

Mary Wareham

What If No One's Watching?

Landmine Monitor: 1999–2005



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The Author

Mary Wareham, 36 years, is currently Advocacy Director of Oxfam New Zealand. Between 1998 and June 2006, she was Senior Advocate in the Washington, DC-based Arms Division of Human Rights Watch, coordinating the Landmine Monitor research initiative by the International Campaign to Ban Landmines (Nobel Peace Prize Co-Laurate 1997). In 1996 and 1997, Wareham worked for the Vietnam Veterans of America Foundation in Washington DC, and was a key actor in the global effort to ban landmines.

In 2004, Wareham established a US-based non-profit organization, Next Step Productions, to produce a feature-length documentary film on landmines entitled *Disarm*. Since completing this award-winning film, Next Step Productions is currently preparing a book on human security tentatively titled *Banning Landmines and Beyond*. In 2006, Wareham undertook a three-month research sabbatical with the Oslo-based Fafo Institute for Applied International Studies. A New Zealander, Wareham received her Masters in Political Science from Victoria University of Wellington in 1995.

Preface

The Convention banning the use, production, export and stockpiling of antipersonnel landmines (or APMs) entered into force on 1 March 1999. That same day 90 enthusiastic campaigners and researchers from around the world met in Oslo to share and discuss their research contributions to what would become the first edition of the annual *Landmine Monitor* report. They had gathered data on the status of the mine situation in their home countries, presenting the draft country reports for review by their peers and civil-society experts. For many of Landmine Monitor contributors the step from campaigner to researcher was quite new, representing a steep learning curve. The contributions reflected the depth and breadth of the International Campaign to Ban Landmines (ICBL), the global coalition that was the driving force behind the ban winning a Nobel Peace Prize for its efforts.

Just two months later the ICBL presented the 1,071-page-long *Landmine Monitor Report 1999* featuring detailed status reports on every country in the world to the stunned diplomatic delegations at the Convention's First Meeting of States Parties. This was possible thanks to the almost unbelievable editorial effort by a small team based at Human Rights Watch in Washington, DC, working virtually round the clock until they had transformed the draft country data provided by researchers into coherent, verified, and consistent publication.

Over the years the *Landmine Monitor* report has developed from a single annual hard-copy report to a multi-platform, dynamic fact and analysis-generating system for monitoring the progress and implementation of the 1997 Mine Ban Convention. It has established itself as the global reference on the issue and is used by governments, international organizations, private sector and civil society alike. The report has gained this authoritative position through the quality and reliability of the data and information published under the *Landmine Monitor* heading, and its findings have rarely have been challenged.

Landmine Monitor's role in the formal implementation process is an indicator both of the special partnership between states and civil society that underpinned the landmine ban and of the growing importance of civil society in the multilateral arena. As multilateral disarmament negotiations have been locked in a stalemate for almost a decade, the open process that led to the landmine ban and the subsequent role of the NGOs in monitoring them serves as an example of an alternative approach that has yielded tangible results.

The Landmine Monitor system is a unique set-up within the multilateral arena. The reports are published by a global advocacy coalition, the ICBL, which operates on a clear lobbying mandate, as well as with positions and analysis that are not always shared by other actors involved in the implementation of the Convention. The strong emphasis on factual reporting based on open sources combined with the editorial independence of the executive Core Group of NGOs that manage the Monitor means that it is not perceived as a mouthpiece for ICBL campaigning, but rather as a reliable provider of credible data. Few, if any, civil-society campaigns have managed to define and take on such a new role for themselves, transforming themselves from an international advocacy effort into a *de facto* monitoring mechanism delivering *de facto* formal reports on a multilateral instrument. Perhaps one exception, although very different, might be the work of the UK-based NGO Global Witness, which was asked to monitor sanctions against Khmer Rouge timber-smuggling into Thailand on behalf of the international community after the organisation had exposed these activities in 1997.

This report tells two related but different stories. One is an inside overview of the establishment and development of the Landmine Monitor process or system from the early concepts to the full-fledged annual reporting system on the Convention. . The other is a critical discussion of what role and impact the Landmine Monitor has had on the universalization and implementation of the same Convention. Both narratives are important and relevant beyond landmines as they offer a grounded perspective on possible new roles for international civil-society organizations involved in advocacy and campaigning towards policy change. We hope that individuals and institutions involved in a wide range of issues, particular in human-security-related arenas, will find the report interesting and informative.

The author of this report, Mary Wareham, was central to the successful establishment of the Landmine Monitor system as Global Research Coordinator from its inception in 1998 until her departure from Human Rights Watch in June 2006. In her exhausting role, Mary maintained daily contact with all researchers in the network, acted as the focal point for the Landmine Monitor Core Group, and handled the short- and long-term managerial responsibilities. Her account is an insider's story, and as such it provides a point of view that could not have been written by anybody else.

Fafo is thankful that Mary Wareham chose to spend her sabbatical at our Institute to write this report. She generously shared her views and experiences with us during her stay, making a valuable contribution to our research community. We are also grateful to the Norwegian Ministry for Foreign Affairs for supporting her stay and the publication of this report.

Christian Holmboe Ruge

Senior Advisor

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Acknowledgments

Given scant funding and competing demands, there is often little time available to NGOs to pause and reflect on their work or engage in broader analysis or cross-field research. I am therefore grateful to my employer, Human Rights Watch (especially Steve Goose), for allowing me to take this three-month “sabbatical.”

I am especially indebted to the Fafo Institute for Applied International Studies (particularly Christian Ruge) and the Royal Norwegian Ministry of Foreign Affairs for providing me with a quiet yet inspiring place to carry out this review. I should also acknowledge the kind tolerance of my absence by Brian Liu, with whom I have been working on our documentary film *Disarm*. Last, but never least, a word of thanks to those of you who committed time to be interviewed, provide feedback, and generally help guide this research.

Oslo & Aukland April - October 2006

Mary Wareham

Introduction

This paper assesses the effectiveness of the Landmine Monitor initiative undertaken by the International Campaign to Ban Landmines (ICBL) in promoting universalization and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on their Destruction (widely referred to as the “Mine Ban Convention”). Landmine Monitor’s secondary aim is to report more generally on the humanitarian response to the global landmine problem.¹ Because Landmine Monitor is a project of the ICBL and the two are intimately bound, this paper necessarily contains analysis of both.

My central thesis is that Landmine Monitor is the most innovative and unprecedented means yet to monitor implementation of a major multilateral disarmament or humanitarian law agreement. The system’s innovative collection of data over a sustained period of time and provision of regular and credible reporting has been critical in ensuring States Party adherence and implementation of the Mine Ban Convention. Landmine Monitor has also influenced the behavior of those remaining outside the agreement and, as such, has been crucial to the establishment of the rapidly emerging norm against antipersonnel landmines.

Divided into four parts, this paper first outlines the verification elements and other mechanisms established to assist State Parties implement the Mine Ban Convention. This sets the context for the emergence of the Landmine Monitor initiative.

In section two, the mechanics of the Landmine Monitor system are presented through a frank insider’s account of how the initiative’s main elements and functions were conceptualized and enacted to produce the initiative’s first product, *Landmine Monitor Report 1999*. The second part concludes by considering whether Landmine Monitor is strictly a monitoring initiative, or if it encroaches on the sovereign territory of traditional verification and compliance.

Landmine Monitor effectiveness cannot be judged by its published output alone. Thus, the third part assesses the effectiveness of both the ICBL and Landmine

¹ The Mine Ban Convention has many names. It is referred to by the ICBL as the ‘Mine Ban Treaty’ and by others as the ‘Ottawa Treaty’ or ‘Ottawa Convention.’ There is no legal distinction between ‘convention’ and ‘treaty.’ The full text of this treaty (in many languages) can be downloaded at: <http://www.icbl.org/treaty/text>.

Monitor in influencing the actions and positions of the 151 State Parties and three remaining signatories tasked with implementing the Convention.² The extent to which they have helped change the behavior of the forty governments outside the Mine Ban Convention is also considered. This section also looks at how States Parties to the Mine Ban Convention have responded to Landmine Monitor's findings, and how they have managed the Convention's compliance provisions. An assessment of the efficiency of the process surrounding the initiative helps to determine its strengths and weaknesses, and its broader relevance to other endeavors. This section also considers the veracity of Landmine Monitor's claim to represent the world's first civil society-based verification regime to monitor implementation of, and compliance with, a multilateral arms control or humanitarian law treaty.

I conclude by looking at how Landmine Monitor has helped reinforce the development of, and need for, international humanitarian law; encouraged civil society engagement and collaboration with governments; and promoted multilateral diplomacy in this current global climate of depressing uncertainty.

Several writers have analyzed civil society efforts to initiate and influence the negotiation of multilateral agreements, including on landmines,³ yet few have looked at civil society endeavors to monitor implementation of these agreements.⁴ Numerous observers have examined NGO (as opposed to NGO coalition) efforts to monitor specific issues (not specific agreements),⁵ but none have looked at the Landmine Monitor project in any depth.⁶ Campaigners and other participants central to the process have

² Indonesia, Marshall Islands, and Poland had signed, but not yet ratified, the Convention as of 31 October 2006. For the current list see: www.icbl.org/treaty/members

³ "Reversing the Gun Sights: Transnational Civil Society Targets Landmines," *International Organization* 52:3 (Summer 1998), pp.613-644; Don Hubert, "The Landmine Ban: A Study of Humanitarian Advocacy," *The Watson Institute for International Studies*, November 2000.

⁴ See: Oliver Meier and Clare Tenner, "Non-governmental monitoring of international agreements," in VERTIC, *Verification Yearbook 2001* (London: VERTIC, 2001), pp. 207-227; Dieter Desieroth, "Societal verification: wave of the future?" *Verification Yearbook 2000* (London: VERTIC, 2000), 265-280pp.

⁵ See for example, Ron James; Howard Ramos; and Kathleen Rodgers (2005) "Transnational Information Politics: NGO Human Rights Reporting, 1986-2000," *International Studies Quarterly* 49(2): 557-587.

⁶ There have been some useful book reviews however. See for example, Kjell Erling Kjellman, "Norms, persuasion and practice: *Landmine Monitor* and civil society," Review in *Third World Quarterly*, 24:5, 2003, pp. 955-965.

published on their experience in achieving the Mine Ban Convention,⁷ but not on its subsequent implementation.

I have been centrally involved in the ICBL full-time since 1996, and acted as Landmine Monitor's Global Research Coordinator from its inception until early 2005. Active engagement over such a sustained period of time could no doubt result in a review that is skewed or biased toward a positive conclusion. As an activist I cannot avoid having an opinion, but at the same time I have endeavored to conduct this research as objectively as possible.

This paper draws on a wealth of materials collated during my time spent working on landmines, as well as Landmine Monitor's documentary evidence and interviews with individuals familiar with or engaged in the initiative. It covers the period starting from Landmine Monitor's establishment in 1998 through the publication of its first seven reports (1999-2005), with updated facts included for 2006 where possible.⁸ UNIDIR first published sections of Part III of this paper in 2006.⁹

I regret that more time was not available to make a detailed assessment of the initiative's place alongside other established and emerging civil society monitoring and verification efforts. Further research and analysis is needed in this field. To make best use of the time available, a rigorous theoretical framework was foregone in favor of an approach prioritizing anecdotal evidence, much of which is drawn from my own experiences. Although I sometimes employ a first person narrative out of necessity and to ensure clarity, I have tried to steer clear of the persuasive advocacy style that infects much ICBL-related writing.

With these caveats aside, I hope this thorough review of Landmine Monitor's most notable achievements and setbacks, strengths and weaknesses, and precedents and successors can be of some practical benefit for future endeavors. I also hope to have done justice in presenting the work of a remarkable group of committed activists, diplomats, and researchers that I have been so privileged to collaborate with over all these years.

⁷ The most notable work remains: Maxwell A. Cameron, Brian W. Tomlin, Robert J. Lawson, *To Walk without Fear: The Global Movement to Ban Landmines* (Canada: OUP, 1998), 512pp.

⁸ *Landmine Monitor Report 2006* is scheduled for release on 13 September 2006.

⁹ Mary Wareham, "Landmine Monitor," in John Borrie & Vanessa Martin Randin (eds.), *Disarmament as Humanitarian Action: From Perspectives to Practice* (UNIDIR: Geneva, 2006).

Ban Treaty Overview

The 1997 Mine Ban Convention represents the international community's response to a two-fold challenge issued in the early 1990s by the ICBL: 1) ban the use, production, stockpiling, and transfer of antipersonnel mines; and 2) provide the necessary resources to assist humanitarian mine clearance and mine victims. Formally established by six non-governmental organizations (NGOs) in October 1992, the ICBL had by 2006 developed into a broad-based coalition comprised of more than 1,400 NGOs active in more than 90 countries.¹⁰

The remarkable 'Ottawa Process' that saw governments, international agencies and the ICBL form an extraordinary alliance to rapidly build widespread political support for the prohibition of antipersonnel mines culminated in the negotiation of the Mine Ban Convention in Oslo, Norway in September 1997. Three months later, a total of 122 governments signed the agreement in Ottawa, Canada. On 10 December 1997, the ICBL and its then-Coordinator, Jody Williams, received the 1997 Nobel Peace Prize in recognition of their critical role in securing the prohibition of antipersonnel mines.¹¹

The Mine Ban Convention consists of an unprecedented combination of disarmament prohibition and humanitarian goals. To understand the degree to which the ICBL and the Landmine Monitor has influenced the Convention's implementation, it is first necessary to outline the core requirements of the agreement.

