anti-Personnel Mines, 24 June 1997.
- 27 See Sarah Meek, 'Combating Arms Trafficking: Progress and Prospects', in Lora Lumpe, ed., *Running Guns: The Global Black Market in Small Arms* (London: Zed, 2000), pp. 183–206.
- 28 The full official name for this conference, which will take place from 9 to 20 July 2001, is the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. In this article, we refer to this throughout as the UN Conference on Small Arms.
- 29 This view was confirmed in a couple of interviews with NGO representatives in Geneva and New York in January 2001.
- 30 We recognize that the UN activities started earlier and have their roots in the supplement to *Agenda for Peace*, in which Secretary-General Boutros Boutros-Ghali identified the problem of small arms and coined the phrase micro-disarmament; see Stefan Brem & Antonino Geraci, 'Third-Party Intervention in War-Torn Societies: How Effective Are Micro-Disarmament Programs?', paper presented at the International Studies Association Convention, Los Angeles, 14–18 March 2000, p. 1. On CASA, see the report by the Department of Disarmament Affairs at <http://www.un.org/Depts/dda/CAB/casa.htm>.
- 31 UN General Assembly Resolution A/RES/50/70, adopted 12 December 1995, pp. 2–3.

- 32 See David Biggs, 'United Nations Contribution to the Process', *Disarmament Forum* II/2000, p. 32.
- 33 Chris Smith, 'The 2001 Conference: Breaking out of the Arms Control Framework', *Disarmament Forum* II/2000, p. 41. The convention was opened for signature at a conference in mid-December 2000, but the negotiations on the firearms protocol became bogged down in October 2000. Solutions to the remaining disagreements could be found during the last session from 26 February to 2 March 2001. Consensus principles watered down the protocol, especially with regard to its scope and marking mechanisms. Interviews with Swiss government officials, Bern, 10 January and 22 March, 2001.
- 34 Report of the Panel of Governmental Experts on Small Arms, A/52/298, 27 August 1997, p. 23.
- 35 Report of the Group of Governmental Experts on Small Arms, A/54/258, 19 August 1999, pp. 18–19, 20. In the same year, another group of experts prepared a report on the ammunition issue for the Secretary-General: Report of the Group of Experts on the Problem of Ammunition and Explosives, A/54/155, 29 June 1999.
- 36 In November 2000, the Swiss government abandoned plans to organize the conference in Geneva due to 'financial and technical considerations', even though Switzerland has received wide support from several NGOs to hold it in Geneva. Interviews with a Swiss government official, Bern, 10 January 2001, and with NGO representatives in Geneva, 18 January 2001.
- 37 Draft Programme of Action. Working paper by the Chairman of the Preparatory Committee, A/Conf.192/PC/L.4, 8–9 January 2001.
- 38 Interviews with a Swiss representative at the Permanent Observer Mission of Switzerland to the United Nations, New York, 26 January 2001, and NGO representatives in New York, 25–26 January 2001.
- 39 The proposed convention can be found in Appendix 1 in Edward J. Laurance, 'Dealing with the Effects of Small Arms and Light Weapons: A Progress Report and the Way Forward', paper presented to the Conference on Controlling the Global Trade in Light Weapons, Washington, DC, December 1997.
- 40 Keith Krause provides an excellent overview on the formation of the IANSA in *Norm-Building in Security Spaces: The Emergence of the Light Weapons Problematic*, Research Group in International Security Occasional Paper, Montreal, October 2000, especially pp. 13–18.
- 41 Clegg (note 1 above), p. 51.
- 42 This Internet project was initiated by Ed Laurance at the Monterey Institute of International Studies as the Preparatory Committee for an International Campaign on Light Weapons and was located at <http://www.prepcom.org>. The site is now available at <http://www.iansa.org>.
- 43 A report on the launch of the IANSA can be found at <http://www.iansa.org/mission/newspub/launch/hap.htm>.
- 44 Smith (note 33 above), p. 41.
- 45 Information on the Biting the Bullet project is available at <http://www.international-alert.org/>.
- 46 Working paper submitted by Canada on modalities for the participation of non-governmental organizations and civil-society representatives, A/CONF.192/PC/15.
- 47 UN General Assembly, 1 November 2000, A/Res/55/33F.
- 48 To illustrate the government activity, we concentrate on the early initiatives and only make reference to newer developments where there has been a significant change of action.

- 49 UN General Assembly, 6 November 1997, A/C.1/52/L.8.
- 50 More information on the moratorium in West Africa can be found at <http://www.nisat.org/west%20africa/african.htm>.
- 51 Laurance (note 39 above).
- 52 'An International Agenda on Small Arms and Light Weapons: Elements of a Common Understanding', final communiqué of the Oslo Meeting on Small Arms, 13–14 July 1998; available at http://www.iansa.org/documents/regional/2000/jan_00/oslomeeting.htm.
- 53 'Elements of a Common Understanding', final communiqué of the Second Oslo Meeting on Small Arms, 6–7 December 1999; available at http://www.iansa.org/documents/regional/dec_99/oslo2.htm.
- 54 Notes for an address by the Honourable Lloyd Axworthy, Minister of Foreign Affairs, to the International NGO Consultations on Small Arms Action, Orillia, Ontario, 19 August 1998; available at [http://sand.miiis.edu/projects/2001database/fulltext/Canada\(1\)081998.pdf](http://sand.miiis.edu/projects/2001database/fulltext/Canada(1)081998.pdf).
- 55 Speech by Jakob Kellenberger, State Secretary, Ministry of Foreign Affairs, Switzerland. Presented at BASIC's Seminar, *International Initiatives to Stop the Spread and Unlawful Use of Small Arms*, New York, 25 September 1998; available at <http://sand.miiis.edu/projects/2001database/fulltext/IANASwitzerland092598.pdf>.
- 56 'Report on Workshop on Small Arms', Swiss Federal Department of Foreign Affairs. Geneva, 18–20 February 1999; 'Chairman's Report on Workshop on Small Arms Monitoring and Control', Swiss Federal Department of Foreign Affairs, Geneva, 22–23 November 1999.
- 57 Working paper by Switzerland and France on a tracing mechanism, 10 January 2001, A/Conf.192/PC/25.
- 58 UN General Assembly, 1 December 1999, A/RES/54/54R.
- 59 For the program, list of participants and database of the conference, see <http://www.disarmconf.org/en/index.html>.
- 60 Remark made by a Swiss Foreign Ministry official during an interview in Bern, 24 January 2001.
- 61 Williams & Goose (note 2 above), p. 47.
- 62 Alicia Barcena, 'The Role of Civil Society in Twenty-First-Century Diplomacy', in James P. Muldoon, Jr., JoAnn Fagot Aviel, Richard Retiano & Earl Sullivan, eds, *Multilateral Diplomacy and the United Nations Today* (Boulder, CO: Westview, 1999), pp. 190–200, on p. 193.