¹⁰ The six ICBL founders established a Steering Committee: Handicap International (France), Human Rights Watch (USA), Medico International (Germany), Mines Advisory Group (UK), Physicians for Human Rights (USA), and the Vietnam Veterans of America Foundation (USA). For more information see: www.icbl.org.

¹¹ Norwegian Nobel Committee Press Release, "The Nobel Prize for Peace 1997," Oslo, 10 October 1997. <http://nobelprize.org/peace/laureates/1997/press.html>

Core Provisions

The most far-reaching implementation obligations of the Convention are its core prohibitions and principal humanitarian requirements. State Parties must cease the use, production and transfer of antipersonnel mines (Article 1); declare and destroy stockpiled antipersonnel mines within four years of entry into force of the Convention for that State Party (Article 4); and remove and destroy emplaced mines within a ten-year period through mine clearance (Article 5).

There are also legislative and reporting obligations. Article 9 requires that States Parties enact appropriate national measures, such as domestic legislation to enforce the Convention's prohibitions. Under Article 7, State Parties must provide a 'transparency measures' report detailing their implementation of the agreement, initially no later than six months after entry into force of the agreement for that country and, thereafter, by 30 April of each year.

There are also politically binding actions and incentives to help State Parties implement the Convention's core prohibitions and humanitarian goals. State Parties lacking the necessary resources to fulfill their implementation obligations have the right under Article 6 to "seek and receive assistance" from other State Parties. The article calls on all State Parties "in a position to do so" to provide assistance for the care, rehabilitation and socio-economic reintegration of mine victims and mine awareness programs; mine clearance and related activities, and the destruction of stockpiled antipersonnel mines.¹² Such assistance can involve the provision of financial, technical, and other resources. In reality, donor nations often require political engagement and domestic prioritization of the issue in order to allocate and provide these resources.

Finally, there is an unwritten expectation that States Parties will use all conceivable opportunities to participate in and promote the Convention. This includes working for the Convention's full and complete universalization and adherence by all State Parties to the agreement's terms. States Parties are also expected to ensure that the norm being established by the antipersonnel mine ban is respected by all. Because of the origins and unprecedented nature in which the Convention was established, its State Parties are expected to collaborate positively with civil society in both the Convention's promotion and implementation.

¹² When donor governments negotiating the Convention balked at an open-ended obligation to provide assistance, the commitment to provide assistance was tempered by the inclusion of qualifiers such as, "where feasible" and "to the extent possible."

Verification Provisions

The Convention's verification measures have been described as, "...one of the hardest provisions to agree on as the negotiating positions of certain States ... were often far apart."¹³ During the Ottawa Process, several governments promoted traditional, far-reaching verification provisions for the Convention, including Germany, which hosted a meeting in Bonn on the subject in April 1997 attended by 120 governments. Others were lukewarm from the outset to the inclusion of intrusive measures, especially South Africa and other African states and Latin American governments.¹⁴ Some governments argued that any funds devoted by States Parties to the Convention would be better spent in the field removing the mines from the ground and assisting mine victims. Many in the ICBL agreed.

As early as the Bonn meeting, Canada floated an approach of "cooperative compliance." According to the ICBL's lead negotiator at the Mine Ban Convention, Stephen D. Goose of Human Rights Watch, the cooperative compliance approach, "...assumes goodwill on part of all States Parties ... to try to resolve issues in the quietest, friendliest, least confrontational manner," and emphasizes assistance to States Parties to meet their obligations rather than criticism for failing to do so.¹⁵

The pro-ban negotiating states prioritized a comprehensive and unequivocal prohibition of antipersonnel mines, and were less concerned with verification of the agreement. A diplomat at the centre of the negotiations, Steffen Kongstad of Norway, notes, "the thinking at the time by the majority of negotiating states was that it should be politically so costly to breach the obligations of the treaty that it would deter anyone from doing it."¹⁶

In the final article, States Parties commit to "consult and cooperate with each other" and "work together in a spirit of cooperation" to implement the Convention. Article 8 also lists five steps or stages of compliance actions, added during the last stage of the negotiations at the urging of the United States. This was the only time

¹³ Stuart Maslen, *Commentaries on Arms Control Treaties Volume 1: 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* (USA: Oxford University Press, 2004), p. 214.

¹⁴ Telephone Interview with Steve Goose, Executive Director Arms Division, Human Rights Watch, 11 April 2006.

¹⁵ Ibid.

¹⁶ Interview with Steffen Kongstad, Deputy Director General, Royal Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

the majority of State Parties were willing to accommodate U.S. demands. The five steps or stages are:

One or more States Parties can request information regarding allegations of non-compliance from the requested State Party, which has 28 days to respond;

If the requested State Party fails to respond satisfactorily (or at all), the requesting state or states may either refer the matter to the next meeting of States Parties or, if one-third of members agree, convene a special meeting of States Parties;

If unable to resolve the issue, the meeting or special meeting of State Parties can authorize by majority vote a fact-finding mission to the State Party concerned by a team of experts selected from a list maintained by the UN Secretary-General;¹⁷

The fact-finding mission must give at least 72 hours notice before its arrival, and may stay up to 14 days, after which it reports its findings to the meeting or special meeting of States Parties;

The meeting or special meeting of States Parties reviews the fact-finding mission's report and then, by a two-thirds vote if consensus cannot be reached, may ask the requested State Party to take measures to address the compliance issue within a specified period of time, and suggest ways and means to resolve the matter, "including the initiation of appropriate procedures in conformity with international law."

One major difference between the Mine Ban Convention and other arms control models is the Convention's lack of a standing institutional structure. It has no independent monitoring structure akin to the Vienna-based International Monitoring System established for the 1996 Comprehensive Test Ban Treaty, or the nuclear safeguards system of the International Atomic Energy Agency (IAEA). The Convention has no permanent inspectorate or secretariat capable of dealing with compliance matters, such as the Hague-based Organization for the Prohibition of Chemical Weapons (OPCW) of the 1993 Chemical Weapons Convention.

The Mine Ban Convention's transparency and compliance provisions thus comprise a rudimentary verification system. Goose describes the Convention as a "light" regime in the arms control context, but a "heavy" regime in the humanitarian context—a compromise between the disarmament model of intrusive verification and the international humanitarian law model of fact-finding.¹⁸

The various views on enacting the Convention's compliance mechanisms are considered later in this paper. However, as of October 2006, these provisions had never been initiated.

¹⁷ The requested State Party may also invite a fact-finding mission to its territory at any time.

¹⁸ Steve Goose, "The Ottawa process and the 1997 Mine Ban Treaty," *Yearbook of International Humanitarian Law* 1998, Vol.1 (TMC Asser Press: the Hague, 1998)

Other Measures to Ensure Implementation

The creative and cooperative spirit that characterized the extraordinary alliance of governments and civil society during the Ottawa Process has since continued, thus ensuring the development of a number of innovative ideas to assist implementation of the Convention and universal adherence by all.

Drawing on the Ottawa Process experience, regular meetings of States Parties form an important tool to ensure political will, maintain focus, and sustain momentum for universalization and implementation of the Convention.¹⁹ At each meeting, States Parties issue a declaration of political commitment to ensuring the Convention is universalized and implemented. The annual meetings report on the collective decisions taken by member states of the Mine Ban Convention and plan action to implement these activities.

Since the Mine Ban Convention took effect on 1 March 1999, its annual Meetings of State Parties have alternated between Geneva, Switzerland and a mine-affected State Party. This is an attempt to remind diplomats, and others involved in the process, of the core purpose for the Convention: to stem the tide of continued suffering posed by uncleared mines.²⁰ At the First Review Conference of the Convention, held in Kenya in November-December 2004, governments re-committed their political and financial pledges to eradicate mines, issuing a 70-point “Nairobi Action Plan” to guide implementation in the five years leading to the next Review Conference.

In what is an unprecedented effort within an arms control setting to create a culture of activism and commitment, States Parties have created an array of structures and processes to promote implementation and universalization of the Convention. At their first meeting in 1999, States Parties established an intersessional work program consisting of five (later reduced to four) Standing Committees that meet regularly to discuss concerns and progress on various aspects of the Convention.²¹ Although

¹⁹ Article 11 of the Convention calls for States Parties to “meet regularly” to consider “any matter with regard to the application or implementation” of the Convention, while Article 12 requires that conferences be held every five years to review “the operation and status of the Convention.”

²⁰ Four mine-affected states parties have hosted the Convention’s annual Meetings of States Parties: Mozambique (1999), Nicaragua (2001), Thailand (2003), and Croatia (2005). Jordan was scheduled to host the Seventh Meeting of States Parties in 2007.

²¹ These standing committees are: general status and operation of the Convention; stockpile destruction; mine clearance, mine risk education and mine action technologies; and victim assistance and socio-economic reintegration. Between 1999 and 2004, the Standing Committees met twice per year at facilities provided by the Swiss in Geneva. Between 2005 and 2009, one set of Standing Committees takes place annually. Standing Committee chair and rapporteur positions have been divided evenly between developing and developed countries. See: www.gichd.ch/216.0.html.

not without friction, by arms control standards the intersessional process is uniquely informal, and so able to encourage continuity, transparency, and inclusiveness in the cooperative spirit of the Ottawa Process. Importantly, these intersessional meetings provide a central forum for enabling partnership and promoting cooperation between States Parties, other governments, the ICBL, the International Committee of the Red Cross (ICRC), UN agencies, and international organizations on common implementation and universalization concerns.

Other initiatives by States Parties include the establishment in 2000 of a Coordinating Committee of States Parties, to address practical coordination matters relating to the intersessional work program and preparations for the annual Meeting of States Parties.²² Furthermore, a Sponsorship Programme enables full participation in meetings by mine-affected countries and others with limited resources. Finally, at their third meeting, States Parties agreed to establish an Implementation Support Unit (ISU), in order to ensure continuity and sustainability of the intersessional work. Both the Sponsorship Programme and the ISU are supported by voluntary financial contributions from governments. States Parties have also established a number of informal contact groups to address the universalization of the Convention, transparency reporting, and domestic legislation, as well as resource mobilization.

Without a functioning secretariat, the onus for ensuring implementation has fallen on States Parties, which in turn has ensured their active engagement. Meanwhile, the ICBL has also innovated on its own to promote universalization of the Convention and to monitor its implementation, namely through Landmine Monitor, to which we now turn.

²² The Committee comprises the Standing Committee co-chairs and co-rapporteurs, as well as the presidents and secretaries of annual meetings.

Origins Of The Landmine Monitor

Many discussions significant to the future of the mine ban movement took place on the sidelines of key Ottawa Process meetings throughout 1997, when it became apparent the Mine Ban Convention would be reached.²³ Several participants in the process felt the compliance provisions contained in the Convention would not be strong enough and additional measures were needed. Others were concerned at the lack of accurate and detailed information in several areas of the issue, most notably on the exact extent of landmine “crisis.” Many worried the ICBL coalition would not survive following heated internal debates and friction between members during the whirlwind period leading to December 1997.

At the First General Meeting of its country campaigns and major member NGOs in February 1998, the ICBL re-affirmed its commitment to the objective of a total ban on antipersonnel mines and pledged to re-focus its efforts to include support for universalization and implementation of the Mine Ban Convention.²⁴ The ICBL also announced it would “explore a role for its members in monitoring the treaty.”

The origins of Landmine Monitor can be traced back to discussions by a small group of ICBL NGOs, interested governments, and supportive partner agencies. While many people have played an essential role since, two individuals that carried out critical roles in the successful adoption of the Convention were also central to the establishment of Landmine Monitor: Canadian diplomat Robert J. (“Bob”) Lawson and ICBL campaigner Stephen D. (“Steve”) Goose of Human Rights Watch (HRW).

²³ For a complete listing of the activities and meetings in this period, see the ICBL Chronology at: www.icbl.org/campaign/history/chronology.

²⁴ ICBL Statement, “General Meeting of the International Campaign to Ban Landmines,” 22 February 1998. Available at: www.icbl.org/news/archive/before_2001/statements_frankfurt. The ICBL Call is also published at the front of every annual Landmine Monitor report.

The Concept

Goose explained the conceptual origins of the initiative as this: “Given the role that NGOs were already playing in the development of the text and the concept of the treaty and the growing partnership between NGOs and likeminded governments [he and Lawson] ... started talking about whether ... it would be possible for NGOs to play a ... role [to] ensure that states lived up to their obligations.”²⁵ Other considerations that fed into their thinking included the necessity to keep public and media attention focused on the issue, and a desire to ensure that the unprecedented cooperation between governments, international agencies and NGOs continued.

Such an initiative would carry out two interlocking functions. First, it would on a regular basis systematically collect, assess, and publish credible information relating to every aspect of the Mine Ban Convention’s implementation. By doing so, it would complement the state-based reporting and compliance mechanisms contained in the Convention.²⁶ Independent data collection was necessary because, according to Peter Herby of the International Committee of the Red Cross, the Convention’s transparency measures were, “...limited to that provided by governments and likely to lack analysis as to why some efforts are succeeding while others are not.”²⁷ Such a system would also serve to encourage rapid implementation of the Convention through public exposure.

ICBL members had long framed and shaped all aspects of the landmine issue through credible field research and reporting. Human Rights Watch issued case studies on the landmine problem in affected countries as early as 1986, sometimes in conjunction with other NGOs such as Physicians for Human Rights (PHR).²⁸ Other early influential reports on the subject were issued by the U.S. Department of State, the International Committee of the Red Cross (ICRC), and the Vietnam Veterans of America Foundation (VVAf).²⁹ Much data collected by these early initiatives remains

²⁵ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

²⁶ Letter from Peter Herby to Bob Lawson, DFAIT Canada, 11 November 1997. Three-page proposal attached. Copied to Steve Goose, HRW, and Jody Williams, ICBL.

²⁷ Ibid.

²⁸ Human Rights Watch, “Land Mines in El Salvador and Nicaragua: The Civilian Victims,” 1986, 120pp. See also: Human Rights Watch and Physicians for Human Rights, *Landmines: A Deadly Legacy*, (New York: Human Rights Watch, October 1993), 510pp.

²⁹ Shawn Roberts and Jody Williams, *After the Guns Fall Silent: The Enduring Legacy of Landmines*, (Washington, DC: VVAf, 1995), 554pp; International Committee of the Red Cross, *Anti-personnel Landmines: Friend or Foe?* (Geneva: ICRC Publications, 1996), 88pp; United States Department of

valid, but, according to one researcher, information at that time was more generally either “erratic or simply not available” or crudely “focused on horror stories.”³⁰ Nevertheless, by 1997, the ICBL and its member NGOs, most notably HRW, had developed considerable capacity in tracking and publicizing the ‘mine ban policies’ of governments, in an effort to prove an emerging international consensus for the prohibition of antipersonnel mines.

One component of this identification strategy involved the publication of various lists indicating where governments stood on a particular aspect of the issue. These and other tactics to get the governments on record provided the ICBL with an opportunity to explain the issues and secure support from governments. The ICBL also issued (and continues to issue) a report on its activities at every significant meeting on landmines, including the official proceedings of diplomatic conferences.³¹ In addition to recording its own goals and activities, these reports helped get the actions and positions taken by governments ‘on the record’ and out to a broader audience.³²

The second purpose of the initiative would be to monitor and report more broadly on global progress on and challenges to the eradication of antipersonnel mines, particularly in mine-affected countries. By looking at the actions of every government and others in responding to the humanitarian problem, compliance could be placed “in a more positive (less adversarial) light for State Parties” as well as “avoid overlap with any other monitoring mechanisms set up by the treaty itself.”³³

By December 1997, it was becoming obvious that a bold initiative would be necessary in the form of “some sort of pressure or follow-up mechanism,” but the implications of starting something completely new were daunting.³⁴ Turning this concept into a fully-fledged project would require widespread support, including commitments of funds.

State, *Hidden Killers: The Global Landmine Crisis* (Washington, DC: Bureau of Political-Military Affairs, US DOS, July 1993, December 1994, September 1998). See also: ICBL, *BANNED: Historical and Resource Guide to the Landmine Ban Movement*, CD-Rom issued December 2004.

³⁰ Presentation by Alex Vines, Human Rights Watch, “Cooperative Compliance Panel,” in Department of Foreign Affairs of Canada, *A Global Ban on Landmines: Treaty Signing Conference and Agenda for Mine Action, 2-4 December 1997*, December 1997, p. 30.

³¹ See “Key ICBL Resources” and “Conference Reports” in ICBL, *BANNED: Historical and Resource Guide to the Landmine Ban Movement*, CD-Rom issued December 2004.

³² The reports are typically mailed to every government as well as distributed at key meetings.

³³ Letter from Peter Herby to Bob Lawson, 11 November 1997..

³⁴ Telephone Interview with Peter Herby, Legal Advisor, International Committee of the Red Cross, 7 February 2006.

Laying the Groundwork

Between November 1997 and September 1998, Lawson worked to ensure general acceptance and understanding of the monitoring proposal among governments, NGOs, and others.

In December 1997, he scheduled a panel discussion on “cooperative compliance” at the mine action roundtable held parallel to the Convention’s signing ceremonies.³⁵ Chaired by the Netherlands, speakers included government representatives from Canada (Lawson) and Norway, as well as NGOs with research experience (HRW and PHR). Looking back in 2006, Lawson described the panel as “...where we start doing work.”³⁶ At the panel he announced Canada’s intent to work together with interested governments, and declared that Ireland had agreed to host an experts’ meeting on monitoring the Convention in 1998.

Lawson outlined the elements of the proposed “Mine-Watch” system in a six-page non-paper dated 21 January 1998, including the main elements, coordination mechanisms, necessary resources, and a tentative work plan. The paper was distributed to interested governments, NGOs in the ICBL Coordinating (formerly Steering) Committee (CC),³⁷ the ICRC, and a new funder, the Landmines Project of the Open Society Institute (OSI).³⁸ Lawson included a cover letter requesting input and feedback and invited recipients of the non-paper to meet in March 1998 to further discuss the monitoring proposal.

According to notes summarizing this meeting in Ottawa, the participating governments: 1) thought reliable, credible information was critical; 2) favoured a positive

³⁵ *A Global Ban on Landmines: Treaty Signing Conference and Agenda for Mine Action, 2-4 December 1997*, report by Canadian Department of Foreign Affairs, December 1997, pp. 30-32.

³⁶ Telephone Interview with Bob Lawson, Director of Human Security, Foreign Affairs Canada, 23 February 2006.

³⁷ At the ICBL General Meeting in February 1998, the committee was renamed as the Coordination Committee, its ten existing members were reconfirmed (the six founding members plus four country campaigns—Afghanistan, Cambodia, Kenya, South Africa—and Radda Barnen), and the Committee was expanded to include five new NGOs (Association to Aid Refugees-Japan, Inter-African Union of Human Rights, Landmine Survivors Network, Lutheran World Federation, and Norwegian People’s Aid).

³⁸ Two-page unclassified letter and attached 6-page Project Proposal from Bob Lawson, IDA/DFAIT dated 21 January 1998. In an initial draft of the proposal, the initiative was called, “Mine-Net” instead of “Mine Watch.” Draft Proposal faxed from IDA/DFAIT, 14 January 1998. The paper drew extensively on a memo drafted by Herby a few months earlier. Letter from Peter Herby to Bob Lawson, DFAIT Canada, 11 November 1997. Three-page proposal attached. Copied to Steve Goose, HRW, and Jody Williams, ICBL.

approach over a negative or confrontational one; 3) believed that information should be presented in a way that clearly linked it to the Convention to help strengthen the instrument over time; 4) wanted the system and related decision-making to be completely managed by NGOs, but without excluding financial or other governmental contributions to it; and 5) thought the initiative should issue at least one report annually.³⁹

Since it was becoming clear that civil society would have to take the lead for the project, eight NGOs centrally engaged in the ICBL met separately in Ottawa to discuss a wide range of monitoring issues, such as objectives, data, indicators, structure/capacities, and reporting.⁴⁰ The campaign had already discussed monitoring of the Convention twice, but it wasn't until March 1998 that NGOs started to assume responsibility for such an endeavour.⁴¹ In Ottawa, they "agreed on the need for a monitoring system and at least one major product that all campaigns and organizations contribute [to] as they can," and formed an ad hoc working group to continue discussions.⁴²

The NGOs were still not united, however, in their belief that they could manage such an initiative. There was "a very real concern" about the lack of NGO capacities to collect data for use in the report.⁴³ Lawson recalls a "pretty decent fight" with Jody Williams in May 1998, where she expressed her trepidation that, with a couple of exceptions, the ICBL campaigning network had no demonstrated ability to do in-depth research and writing.⁴⁴

Many NGO representatives were still exhausted from the grueling Ottawa Process and didn't reconvene until June 1998, this time in Oslo.

³⁹ Report on the Meeting on Cooperative Compliance: 21 March 1998, Ottawa, Canada. Signed by Valerie Warmington. Undated and distribution unknown.

⁴⁰ Participants at this meeting included: Handicap International (Luciano Loiacono, Anne Capelle, and Philippe Chabasse), Human Rights Watch (Steve Goose), Medico International (Thomas Gebauer), Mine Clearance Planning Agency (Sayed Aqa), Mines Action Canada (Celina Tuttle), Mines Advisory Group (Valerie Warmington, Tim Carstairs). Minutes of 22 March 1998 NGO Meeting, circulated by Celina Tuttle, MAC, 31 March 1998.

⁴¹ At an NGO conference held parallel to the September 1997 negotiations in Oslo and when Goose and Lawson briefed the ICBL First General Meeting in Frankfurt on 22 February 1998.

⁴² Minutes of 24 March 1998 NGO Meeting, circulated by Celina Tuttle, MAC, 31 March 1998. The Ad Hoc Working Group consisted of: HI, HRW, PHR, MAG, Medico international, Mines Action Canada (MAC), Mine Clearance Planning Agency (MCPA) and Norwegian People's Aid (NPA).

⁴³ Minutes of 24 March 1998 NGO Meeting, circulated by Celina Tuttle, MAC, 31 March 1998.

⁴⁴ Telephone Interview with Bob Lawson, Foreign Affairs Canada, 23 February 2006.

Setting up the Structure

Representatives of 20 NGOs attended the “Mine Watch” meeting hosted by Norwegian People’s Aid, including nearly all ICBL CC members.⁴⁵ Three governments (Canada, Ireland, and Norway) accepted invitations to participate, as did the non-governmental donor, OSI.

Goose had drafted a decision-oriented agenda for the Oslo meeting that listed, among the main points for consideration, “agreement on major elements of system” as well as “structure, organization, and staff needs.”⁴⁶ At the outset of the discussions, he described his hope that, “we don’t have to repeat today what we have already discussed and ... move forward in terms of who is doing what.”⁴⁷

Tensions among certain ICBL NGOs were still running high, and several members doubted the coalition was unified enough to agree to the monitoring initiative as an ICBL endeavour. The group heard an alternate proposal by Anne Capelle of Handicap International to set up and staff a secretariat in Brussels to carry out the project.⁴⁸ One participant noted that a separate secretariat did not seem possible, at least within the coming year, given the ICBL’s difficulties at that time in establishing and staffing a legal and financial structure. They instead recommended that, “We go with those NGOs who have already put time and energy into this [initiative].”⁴⁹

Consensus emerged for a project that would be undertaken as an ICBL initiative, but delegated to a separate, smaller grouping of ICBL NGOs. This decision was reached in part because participants acknowledged that an effective report could not be produced by a large group of NGOs, such as the 16-member ICBL Coordinating Committee.

⁴⁵ The Inter-African Union of Human Rights could not attend the Oslo meeting. ICBL staff also participated (Liz Bernstein and Susan Walker).

⁴⁶ Agenda, “Mine Watch,” 1 June 1998.

⁴⁷ The four meetings were: Oslo (Sep. 97), Ottawa (Dec. 1997), Frankfurt (Feb. 1998), and Ottawa (Mar. 98). “Minutes of the Mine Watch Meeting, Oslo, Norway, 1 June 1998” taken by ICBL Co-Coordinator Liz Bernstein.

⁴⁸ “Minutes of the Mine Watch Meeting, Oslo, Norway, 1 June 1998” taken by ICBL Co-Coordinator Liz Bernstein.

⁴⁹ Unnamed participant. “Minutes of the Mine Watch Meeting, Oslo, Norway, 1 June 1998” taken by ICBL Co-Coordinator Liz Bernstein. When it was awarded the Nobel Peace Prize, the ICBL did not have a bank account or legal status. The work of the five year-old coalition was carried out (and largely funded) by its lead NGOs, in particular the Vietnam Veterans of America Foundation, which employed Jody Williams.

Four NGOs in particular had shown interest in participating in monitoring the Convention. Between them they had a wealth of expertise, ranging from field experience in mine action and victim assistance (Handicap International and Mines Advisory Group) to advocacy and research experience, including publishing (Human Rights Watch and country campaign Mines Action Canada).⁵⁰ The participants agreed that the four NGOs would function as a “Core Group” with full decision-making responsibilities for the project, and designated HRW as the lead agency. The South African Campaign to Ban Landmines subsequently requested that the Kenya Coalition Against Landmines also be added to the group, as it did not feel the issue of southern representation had been adequately addressed.

The group considered several names for the initiative. “Mine Watch” was apparently already taken by an environmental organization that monitored minerals, and also seemed to focus too heavily on the weapon as opposed to affected people. Furthermore, it was deemed too similar to the name of the lead agency, and was, according to Herby, a “... little bit aggressive and the idea of monitoring is a little more objective and neutral.”⁵¹ “Landmines Crisis Monitor” was deemed too alarming. “Landmine Impact System” was seen as too focused on impact. Finally “Landmine Monitor” was agreed, mainly because it translated well into other languages.

The participants decided to recommend to the ICBL leadership that the project be an ICBL initiative. The ICBL CC agreed to the proposal in its meeting the next day, and the ICBL Second General Meeting in May 1999 also endorsed the initiative. However, confusion remained. The question of, as one participant put it, “whose logo will appear on the cover of the report?” was ultimately resolved when the government representatives present indicated they would be more likely to fund something that was “somebody’s product” and not something “amorphous.”⁵²

Moving from initial concept to a structured project was a time-consuming and delicate process, but crucial to ensuring its broader acceptance. Yet it still remained for the lead NGOs to explain the concept to the broader ban movement and encourage ICBL participation in the initiative.

⁵⁰ One week later, following discussions at its headquarters, Mines Advisory Group indicated it would not be able to participate after all, and another major demining agency, Norwegian People’s Aid (NPA), accepted an invitation to fill its place. Mines Advisory Group indicated that their decision to stand down was due mainly to its concerns over their capacity to participate and worries about potential conflicts of interest in countries where they were working.

⁵¹ Telephone Interview with Peter Herby, International Committee of the Red Cross, 7 February 2006.

⁵² “Minutes of the Mine Watch Meeting, Oslo, Norway, 1 June 1998” taken by ICBL Co-Coordinator Liz Bernstein.

“Selling” the Concept

The newly appointed Core Group NGOs returned home and began preparing the system for its first report. I joined HRW in May 1998, with the specific responsibility of getting the system up and running.

Initial tasks involved “branding” the initiative by securing a logo, establishing a Landmine Monitor section of the ICBL website, and producing a 10-page introductory booklet.⁵³ Goose drafted a three-page long budget proposal totalling \$1.103 million, which was circulated to the Core Group for review and approval. Goose, Lawson, and I spent a full day in a planning session to brainstorm on how the major elements of the project could function, including what could be covered by the first report. In September 1998, I went with the newly appointed ICBL Coordinator Liz Bernstein to organize the Ireland meeting, which would provide campaigners with a better understanding of Landmine Monitor initiative, including what was expected from their participation.

The Irish Ministry of Foreign Affairs and local NGO Pax Christi convened the monitoring meeting together with the ICBL at Dublin Castle.⁵⁴ To test their interest in and ability to provide written product, every ICBL country campaign or NGO was invited to submit a brief written statement on what their organization or campaign could contribute to Landmine Monitor. Nearly every participant brought something. Some statements consisted of a couple of paragraphs, while others went into great detail on the nature of the mine problem in their country, as well as their government’s position vis-à-vis the Mine Ban Treaty. The Dublin meeting also had a capacity building aspect, mainly consisting of senior campaigners and others leading discussions on research standards and methodologies.

The meeting provided a venue for campaigners to discuss their advocacy goals and strategies for continued work. ICBL membership was broadened by the participation of new NGO contacts in countries and regions that were new targets for ICBL advocacy post-1997, such as Albania, Belarus, Georgia, Lebanon, Russia, and Ukraine. Campaigners convened in regional groupings, while the ICBL Working

⁵³ Human Rights Watch on behalf of the ICBL, *Landmine Monitor: An Introduction*, August 1998. The Landmine Monitor logo quite closely, but unintentionally, resembled a major cigarette brand. From the outset, Landmine Monitor took care to ensure that the initiative, as a project of the ICBL, did not overshadow the campaign itself. This was necessary to keep attention focused on the ICBL, although it does not excuse poor design.

⁵⁴ In something of a reversal of the normal NGO-government roles, the Irish Ministry of Foreign Affairs took charge of many logistical aspects of the three-day meeting, leaving us to concentrate on the agenda and purpose of the gathering.

Groups (formed earlier in 1998) and the Coordinating Committee met the day before the opening of the official meeting.

The ICBL engaged in significant media work in Dublin, taking advantage of its newly crowned Nobel Peace Laureate Jody Williams. Media interest received a boost halfway through the meeting by Burkina Faso's ratification of the Mine Ban Convention. As the fortieth country to ratify, this action triggered the Convention's Entry Into Force six months later, and marked the achievement of a core ICBL goal: to obtain the necessary ratifications in record time.

Governments supportive of the initiative were also invited, with the two-fold purpose of securing funding and political support for the project. During the opening plenary, Ireland's Minister of Foreign Affairs, David Andrews, solidified funding support by announcing a contribution of US\$150,000 for the first report. Lawson delivered a statement announcing Canada's funding pledge of Cdn\$450,000 for the first report, and also offering to host the next global Landmine Monitor meeting in Ottawa on the first anniversary of the Convention's signing.⁵⁵ Representatives from Austria, the Netherlands, and Norway attended, and subsequently obtained funding from their respective ministries for the first Landmine Monitor report. Funding announcements and statements of support subsequently became a feature of Landmine Monitor plenary meetings.

The meeting also featured representatives of key international and multilateral agencies, such as the ICRC, UNICEF, and UN Mine Action Service (UNMAS), who lent their expertise in the discussions—particularly the parallel thematic roundtables on "Banning Landmines" and "Humanitarian Mine Action." Civil society representatives made presentations about their experiences in monitoring human rights, the arms trade, and peace agreements, as well as specific treaties on child rights, disarmament, international humanitarian law, and the elimination of discrimination against women. In private, several observers warned Core Group members that annual reporting represented a tiresome burden for their organizations.

In this regard, the SIPRI representative, Siemon Wezeman, made several recommendations stemming from his organization's long experience in tracking transfers of conventional weapons.⁵⁶ He noted that data was available, including on landmines, but it was "all over the place" and often not published. This implied that "an active search would be required (for contacts, persons to interview, governments to ask)," either by going to the country concerned in person or "having someone on the spot." According to Wezeman, reliable sources were not always published, but the Internet

⁵⁵ Message from Hon. Lloyd Axworthy, Canadian Minister of Foreign Affairs to the ICBL Landmine Monitor Meeting, Dublin, 15 September 1998.

⁵⁶ Siemon T. Wezeman, "Monitoring Arms: Experiences of the SIPRI Arms Transfers Project," paper presented at Landmine Monitor Meeting, Dublin, 15 September 1998.

was “making it possible to establish a wide net of correspondents across the world who either read their local [media] sources or have hands-on experience.” He stressed the need for the data collection and evaluation process to be “completely transparent” and “evaluated in a detached and neutral manner,” and emphasized the need for “... some regular and comprehensive way of disseminating data, including for free.”

Amnesty International’s representative, Eric Prokosch, described his group’s monitoring of human rights violations as “...only part of the picture,” and instead explained its work as a three-stage process: “collecting information, verifying it (often by collecting further information) and acting.”⁵⁷ The stages were inextricably linked because, “Information leads to action. Action is based on information. The information must be verified, and the verification must be strong enough to sustain the action.”

Although interesting and informative, the presentations showed there was no model directly applicable to monitoring the Mine Ban Convention. It was becoming clear that something completely new would be required.

Participants took the booklets and a document (“Dublin Work Plan”) home with them for further dissemination to local NGOs and other contacts. The plan was essentially a schedule detailing what it would take to produce the first report. Already the Core Group was feeling the heavy burden it had taken on. At the Core Group’s inaugural meeting, held the day before the conference opened, discussions centred on how the government of Mozambique had agreed to host the First Meeting of State Parties to the Mine Ban Convention in the month of May 1999, rather than September 1999 (as had been expected). This meant the first annual report would have to be produced in less than six months. There could be no alternative: on behalf of the ICBL, they had to ensure that a credible publication would be ready to present to the delegates.

The period of consensus building was coming to an end; now it was time for some action.

Reality Hits

After Dublin, I circulated a Grant Application Form on the ICBL listservs and elsewhere, together with a note calling for researchers to contribute to the first report. In October 1998 the Core Group convened again, this time in a Handicap International meeting room in Brussels, surrounded by flip charts and armed with

⁵⁷ Eric Prokosch, “Monitoring Human Rights Violations: Some Experiences from Amnesty International’s Experience,” paper presented at Landmine Monitor Meeting, Dublin, 15 September 1998.

calculators and atlases. Over the course of two days, the group developed criteria for consideration and took decisions on the 75 research applications submitted for participation in the first report.⁵⁸ Based on the budget rather than available funds, the Core Group allocated over \$200,000 in fiscal grants for research in either small (\$500 to \$2,000) or large grants for a country, a cluster of countries, or a thematic area (\$3,000 to \$5,000).

The Core Group agreed to try to produce a report on every country in the world, and reviewed a set of mainly open-ended country-level questions to guide researchers. The questions that HRW had amended from an earlier table format were structured around the Mine Ban Convention format and ICBL's Call for a Ban to address a wide range of landmine topics.⁵⁹ Each section of questions was headed up by a "benchmark" question. This grew out of the Dublin discussions, where Lawson had urged the initiative to focus on "benchmarks" rather than "categories of data", because "benchmarks should inspire policy-makers to take action, put up resources and understand our progress."⁶⁰

To guide the research and editing process, Core Group members divided regional and thematic coordination tasks among themselves according to their expertise and geographic areas of operation.⁶¹

Global meetings held in Ottawa (December 1998) and Oslo (March 1999) brought the selected researchers together for a peer review process of their reports. Both meetings showed how enthusiastically ICBL members had embraced the initiative, but also provided a sobering indication of the intimidating amount of work necessary to ensure the on-time delivery of the annual report. Goose recalls that when the researchers turned in their final reports in Oslo, "it was both impressive and depressing at the

⁵⁸ The criteria included the application's credibility, feasibility, methodology, timeline, geographic distance from its object of study, comprehensiveness, complementarity with other applications, relevance to Mine Ban Treaty, and connection to International Campaign to Ban Landmines. "Landmine Monitor Brussels Core Group Meeting," updated circulated to ICBL by email, 29 October 1998.

⁵⁹ Topics include including ban policy and positions; recent mine use, production, transfer, stockpiling, and stockpile destruction; funding and other support to mine action; and, for mine-affected countries, information on the mine problem, demining efforts, mine risk education, landmine casualties, assistance available to mine survivors, and disability rights.

⁶⁰ Notes on Group Discussion "Benchmark for Progress," Roundtable II, 16 September 1998.

⁶¹ Norwegian People's Aid took on responsibility for mine action coordination as well as for Europe research. Handicap International became responsible for victim assistance and mine risk education coordination, as well as for the Asia-Pacific researchers. Mines Action Canada agreed to establish the Landmine Monitor database and coordinate research in the Americas. The Kenya Coalition Against Landmines became research coordinator for Sub-Saharan Africa. In addition to its global and production responsibilities, Human Rights Watch agreed to take on thematic research coordination on ban issues and coordination responsibility for the Middle East/North Africa and former Soviet Union.

same time: impressive in that we did have an enormous amount of paper on the table coming from a huge range of sources, [but depressing because] very, very little of it was of publishable quality.”⁶² The detailed but, for the most part, poorly written reports nevertheless showed the potential of Landmine Monitor.

Landmine Monitor researchers collected their research grant in instalments at both meetings. Upon receiving the funds, they signed a grant agreement committing them to meet specific deadlines (including for financial reporting) and clarifying the Core Group’s right to “edit and/or supplement the research paper as it deemed necessary.” They agreed they would “not be listed as authors of individual country reports, but rather credited in the report’s acknowledgements, and allowed to utilize and publish their research under their own name outside of the report.” Confirming these understandings early on proved helpful during the editing process.

In retrospect, the research period looks easy in comparison to what it took to get the first report to print.

Release & Relief

In an experience that is painful to recount, a five-person team in the Arms Division of HRW barely slept as they edited country entries, verified sources, drafted reports for countries where there was no research contact, summarized findings into thematic overviews with the assistance of thematic research coordinators, took care of all the production elements (cover photo and design, ISBN number, etcetera), and, in less than four weeks, got *Landmine Monitor Report 1999* to print.⁶³ As chief editor, Goose recalls the process as the first of an annual period of editing that became known as “around the clock all day every day.”⁶⁴ Jody Williams and other editors have less diplomatic descriptions for this period.

A small team of interns and HRW staff helped proofread the reports, and each final country edit was returned to the researcher responsible for their consideration and final comment. Over the course of one night, the Arms Division associate assembled and formatted the final report, printing off the 1,071-page report at dawn to be cou-

⁶² Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁶³ The team consisted of Steve Goose (chief editor), Mary Wareham, Alex Vines, Kathleen Bleakley, and Jody Williams (ICBL Ambassador and member of the Advisory Committee of HRW’s Arms Division). Arms Division associate Jasmine Juteau was responsible for the final formatting and printing of the report.

⁶⁴ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

ried to the printer. There was just enough turnaround time to get the reports back to HRW, where they were stuffed into luggage and physically hauled to Mozambique for the release at the Convention's First Meeting of State Parties (1MSP).

There, the ICBL ambassadors presented *Landmine Monitor Report 1999* to 1MSP President Joaquim Alberto Chissano, the President of Mozambique, in front of delegates and media assembled for the opening plenary. Core Group members distributed one report to each delegation, and the room fell silent as diplomats flipped through the pages to their country entry.⁶⁵ The cover featured a youth running swiftly on his prosthetic leg, conveying a positive message that worked well with the report's title of, "Towards a Mine-Free World."

In the report introduction, Landmine Monitor stated, "We welcome comments, clarifications, and corrections from governments and others, in the spirit of dialogue and in the search for accurate and reliable information on a difficult subject." Given the time constraints, it is surprising how few factual mistakes made it into the report.⁶⁶ Nonetheless, as chief editor, Goose often lamented that the 1999 report and subsequent editions, "...weren't more polished and [that] we didn't have more time to go through and pull [all the information] together."⁶⁷

Many delegates were surprised to see the report, despite the ICBL's outreach beforehand to inform governments of the initiative.⁶⁸ According to Goose:

It stunned people. I don't think they had any notion that we were going to be able to pull together something that had so much information. The length itself shocked everybody and there was no 'filler' in it; it was very dense and filled with facts. People began to realize right away too that it wasn't a 'polemic.' It in fact was a very factually

⁶⁵ The first two annual reports ordered country entries both regionally and by their status on the Convention (state party, signatory, non-signatory, or other). In part this was intended for advocacy purposes: to make the government concerned understand their status. The front was a 'good' place to be located because countries that had not banned the weapon were relegated to the back of the book. Later the regional groupings were dropped from the main report, but regional overviews added to the executive summary as another way of encouraging governments to 'look good' on the landmine issue in comparison to their neighbours.

⁶⁶ In one notable incident (that has thankfully never been repeated), information in two country entries was mixed up when an editor working late misinterpreted a statement by a Mauritania official and included it in the Mauritius country report. Letter from B. Gokool for Supervising Officer, Ministry of Foreign Affairs and International Trade, to Coordination Team of the ICBL, Ref: TS/M/67/1, 13 May 1999, p. 1. See: www.icbl.org/lm/1999/comments.html

⁶⁷ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁶⁸ In addition to providing several progress reports, Landmine Monitor wrote to every foreign minister prior to publication to explain the nature and intent of the report about to be released. Country campaigners also met with government officials to explain the initiative and present materials such as the "Introduction" booklet.

based approach to gathering information ... a baseline for information from which to gauge progress.⁶⁹

Responses from governments started to pour in. In their plenary statements, several donors to the initiative lauded the report, including the Canadian Minister of Foreign Affairs Lloyd Axworthy. In private, however, he was fuming. The first item Axworthy read upon opening the report was an analysis of his government's "understanding" document, which Canada submitted with its ratification instrument. In particular, he objected to Landmine Monitor's description of the understanding as, "... clearly aimed at permitting Canadian forces to fight side-by-side with the United States in a war in which U.S. forces use antipersonnel mines."⁷⁰

Goose notes that Landmine Monitor's analysis of its donors' policies and practices "proved that we were going to be able to be independent while still receiving funding from governments, because we had some fairly serious criticism of pretty much all of our major donors. ... We were biting the very hand that was feeding us, but they accepted it and it created a dialogue with those countries on those issues."⁷¹

Some governments used their 'right of reply' to clarify information in the report. Senegal weakly denied Landmine Monitor's report that its troops had used antipersonnel mines during an operation in Guinea-Bissau in June 1998.⁷² Other government delegates approached researchers, campaigners, ICBL staff, Core Group representatives, and even Landmine Monitor donors. China's observer delegation described Landmine Monitor's estimate of its stockpile total at 110 million mines as "exaggerated."⁷³

Upon returning to Washington, DC, HRW mailed the report to every country represented in Washington, DC; to the missions to the UN in New York; and to Foreign Ministries in capitals, as well as the ICBL network and partner agencies. This process, repeated year after year, also generated replies. For example, the ambassador of Myanmar (Burma) to the US, Tin Winn, wrote a lengthy rejoinder acknowledg-

⁶⁹ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁷⁰ See Canada entry, *Landmine Monitor Report 1999*.

⁷¹ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁷² "Statement Made by the Senegalese Delegation Following Some Allegations Contained in the 1999 Report of ICBL," Maputo, 5 May 1999, (Non-official translation).

⁷³ Landmine Monitor discussion with Peoples' Republic of China Delegation, Maputo, Mozambique, 4 May 1999.

ing his government's use of antipersonnel mines, but insisting it did not do so in an indiscriminate fashion.⁷⁴

How "Official" is Landmine Monitor?

Landmine Monitor readily admits that it is, "...not a technical verification system or a formal inspection regime." Rather, it describes itself as, "an effort by civil society to hold governments accountable to the obligations that they have taken on with regard to antipersonnel mines; this is done through extensive collection, analysis and distribution of information that is publicly available."⁷⁵

In his seminal 1985 study *Verification: How Much is Enough?* SIPRI Professor Allan S. Krass defines the verification process as a number of activities carried out in steps or stages. The process begins with *monitoring* ("the gathering of data"), then *information processing* (the assembly of data into an appropriate form), *analysis* and *identification* (determining if there has been a violation, including by comparing evidence with other sources), *evaluation* (to decide how important the violation is), and finally *response* to the violation.⁷⁶ Krass classifies the full range of activities from monitoring to (and including) response as *compliance*, while the process up until response is called *verification*.⁷⁷

By this definition, Landmine Monitor is conceivable as a verification system. It monitors and reports on compliance. Through its analysis, fact checking, and editing steps, Landmine Monitor processes the information. During editing, evidence is compared with other data sources, communicated to the alleged offender, and carefully evaluated to determine potential violations and violators of the Convention and the norm. Finally, in the carefully chosen words of its chief editor, the Core Group publishes these findings in the annual report presented to State Parties of the Convention for action. The ICBL communicates with State Parties concerning what it would like

⁷⁴ Letter to the Landmine Monitor from Amb. Tin Winn, Embassy of the Union of Myanmar to the United States, Washington DC, 16 July 1999.

⁷⁵ See the "About Landmine Monitor" introductory section, contained in every annual report issued since 1999.

⁷⁶ Italics added by Wareham. Allan S. Krass, SIPRI, *Verification: How Much Is Enough?* (Taylor & Francis: London, 1985), pp. 6-10.

⁷⁷ Allan S. Krass, SIPRI, *Verification: How Much Is Enough?* (Taylor & Francis: London, 1985), p. 10.

them to do with this information, but cannot carry out the last step in the verification system of “responding” to a violation.

According to a definition by Trevor Findlay, verification provides, “...a mechanism for parties to demonstrate their compliance.”⁷⁸ He believes that Landmine Monitor is “a body monitoring compliance” that provides “the evidence on which ... non-compliance cases can be considered.” According to him, verification,

[N]ormally implies some sort of power to do something about the judgments or conclusions you reach... Landmine Monitor doesn’t really have that. It monitors compliance and then passes the results to the states and hopes for the best. Treaty parties can make a judgement and only they can decide ultimately what should be done to bring the State Party back into compliance.⁷⁹

Goose agrees that, “ultimately there’s only so much we can do, because this is an NGO initiative. We can’t require documentation or ... answers ... to our questions so we’re ultimately without teeth when it comes to enforcement and have to rely on States Parties’ actions.”⁸⁰ He confirms the initiative is “...not official and we don’t want to be official. If we’re official then we become the ISU [Implementation Support Unit] and have to ‘serve’ the States Parties.”⁸¹ Another campaigner puts it more bluntly, “Formalizing the Monitor within the [Convention] set-up would be its death.”⁸²

Still, according to one academic, Landmine Monitor “has almost become the institution. It’s supported by government funding, which is interesting because it’s not as if you can say it’s an entirely non-governmental undertaking. A lot of governments want this to be done.”⁸³

Landmine Monitor has become an accepted part of the process surrounding the Mine Ban Convention, but it should be viewed as unofficial because it is an initiative by the ICBL that is carried out by NGOs and individual members of civil society. While it works closely with governments and is largely funded by them, it is not formally

⁷⁸ Trevor Findlay, “Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?” *Disarmament Forum Framework for a Mine-free World*, 1999 no. 4, p. 45.

⁷⁹ Telephone Interview with Trevor Findlay, Director, Canadian Centre for Treaty Compliance, 10 February 2006.

⁸⁰ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁸¹ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

⁸² Telephone Interview with Bob Eaton, Director, Survey Action Center, 10 February 2006.

⁸³ Telephone Interview with Richard Price, Associate Professor, Dept. Political Science, University of British Columbia, 27 February 2006.

recognized either in the Convention or by the Convention's implementation bodies.⁸⁴ According to one observer, the Landmine Monitor reports carry "significant weight" because they come from the ICBL.⁸⁵

Landmine Monitor's status as a non-governmental initiative is a significant reason for its success, but should not obscure its actual effectiveness on government behaviour, which is explored next.

⁸⁴ Oliver Meier and Clare Tenner, "Non-governmental monitoring of international agreements," in VERTIC, *Verification Yearbook 2001* (London: VERIC, 2001), p. 211.

⁸⁵ Ibid.

Effectiveness Of The Product

This review of Landmine Monitor's effectiveness is ordered around the principal articles of the Convention, starting with transparency reporting (Article 7) and domestic implementation measures (Article 9). This analysis is a necessary precursor to a review of the initiative's effectiveness with regards to implementation of the Convention's core prohibitions (Articles 1, 4), interpretation issues (Articles 1, 2, 3), and humanitarian requirements (Articles 5, 6). The impact of ICBL and Landmine Monitor in changing the behavior of non-State Parties and Non-State Armed Groups is equally significant, but discussed separately.

As one reviewer has pointed out, it is difficult to "make a clear pronouncement" on Landmine Monitor's effectiveness because it is "...only one of a number of mechanisms designed to facilitate implementation of the Convention."⁸⁶ Nonetheless, it is possible to draw some conclusions on the initiative's effectiveness, not least because it has been in effect for nearly a decade.

State Parties & Signatories

Urging Timely and Detailed Reporting and Implementation Measures

Landmine Monitor notes that it was "established in recognition of the need for independent reporting and evaluation," and to complement transparency reporting by the State Parties. Article 7 reports therefore form an essential baseline of information for Landmine Monitor's reporting on the implementation of other key articles. The ICBL and Landmine Monitor have helped to ensure the timely

⁸⁶ Kjell Erling Kjellman, "Norms, persuasion and practice: *Landmine Monitor* and civil society," Review in *Third World Quarterly*, 24:5, 2003, pp. 958.

submission of Article 7 reports, and have played a role in improving the quality and quantity of information provided by States Parties.⁸⁷

To definitively ascertain that governments are indeed “mine-free” and have measures in place to ensure the Convention’s application, the ICBL urges every State Party to submit transparency reports—even those believed to have never used, produced, or stockpiled the weapon. The number of State Parties submitting their initial reports has increased dramatically, from 63 percent in 2001 to an impressive 96 percent compliance rate by October 2005.⁸⁸ The ICBL regularly reminds State Parties of their reporting deadlines, disseminating Landmine Monitor fact sheets listing States Parties with impending deadlines and those behind deadline. Landmine Monitor researchers inquire about the report’s status, and some approach all relevant ministries involved in the preparation of the report. On a number of occasions, this pressure has helped government officials obtain the necessary information (for example on stockpiled mines) from their reluctant ministries of defense and armed forces.

Transparency reporting by States Parties appears to have become more detailed since 1999. Landmine Monitor published its first report prior to the submission deadline for initial Article 7 reports, and thus set the standard for comprehensive and detailed reporting. State Parties often ‘borrow’ language from their Landmine Monitor country updates to include in their Article 7 reports. Officials also sometimes share draft reports with ICBL campaigners and Landmine Monitor researchers for their review and comment prior to submission. The ICBL and Landmine Monitor play an educational role by explaining the requirements of each form in the report, helping and urging State Parties to report in as much detail as possible.

Landmine Monitor’s examination and analysis of Article 7 reports has helped show gaps and discrepancies in the numbers of mines reported destroyed. At the May 2000 Standing Committee on Stockpile Destruction, the ICBL raised concerns about Ecuador after the government reported it would retain 170,344 antipersonnel mines for “training purposes.”⁸⁹ State Parties made a number of requests for clarification to Ecuador, and by the end of the week the country’s delegate told the ICBL that the

⁸⁷ The ICBL participates in other initiatives aimed at improving the reporting compliance rate, such as the ‘Article 7 Contact Group,’ established in 2000 and led by Belgium. Moreover, the production of educational tools such as a ‘Guide to Article 7 Reporting’ prepared by the Verification Research, Training and Information Centre (VERTIC), in cooperation with ICBL, have been useful.

⁸⁸ *Landmine Monitor Report 2005* reported that six States Parties were late in submitting their initial reports: Cape Verde, Cameroon, Equatorial Guinea, Gambia, Guyana, and Sao Tome and Principe. *Landmine Monitor Report 2004* reported 12 States Parties were late in submitting their initial reports. The 2003 edition listed 15 States Parties as late; in 2002, the number was 30; in 2001, the number was 37; and in 2000, the number of late reports was 36.

⁸⁹ Form D, Article 7 Report by Ecuador, 29 March 2000.

number had been erroneously reported and would be corrected. The government subsequently stated that it would destroy 154,344 of the remaining mines and retain 16,000 mines for training, later reduced to 3,970 mines.⁹⁰

Landmine Monitor's analysis of Article 7 reports, together with the ICBL's inquiries, reminders, and offers of assistance, have helped generate momentum toward the adoption of national implementation measures as required by Article 9 of the Convention. Despite some improvements, however, compliance with this aspect of the Convention remains disappointingly low. According to *Landmine Monitor Report 2005*, 44 State Parties had enacted national legislation, compared to just 14 State Parties in *Landmine Monitor Report 1999*.

Landmine Monitor analyses and queries national implementation measures that State Parties list in their Article 7 reports. Since 2001, the ICBL has distributed an information kit on the development of national legislation. The kit was prepared by the ICRC and has been translated into several languages. The ICBL has also scrutinized and commented on draft legislation, attended and sometimes organized public hearings on legislation, and in some cases even helped to draft national law.⁹¹ The ICBL has pressed State Parties to do more to encourage the adoption of national measures, and participates in the Belgian-led Contact Group on National Legislation established in 2000.

Identifying and Stigmatizing Mine Users

Through careful and professional research, Landmine Monitor has confirmed and published cases of landmine use by States Parties and signatories, while the ICBL has engaged in ongoing advocacy activities to stigmatize mine use and urge other States Parties to act on reports of non-compliance. Three specific cases of mine use by members of the Mine Ban Convention are discussed here: Angola, Zimbabwe, and Uganda.

In its first report, Landmine Monitor drew on previous HRW research and new eyewitness accounts to document how Angolan forces were still laying antipersonnel mines.⁹² It warned that, as a signatory at the time of use, Angola's use of mines could be judged a breach of its international obligations. Landmine Monitor cited Article

⁹⁰ Form D, Article 7 Report by Ecuador, 23 August 2000. In September 2001, Ecuador announced that it would further reduce the number of mines retained for training from 16,000 to 4,000 mines, and by April 2003 it had adjusted the number retained to 3,970.

⁹¹ Such tasks are often referred to the ICRC's legal division, which has a better capacity for legal analysis and assistance.

⁹² Sources included: eyewitness accounts by the researcher; the researcher's interviews with local provincial authorities, refugees and government soldiers; and a joint statement by three humanitarian

18 of the Vienna Convention on the Law of Treaties, which states, “A state is obliged to refrain from acts which would defeat the object and purpose of a treaty when ... it has signed the treaty....”

At the First Meeting of State Parties, the ICBL said it was “particularly appalled” at Angola’s “disregard” for its international commitments.⁹³ In a statement to the official meeting, the ICBL noted, “It is vital that State Parties as well as NGOs react quickly and strongly to actions by all nations that are counter to the treaty and the international standard of behavior it has established.”⁹⁴ State Parties expressed outrage in the final declaration of the meeting and, following Landmine Monitor’s lead, declared mine use by signatories to be “...a violation of the object and purpose of the Convention...”⁹⁵

For its part, the Angolan government delegation arrived only on the eve of the closing day to avoid discussing the use issue with delegates or the media. A government minister later remarked, “We remain committed to the noble objectives of the treaty, but we are at war right now.”⁹⁶ The country’s national mine clearance organization placed a statement on its website: “The Government of Angola has said that they have documented their mine laying activities, and will be fully responsible for the clearance operations when appropriate, without any additional cost and negative impact on the international community funded demining projects, currently implemented through NGOs.”⁹⁷

Landmine Monitor continued to document mine use by the Angolan government in its 2000, 2001, and 2002 annual reports, and the ICBL and State Parties continued to condemn the mine use. Yet the government did not change its behavior until April 2002, when hostilities with UNITA ended and a peace deal was reached. The Chief of Staff of the Angolan Armed Forces officially informed the national demining au-

development groups calling on the government and UNITA to halt mine-laying. ICBL, *Landmine Monitor Report 1999*, PAGE #

⁹³ ICBL Press Release, “Landmine Campaign Details Global Progress and Problems at Opening of Diplomatic Conference in Mozambique,” Maputo, 3 May 1999. www.icbl.org/news/archive/before_2001/1999_may3

⁹⁴ ICBL Statement delivered by Stephen Goose, Human Rights Watch, Head of Delegation, to the First Meeting of States Parties to the Mine Ban Treaty, Maputo, 4 May 1999.

⁹⁵ Point 11, “Maputo Declaration,” *Final Report of the First Meeting of States Parties to the Mine Ban Convention*, APLC/MSP.1/1999, 20 May 1999.

⁹⁶ Vice Minister of External Relations Toko Serrão quoted in *Inter Press Service*, 19 May 1999.

⁹⁷ Instituto Nacional de Remoção De Obstáculos E Engenhos Explosivos (INAROE) website accessed 6 June 2000: www.landmine.org/inaroe.

thority that the army had ceased laying mines, and Angola subsequently ratified the Mine Ban Convention on 5 July 2002.⁹⁸

Angola's brazen defense of mine use has not been employed by any other Mine Ban Convention signatory. None of the other signatories alleged by Landmine Monitor to have used antipersonnel mines have admitted to this activity, and several have taken a number of steps to be seen dealing with the question. Burundi responded by inviting a fact-finding or investigation/verification mission by the international community.⁹⁹ Sudan provided Landmine Monitor with information on its efforts to educate its armed forces on compliance with the antipersonnel mine ban.¹⁰⁰ After vigorously denying mine use, Ethiopian authorities later provided the local UN mine action center with detailed maps of its minefields.¹⁰¹

The first and, more notably, second Landmine Monitor reports contained detailed yet unconfirmed allegations of antipersonnel mine use by the Zimbabwean Defence Forces deployed in the Democratic Republic of Congo (DRC).¹⁰² At the Second Meeting of States Parties to the Mine Ban Convention in September 2000, Zimbabwe (unlike Angola the year before) described the information presented as "wild and unsubstantiated allegations," and said, "ICBL's failure to provide evidence or concrete facts for the past two years ... does not only invalidate these accusations but also smacks of a hidden agenda against my country on its part...".¹⁰³

Zimbabwe's outright dismissal of the use allegations and criticism of Landmine Monitor's credibility represents one of the first (and last) times the initiative has come under such fire.¹⁰⁴ For its part, Landmine Monitor acknowledged that, due

⁹⁸ Email from Stephen Kinloch, Assistant Resident Representative, UNDP Angola, 17 June 2002.

⁹⁹ See Burundi entry, *Landmine Monitor Report 2001*.

¹⁰⁰ See, for example, Sudan entry, *Landmine Monitor Report 2001*.

¹⁰¹ Ethiopia entry, *Landmine Monitor Report 2002*.

¹⁰² *Landmine Monitor Report 2000*, pp. 122-123, stated, "There is concern regarding the involvement of Zimbabwean troops in the war in the Democratic Republic of Congo (DRC) in support of the government of Laurent Kabila. *Landmine Monitor Report 1999* reported that there had been a number of unsubstantiated allegations of use of antipersonnel mines in that conflict by Zimbabwe, which the government vigorously denied. More recently, according to one source, there were accounts of Zimbabwean troops planting defensive minefields around Mbuji Maya when they feared that city would be captured by rebels in 1999. Landmine Monitor has not seen these accounts and cannot verify them."

¹⁰³ Statement of the Zimbabwe Delegation to the Second Meeting of States Parties to the 1997 Mine Ban Treaty, Geneva, 13 September 2000.

¹⁰⁴ Israel once accused Landmine Monitor of being "unbalanced and biased" for its "heavy reliance on ... statements and propaganda originating from politically motivated bodies and entities." Letter to Landmine Monitor (HRW) from Meir Itzhaki, Arms Control Division, Regional Security and Arms

to the dangerous war-time conditions, it did not have the capacity to substantiate or disprove the numerous allegations of antipersonnel mine use by virtually all parties to the DRC conflict. It called on States Parties to seek clarifications and establish the facts regarding mine use in the DRC.¹⁰⁵

Landmine Monitor found no definitive evidence of use of antipersonnel mines by any State Party between 1999 and 2005. It did, however, report serious evidence of antipersonnel mine use by Uganda in the DRC in 2000 and 2001, particularly during the battle for Kisangani.¹⁰⁶ Uganda denied these reports but, at the Third Meeting of States Parties in September 2001, agreed with the ICBL's suggestion that a full investigation be carried out. The government subsequently informed State Parties that a joint Uganda-Rwanda commission looking into the conduct of the fighting in the DRC would also investigate the allegations of landmine use. Two years passed and, by the Fifth Meeting of States Parties in September 2003, the ICBL expressed disappointment that Uganda had made no further public statements regarding the allegations or the investigation. Using its right of reply, the Ugandan representative stated that, "In the interest of the established mechanisms to ease the tensions, it was deemed inopportune to continue with the process that would jeopardize the healing process. In the interest of both parties involved, the report of the commission has not been made public."¹⁰⁷

The ICBL has since continued to discuss the matter with Ugandan officials, but it is unclear what, if anything, other State Parties have done to follow up on the use allegations reported by Landmine Monitor. Antipersonnel mine use would appear to be one in a long list of violations of international law that Uganda engaged in during its time in DRC.¹⁰⁸

Landmine Monitor closely scrutinizes States Parties that have previously used antipersonnel mines, such as Afghanistan, Angola, Bosnia and Herzegovina, Cambodia, Nicaragua, and Mozambique. While it occasionally finds reports of mine use

Control Department, Ministry of Foreign Affairs of Israel, 31 Jul 2001. Also posted online in Landmine Monitor Comments section at www.icbl.org/lm/comments/israel

¹⁰⁵ *Landmine Monitor Report 2001*

¹⁰⁶ Uganda entry *Landmine Monitor Report 2000*

¹⁰⁷ Statement entitled "Right of Reply" by Capt. Asingura Kagoro, Fifth Meeting of States Parties, Bangkok, Thailand, 18 September 2003.

¹⁰⁸ On 19 December 2005, the International Court of Justice found Uganda guilty of "occupation of the Ituri region in the DRC, violations of sovereignty, illegal use of force, violations of international human rights laws and looting and plunder" in the period between August 1997 and June 2003. International Court of Justice, Case concerning armed activities on the territory of the Congo (Democratic Republic of Congo v. Uganda), No. 116, 19 December 2005. www.icj-cij.org/icjwww/idocket/ico/icoframe.htm

by civilians (for example, for fishing or to demarcate property), no full-scale mine use has been detected in these countries since war-fighting ceased. Landmine Monitor also monitors current and ongoing conflicts for evidence of mine use. In West Africa, for example, there has been no widespread antipersonnel mine use that Landmine Monitor can determine in the conflicts in Guinea, Liberia, Cote d'Ivoire, and Sierra Leone. Elsewhere Landmine Monitor has considered, but not conducted, investigative missions into Sudan's Darfur region, because the available information sources have not turned up evidence or allegations of antipersonnel mine use.

While Landmine Monitor readily admits that research limitations sometimes prevent it from accessing every piece of available information on mine-laying, it is now more difficult than ever to conceal mine use or for it to go completely unnoticed. As with human rights violations, the increased presence of NGOs and media in conflict zones, together with improvements in information technology, make it much harder for abusive regimes to hide new antipersonnel mine use.

The ICBL's 'naming and shaming' tactic to stigmatize antipersonnel mine users is one of the most powerful tools it has to promote compliance, but it has its limits. Still, the fact that government practice and policy is being watched has no doubt had a positive impact on governments' behavior. Goose notes that governments, "... may have continued to use mines, but didn't because they knew they were being watched very closely by the Landmine Monitor and that meant States Parties would pay a great deal of attention to it to. So it meant a great deal of deterrent value."¹⁰⁹ According to Kongstad, Landmine Monitor, "...demonstrates that the use will be discovered. It's very difficult to use mines without somebody finding out."¹¹⁰

Between 1999 and 2005, it is important to note that neither the ICBL nor Landmine Monitor called on States Parties to enact Article 8, including the process for a fact-finding mission. States Parties' handling of Article 8 is discussed at the end of this chapter.

Enforcing Prohibitions on Production and Transfer & Verifying Stockpile Destruction

Landmine Monitor documents compliance by State Parties with the core prohibitions of the Convention, while the ICBL uses its moral and political clout to encourage adherence to the prohibitions.

Landmine Monitor's research on the production of antipersonnel mines is largely limited to governments, because government factories and state-owned entities are

¹⁰⁹ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

¹¹⁰ Interview with Steffen Kongstad, Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

primarily responsible for manufacturing the weapon. Landmine Monitor has uncovered previously unknown production activities carried out by States Parties before joining the Mine Ban Convention. For example, the initiative was the first to report that Colombia had manufactured antipersonnel mines.¹¹¹ Other State Parties have been compelled to 'set the record straight' by confessing to past production activities. In September 2000, Australia told Landmine Monitor that it manufactured antipersonnel mines until the early 1980s.¹¹²

Landmine Monitor has not documented any acknowledged state-to-state transfers or exports of antipersonnel mines since 1999, and believes that antipersonnel mine transfers have dwindled to a very low level of illicit trafficking and unacknowledged trade. However, it has occasionally reported on scandals triggered by investigative researchers and reporters, including attempted sales of antipersonnel mines in the United Kingdom in 1999 by a Romanian arms company and by Pakistan Ordnance Factories.¹¹³

The ICBL has challenged State Parties to declare and destroy their stockpiled mines in advance of their four-year deadline, setting certain events or dates as completion targets.¹¹⁴ By the end of 2004, every State Party with a four-year destruction deadline had met their obligations, with the exceptions of Djibouti (which was two days late) and Turkmenistan. After the ICBL repeatedly criticized a decision taken by Turkmenistan to retain 69,200 mines for training purposes (as permitted by Article 3), the government in 2004 said it would destroy all the mines and invited the ICBL to witness destruction.¹¹⁵ The ICBL promotes greater transparency in stockpile destruction, including participation in destruction events by civil society, mine survivors, and the media.

Landmine Monitor has played an important role in reviewing and verifying stockpile data submitted in Article 7 reports. Its compilations of data are continuously updated and regularly circulated to States Parties, enabling them to identify problems and monitor progress in stockpile destruction. In addition to detailing best practices in stockpile destruction, Landmine Monitor publishes other information on costs,

¹¹¹ Colombia entry, *Landmine Monitor Report 1999*.

¹¹² Letter to Mary Wareham, Human Rights Watch (Landmine Monitor) from Richard Maude, Assistant Secretary, Arms Control and Disarmament Branch, Department of Foreign Affairs and Trade, 7 September 2000. . Also posted online in Landmine Monitor Comments section at www.icbl.org/lm/comments/australia

¹¹³ United Kingdom entry, *Landmine Monitor Report 2000*.

¹¹⁴ See for example, ICBL Press Release, "Landmines Campaign Challenges Governments to Complete Stockpile Destruction by September 2001," (Buenos Aires, 6 November 2000).

¹¹⁵ Turkmenistan entry, *Landmine Monitor Report 2004*.

environmental considerations, and destruction methods. It also identifies those States Parties that might have trouble meeting destruction deadlines and anticipates problems they may encounter.

Landmine Monitor closely tracks statements and reports by States Parties for inconsistencies and irregularities and, when these are found, attempts first to resolve the matter directly with the government concerned. In 2002, Landmine Monitor uncovered a case that led to a State Party publicly acknowledging stockpiled mines that it previously denied. In February 2001, the Nigerian Army said it had not stockpiled antipersonnel mines—an assertion seemingly contradicted by photographs identified by Landmine Monitor during a May 2002 presentation to State Parties, which addressed a disastrous fire at an ammunition depot in Lagos. It sought clarification from Nigeria in its initial Article 7 report. Nigeria subsequently declared it did have a stockpile of mines that it would retain for training and development purposes.¹¹⁶

Clarifying Interpretation of Key Articles (Articles 1, 2, 3)

The ICBL has consistently raised questions about how States Parties implement and interpret certain aspects of key articles, while Landmine Monitor has become the principal collector and publisher of States Parties' policy and practice with respect to those articles. According to Goose, by profiling these "issues of concern," Articles 1, 2, and 3 "became topics of conversation" and were placed on the agenda of the intersessional work program and meetings of States Parties.¹¹⁷ The ICBL and Landmine Monitor have helped remove ambiguities and preserve the integrity of the Convention by noting where States Parties diverge from predominant State practice.

The ICBL has urged States Parties to reach a common understanding of what acts are and are not permitted by Article 1(c), under which each States Party undertakes to "never under any circumstances...assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party." The ICBL has had limited success convincing States Parties to reach a common understanding of how Article 1 applies to joint military operations. Nonetheless, a clearer view of the meaning of the word "assist" has begun to emerge, as States Parties increasingly agree on the need to address this issue and share their views on policy and practice. Landmine Monitor has helped document actions taken, identifying 36 States Parties that have declared they will not participate in planning and implementation activities related to the use of

¹¹⁶ Landmine Monitor sought clarification from Nigeria on several photographs that showed antipersonnel mines recovered from the wreckage and media reports of an injury caused by a mine the day after the incident.

¹¹⁷ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

antipersonnel mines in joint operations.¹¹⁸ It remains the only publication to collect and publish these declarations in detail.

The ICBL also calls on States Parties to clarify their understanding of what constitutes “active” or “direct” assistance. This is relevant because some States Parties have declared that only “active” or “direct” participation in joint operations where antipersonnel mines are used is prohibited. Such issues are not abstract. For example, Landmine Monitor has documented how Zimbabwe and other governments could be in violation of the Convention by virtue of their participation in a joint military operation with DRC forces, which have used antipersonnel mines.¹¹⁹ Relatedly, the ICBL has raised concerns about Zimbabwe’s domestic ban legislation, which includes a clause offering possible legal protection for a person engaged in military activities with a non-State Party in which antipersonnel mines are used, transferred, or produced, so long as that person’s conduct “did not amount to active participation” in any banned activities. This issue had not been resolved by 2006.

Since the 1997 negotiations, the ICBL has emphasized that, according to Article 2, any mine equipped with a fuse or anti-handling device that causes the mine to explode from an unintentional or innocent act of a person is considered to be an antipersonnel mine, and therefore prohibited. Many States Parties have agreed that this is their understanding of the Convention’s article on definitions. However, a handful remain resistant, and the ICBL fears that a situation is developing whereby some States Parties will keep a stockpile of such mines for future use or export. Landmine Monitor has obtained and published States Parties’ declarations and clarifications on measures they have taken to ensure that mines with sensitive fuses and anti-handling devices are compliant with the Mine Ban Convention. It has also urged States Parties to provide more information on certain types of mines designed to be capable of being both command-detonated and victim-activated.

Efforts by the ICBL and Landmine Monitor to gain clarification from States Parties on their interpretation of Article 3 have resulted in considerable progress. With few exceptions, during the 1997 Oslo negotiations and in Standing Committee discussions from 1999-2004, most State Parties agreed that the number of mines retained for demining training and testing purposes should be in the hundreds or thousands (or less), but not in the tens of thousands. Landmine Monitor has documented the numbers of mines retained by State Parties in detail, and draws special attention to those retaining more than 10,000 mines. Over twenty States Parties have responded to this negative publicity by reducing the number of mines retained from the high

¹¹⁸ *Landmine Monitor Report 2005*, p 17

¹¹⁹ *Landmine Monitor Report 2002*, p 531

levels originally proposed.¹²⁰ Several have decided to completely destroy their stocks of mines originally retained for training. The ICBL has also urged States Parties to declare both their intended and actual uses for retained antipersonnel mines, and worked to successfully insert this requirement into the Nairobi Action Plan.¹²¹

While States Parties have encountered difficulties in reaching common understandings on interpretation of key articles, they have nevertheless responded positively to Landmine Monitor's requests for clarification, and compliance with the relevant articles remains consistent and in some cases impressive.

Promoting and Documenting Mine Clearance and Victim Assistance

Few ICBL campaigners or Landmine Monitor researchers are mine action professionals, yet they advocate for and report on the humanitarian aspects of the Mine Ban Convention with as much vigor as they do for the prohibitions – often more so if their country is mine-affected. The Mine Ban Convention requires clearance of emplaced mines within a ten-year period as well as assistance to mine victims.

Much more is now known about the extent of the global landmine problem and efforts to remedy it. This is due in no small part to Landmine Monitor's provision of unique, global statistics on the mine problem through its annual report, fact sheets, statements, and presentations.¹²² Through Landmine Monitor's reporting, mine action has remained on governments' agendas. Its research has charted and contributed to the greater sophistication seen in mine action today, showing how mine clearance has evolved from a strictly military activity to a more sophisticated and systematic humanitarian and developmental initiative. According to one observer, Landmine Monitor has achieved, "...a credibility which is amazing. I don't think there's been a better effort, in an environment that defies good data, to really rigorously get things right. The mine action content unfortunately reflects the status of mine action so it's weak in terms of the data that's gathered."¹²³

¹²⁰ Argentina, Australia, Bulgaria, Chile, Croatia, Denmark, Ecuador, Italy, Lithuania, Mauritania, Perú, Portugal, Romania, Slovakia, Slovenia, Spain, Thailand, Turkmenistan, Uganda, United Kingdom, Venezuela, and Zambia.

¹²¹ Action #54 of the Nairobi Action Plan states that those retaining mines should "provide information on the plans requiring the retention of mines...and report on the actual use of retained mines and the result of such use."

¹²² Notably, the Landmine Impact Surveys by the Survey Action Center have provided a much more detailed understanding of the extent of the mine problem in heavily affected countries. www.sac-na.org/

¹²³ Telephone Interview with Bob Eaton, Director, Survey Action Center, 10 February 2006.

Some would like to see Landmine Monitor take on a more analytical role in its presentation and scrutiny of mine action data. According to Landmine Monitor's mine action coordinator, NPA, the initiative has "...systematized the truths of the landmine problem by listing where the problem is and the responsibility implied for the governments," but there is a need "to get the more qualitative substance into the report instead of just listing projects."¹²⁴ Others warn that such analysis—as opposed to straight reporting—could be too difficult given the lack of baseline information. One official cautions, "... if you had a dataset that was fairly uniform in its facts then you could do more analysis and draw more conclusions, but you don't have that either because of the quality of the research or access to information. You could easily find yourself editorializing as opposed to analyzing."¹²⁵ According to Eaton, "the data is so weak you can't draw too many conclusions...."

Most users view Landmine Monitor's mine action findings as a helpful starting point, but look elsewhere for more information. According to one donor, "It's provided us with a foundation to pursue a more vigorous analysis. The Monitor has provided a really good base through which to pursue other questions."¹²⁶ A UN official describes the annual report as, "... a preliminary resource from which you do additional research if you're looking at building programs and projects. It's a good starting point."¹²⁷

The ICBL is starting to place more emphasis on the ten-year clearance deadline contained in Article 5, which will be upon some States Parties as soon as March 2009.¹²⁸ Landmine Monitor publishes information on States Parties that do not appear to be on course to meet their clearance deadlines, and details those States Parties that have not taken steps toward even establishing a plan to meet their clearance deadline. It also reports on States Parties that have completed mine clearance, and urges more thorough discussions by States Parties in order to determine more precisely the Convention's objective to destroy "all anti-personnel mines in mined areas."

As with mine action, the Mine Ban Convention has proven a useful vehicle for the ICBL to raise awareness about the needs and rights of mine survivors and, by extension, people with disabilities. In support of this, Landmine Monitor collects and presents detailed information that indicates a global decline in new mine victims since the Con-

¹²⁴ Interview with Per Negaard, Director, Mine Action Unit, Norwegian People's Aid, 10 April 2006.

¹²⁵ Telephone Interview with Justin Brady, UN Mine Action Service (UNMAS), 8 February 2006.

¹²⁶ Telephone Interview with Andrew Willson, DFID (UK), 10 February 2006.

¹²⁷ Telephone Interview with Justin Brady, UNMAS, 8 February 2006.

¹²⁸ Thirteen States Parties have a clearance deadline of 1 March 2009: Bosnia and Herzegovina, Croatia, Denmark, France (Djibouti), FYR Macedonia, Malawi, Mozambique, Namibia, Perú, Senegal, United Kingdom (Falklands/Malvinas), Yemen and Zimbabwe.

vention took effect in 1999. Exact research findings are difficult, as precise numbers are hard to come by and the research encroaches into other areas, such as public health issues and disability rights. Nonetheless, Landmine Monitor has identified key trends and problems, which enables donors and others to better understand victims' needs and ensure that limited resources are used most effectively. It also lists significant gaps in victim assistance, such as geographic coverage, affordability, and quality of available facilities, as well as a lack of resources to implement or maintain programs.

Ensuring Continued Financial Support for Mine Action

ICBL's advocacy has always promoted the need for adequate resources to be effectively spent on mine action and victim assistance. Through Landmine Monitor's documentation, there is now a much clearer picture of funding and expenditure in these areas.

The ICBL has employed a variety of methods to convince State Parties to continue their support to mine action programs. These methods go beyond publishing detailed data on donor activities. For example, it participates in the Contact Group on Resource Mobilization, created in 2002 and led by Norway. At the country-level, ICBL campaigners conduct media and public awareness-raising efforts to pressure their governments to support mine action. They also fundraise and support the efforts of international NGOs working to address the mine problem on the ground.

The tracking of financial support for mine action is a difficult task, despite greater transparency and better reporting mechanisms by states. This is in part because there is much variance in what donors report on, in what detail, and for what time period. Nevertheless, Landmine Monitor has been able to provide an informative picture of the global funding situation. In-kind support has proven even harder to document, but Landmine Monitor has documented many examples of technical, material, and other forms of in-kind commitments to mine action and victim assistance, as well as stockpile destruction.

Landmine Monitor's reporting provides donors with a clear picture of needs, gaps, and available resources. According to one donor, Landmine Monitor "...helps us formulate global policies, especially on mine action. It is comprehensive in that it tackles all aspects of the issue and generally gives us a feel for any one given country. It's a first port of call for information and we use it regularly on a country level. Most active donors have it (Landmine Monitor) on their desk."¹²⁹

¹²⁹ Telephone Interview with Andrew Willson, DFID (UK), 10 February 2006.

Non-State Parties & Non-State Armed Groups

In addition to the ICBL's efforts to universalize the Mine Ban Convention, Landmine Monitor documents how non-States Parties and other actors are changing their behavior and practices toward eliminating antipersonnel mines.

One consequence of ICBL's activity is that states outside the Convention have become increasingly transparent on the mines issue. At the urging of the ICBL, several non-States Parties have voluntarily submitted Article 7 transparency reports. Furthermore, previously confidential reports submitted by States Parties to Amended Protocol II of the Convention on Conventional Weapons (CCW) have been made publicly available, including on the Internet—in part because CCW States Parties realized Landmine Monitor researchers were still able to obtain, analyze, and publish this information.

Expanding the Ban

More than three-quarters of the world's nations have joined the Mine Ban Convention. As an alternative to a total ban, ten states follow regulations on the use of antipersonnel mines contained in the CCW Amended Protocol II.¹³⁰ The ICBL has managed to establish campaign or research contacts in 22 of the 40 countries remaining outside the Convention, many of which are extremely challenging locations for civil society and media to work in freely.¹³¹ It contributes energetically to universalization initiatives and has undertaken dozens of advocacy missions since 1997, deploying its 'ambassadors' and staff to assist local ICBL efforts.

Landmine Monitor researchers inquire after accession documents, the status of policy reviews, and other important pieces of information in a process that serves to enhance universalization efforts. It provides constant reminders to non-States Parties of their pledges in support of the eradication of antipersonnel mines. Landmine Monitor reports on incremental yet encouraging policy developments in non-States Parties, and highlights successes and setbacks—thus making it a useful tool for those

¹³⁰ China, Finland, India, Israel, Morocco, Pakistan, Russia, South Korea, Sri Lanka and the United States.

¹³¹ In 2004, political rights and civil liberties were described as "free" in just nine non-states parties (22.5%) according to a recent annual global survey. The majority were classified as "not free" (22 states or 55%) or only "partly free" (9 or 22.5%). See "Table of Independent Countries Comparative Measures of Freedom," in Freedom House, *Freedom in the World 2005: The Annual Survey of Political Rights and Civil Liberties* (Lanham, MD: Rowman & Littlefield, July 2005).

promoting universalization.¹³² The ICBL encourages non-States Parties to express their support for the ban by voting in support of an annual resolution by the UN General Assembly. On 8 December 2005, UNGA Resolution 60/80 gained the support of such major holdouts as Azerbaijan and China, largely as a result of the ICBL's advocacy efforts.

Changing behavior

Landmine Monitor has documented how antipersonnel mines are now being used by far fewer non-States Parties. Antipersonnel mines are also being used in lesser numbers now than during the 1960s to the early 1990s, the period when the global antipersonnel mine crisis came into being. However, some non-States Parties have run counter to this trend, such as India, Iraq, Nepal, Myanmar (Burma), Pakistan, Russia, and Yugoslavia. Furthermore, the overall decline in use cannot be attributed to the ICBL's activities alone, but rather to the response by the international community as whole in stigmatizing antipersonnel mine use, as well as other factors (such as the cessation of hostilities in various conflicts).

Since its establishment, Landmine Monitor has reported in greater detail on the landmine production activities of several non-States Parties. It was the first to publish extensive details on the locations of Russian mine manufacturing factories.¹³³ Landmine Monitor uncovered evidence of antipersonnel mine manufacturing by Nepal that was subsequently acknowledged by the government, resulting in the country being the only new country added to the list of producers between 1999 and 2004.¹³⁴ It was largely responsible for obtaining formal public policies renouncing production by four non-States Parties (Egypt, Finland, Israel, and Poland), by repeatedly requesting these governments to formalize their position in writing and make it public. Egypt, for example, claimed for years that it had ceased export of antipersonnel mines in 1984 and ended production in 1988, but refused to make that position formal and public until the Nairobi Review Conference.¹³⁵

¹³² The ICBL participates in the Canadian-led Universalization Contact Group, established in 1999. This group uses the Landmine Monitor report as a baseline document to track various universalization opportunities, efforts, and outcomes.

¹³³ Russia entry, *Landmine Monitor Report 1999*.

¹³⁴ Nepal entry, *Landmine Monitor Report 2003*.

¹³⁵ Landmine Monitor removed Egypt from its list of antipersonnel mine producers, but has noted with concern that it is still not aware of any official decrees or laws by the government to implement prohibitions on production or export of antipersonnel mines.

Landmine Monitor has also documented how a significant number of non-States Parties have enacted or extended export moratoria in the past five years.¹³⁶ The ICBL calls on States Parties that claim not to export antipersonnel mines, such as Cuba and Vietnam, to put in place formal unilateral prohibitions. Although these governments remain outside the Convention, the knowledge that Landmine Monitor is tracking and ICBL is publicizing their activities has undoubtedly been a factor limiting their actions.

Landmine Monitor's reporting has spurred replies from governments keen to defend their actions. For example, the Russian Federation provided Landmine Monitor with a detailed justification of its mine use in Chechnya, Georgia, and on the Tajik border with Afghanistan. It described this antipersonnel mine use as the "only course of action" available, and noted that the mines were deployed in border areas "...where there are virtually no local inhabitants..." and "...in observance of requirements... set forth in..." Protocol II of the CCW.¹³⁷ Singapore replied to Landmine Monitor's inquiries about production status with a terse statement noting:

ST Kinetics is the *only* company in Singapore that produces APLs [antipersonnel landmines]. The APLs produced are meant *solely* for use by our armed forces for *self-defence purposes only*. ST Kinetics does *not* export APLs as Singapore had, since Feb 1998, declared an *indefinite moratorium* on the export of *all* types of APLs.¹³⁸

By getting non-States Parties on the record, Landmine Monitor has undoubtedly spurred several to change their behavior towards closer compliance with the norm being established by the Mine Ban Convention. Proof of this is in non-States Parties' responses. According to Kongstad, "Even countries like India and Pakistan go to great lengths to explain why they have done what they have done. If you went ten years back they wouldn't have bothered to do that. That is an indication that the norm is building up."¹³⁹

Participating in Mine Action

The ICBL's call for more resources for mine action is not targeted solely at States Parties to the Mine Ban Convention. Since 1999, an increasing number of non-

¹³⁶ China, India, Israel, Kazakhstan, Pakistan, Poland, Russia, Singapore, South Korea, and the United States.

¹³⁷ Response to Landmine Monitor by Ministry of Foreign Affairs of Russian Federation. Faxed by Vassily V. Boriak, Counsellor, Embassy of the Russian Federation to the United States, 16 August 2001. Original in Russian, translated by Global Communications, LLC, Washington DC.

¹³⁸ Emphasis added by Wareham. Singapore entry, *Landmine Monitor Report 2001*.

¹³⁹ Interview with Steffen Kongstad, Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

States Parties have made financial commitments in this area, in part because of the awareness generated on the issue. Landmine Monitor's reporting on the lack of demining by some mine-affected non-States Parties with numerous mine casualties has helped spur action to remedy the problem. In 2004 and the first half of 2005, Landmine Monitor recorded new landmine and UXO casualties in 56 countries, of which 21 were not party to the Mine Ban Convention. It has recorded clearance initiatives by civilians living in mine-affected communities in non-State Parties such as Pakistan, Laos, Sri Lanka, and Vietnam. It has provided credible documentation on the horrific practice of 'atrocious demining' in Burma (Myanmar) whereby humans are forced to walk across known minefields detonating the devices.

Engaging Non-State Armed Actors

Through Landmine Monitor reporting, and several initiatives by ICBL members and others (such as the Geneva Call NGO), much more is becoming known about Non-State Armed Groups (NSAG) and antipersonnel mines. According to Landmine Monitor, NSAG mine use is now believed to be far more widespread than use by government forces.¹⁴⁰ Landmine Monitor researchers have collected more detailed information than any other data collector on NSAG mine use, in countries including Burma (Myanmar), Colombia, Nepal, Pakistan, the Philippines, Somalia, and Russia. Landmine Monitor has also reported in more unprecedented detail on the manufacturing of IED and stockpiling of mines by NSAGs.

Documenting NSAG activities on antipersonnel mines, while difficult, is probably easier than convincing them to change their behavior. Nevertheless, an increasing number of NSAGs appear to be embracing the antipersonnel mine ban. The ICBL has urged NSAGs to issue unilateral statements and bilateral agreements, as well as commit to the Geneva Call's Deed of Commitment to indicate their willingness to observe the landmine ban.¹⁴¹ Since 2001, Geneva Call has received signatures from 27 NSAGs, many of them in Somalia.¹⁴²

¹⁴⁰ In 2004, NSAGs used antipersonnel mines or mine-like Improvised Explosive Devices (IED) in at least 13 countries, including in five Mine Ban Convention State Parties: Burma/Myanmar, Burundi, Colombia, Georgia, India, Iraq, Nepal, Pakistan, Philippines, Somalia, Turkey, Uganda, and Russia (including in Chechnya, Dagestan, and North Ossetia).

¹⁴¹ More information about Geneva Call, as well as its Deed of Commitment, is available at: www.genevacall.org

¹⁴² The signatories are in Burma/Myanmar, Burundi, India, Iraq, the Philippines, Somalia, Sudan, Turkey, Western Sahara

How is Compliance Enforced?

If States Parties are responsible for ensuring compliance, why have they been so reluctant to seek it through the Convention's Article 8? Certain State Parties have used Landmine Monitor findings to condemn mine use and communicate their concerns to the user, but there still appears to be widespread resistance to even discussing how the compliance measures contained in Article 8 could be enacted. The ICBL remains disappointed at what it perceives as a lack of interest by State Parties in taking any action on compliance.

According to a UN disarmament researcher, Mine Ban Convention State Parties have to agree to take up a concern about compliance because there is no explicit decision-making process to determine what to do, and then "... come up with some sort of procedure beyond the articles of the treaty to administer that."¹⁴³ Kongstad confirms, "...you have to improvise," and emphasizes that ad hoc measures are more appealing because the compliance article involves a fairly complicated procedure.¹⁴⁴

From the perspective of the ICBL, Goose believes that the cooperative compliance approach "...has played a big part in getting States Parties to have a fairly good record on meeting their obligations."¹⁴⁵ Yet he describes "... the failure to operationalize Article 8 and, related to that, the failure to have a more organized, if not formal systematic, means of dealing with implementation and compliance concerns" as "...one of the biggest disappointments" in the development of the Convention. Goose estimates that in the 1999-2005 period, Landmine Monitor provided enough evidence to enact Article 8 perhaps half a dozen times (or once a year), which "makes it all the more frustrating that it hasn't existed."

In the case of Uganda and the other alleged users, one diplomat blames an "African brotherhood," including some of the Mine Ban Convention's staunchest supporters, who argued, "... don't criticize my brother."¹⁴⁶ This made it awkward for other State Parties to persist on the matter or open discussions on Article 8. Goose agrees that, "... early on so much bad news came out of Africa," but notes that the unwillingness of States Parties to act is "not just an African phenomenon." Even core supporters of the Convention, such as South Africa, would not accept Landmine Monitor's

¹⁴³ Telephone Interview with John Borrie, Project Leader, "Disarmament as Humanitarian Action, Making Multilateral Negotiations Work," UNIDIR, 15 February 2006.

¹⁴⁴ Interview with Steffen Kongstad, Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

¹⁴⁵ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

¹⁴⁶ Interview with Steffen Kongstad, Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

evidence, and wanted the initiative to prove it had seen the alleged user laying mines and admitting to this activity.¹⁴⁷

Political will is seen by many States Parties as the basis for the Convention's ability to verify violations, as it is "...dependent to a much greater extent than other agreements on the commitment and activism of individual State Parties."¹⁴⁸ However, the issue becomes traded off in the margins for other, more important interests. This marks the point from which diplomacy becomes political. According to Kongstad, enforcing compliance is the most problematic aspect, even for treaties with very robust verification regimes including inspections:

[I]f there is a clear breach ... what do you do? You can have various kinds of sanctions, but do they work? Ultimately you can have a condemnation from the Security Council and you can have economic sanctions ... but will that work more effectively? It boils down to the question of what makes government accountable. It's not dependent on the kind of verification mechanisms or machinery you have.

When Landmine Monitor has produced credible evidence of violations or questionable practices, Herby notes, "[I]f it's something to do with specific countries there's been very little buy take-up by this process." In the tradeoff between national sovereignty and monitoring their commitments with the Convention, defending sovereign integrity normally trumps. According to Herby,

Governments would never accept the degree of intrusion from an international body on landmines just to reduce a humanitarian problem ... they do [so] for nuclear or chemical weapons because ... the trade-off is to accept intrusion in exchange for building confidence in the regime and in exchange for other countries getting rid of the same weapons. They pay the price for a certain degree of intrusion. For humanitarian objectives they're less willing to pay that price.¹⁴⁹

Ultimately, you have to ask what the Convention and landmines issue would look like if no one was watching. According to Kongstad,

¹⁴⁷ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

¹⁴⁸ Trevor Findlay, "Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?" *Disarmament Forum Framework for a Mine-free World*, 1999 no. 4, p. 51.

¹⁴⁹ Telephone Interview with Peter Herby, International Committee of the Red Cross, 7 February 2006.

[I]t would have been much worse if [Landmine Monitor] hadn't been there. It has worked well so far. Look at the alternatives. How could we possibly do it any better? It's a key part of building up the norm and the unacceptability of [violating] it. [We have] ... a publication that is reliable and accurate, that you can trust. We know that certain countries dispute or question what is in the book, but that will always be the case. That indicates that the book is probably right. I think it has a good standing.¹⁵⁰

Herby agrees Landmine Monitor is, "...far better than what any governmental-created body could have done" because "... the standards of research and rigor brought to it have ensured that it's not just advocacy and accusations and rumour and anything that's going to push and embarrass governments.... If the information is incorrect then it gets corrected over time. If it's unchallenged or solid enough then it speaks for itself. What more can you ask?"

It appears that State Parties will continue to view the Convention's compliance provisions as a last-resort measure, dependent on incontrovertible evidence of a serious violation or series of violations over a sustained period. Although Landmine Monitor had not provided such evidence by 2006, the initiative has had a profound impact on implementation of the Convention. This is explored next.

¹⁵⁰ Interview with Steffen Kongstad, Norwegian Ministry of Foreign Affairs, Oslo, 5 April 2006.

Efficiency Of The Process

The way in which Landmine Monitor is produced is arguably almost as important as the product itself, since the system is purposefully designed to enhance advocacy goals. This review of Landmine Monitor's efficiency in independently accessing and verifying information is presented from three points of view: researchers, editors, and users/donors. Civil society groups attempting similar projects and others may benefit from a better understanding of the initiative's key strengths and weaknesses. Landmine Monitor's standing in relation to similar NGO initiatives is also assessed here.¹⁵¹

Accessing Information: The Researchers

ABroad Scope

The Landmine Monitor research network remains at the heart of the system, functioning as the body's primary data collection tool. Through its network of "in-country" researchers, Landmine Monitor has built an indigenous research capacity on the issue where little or none existed previously. Accordingly, it has expanded knowledge of the mines issue immensely. Researchers that speak the local language and live in-country better understand the context and various local dimensions of the landmine problem. A total of 110 researchers from 93 countries contributed to *Landmine Monitor Report 2004*, the largest network since its inception. The majority of researchers come from the ICBL's campaigning coalition, but several are journalists. Almost half are women.¹⁵²

¹⁵¹ Several categories for assessing strengths and weaknesses are drawn from Oliver Meier and Clare Tenner, "Non-governmental monitoring of international agreements," in VERTIC, *Verification Yearbook 2001* (London: VERTIC, 2001).

¹⁵² Of the 110 researchers for *Landmine Monitor Report 2004*, 45 were women (including team leaders).

The in-country composition of the network is, however, a double-edged sword. Researchers come from a diverse array of educational backgrounds, and the majority do not speak English as their first language.¹⁵³ This is felt acutely by the report's editors, who must refine, standardize, and summarize an array of information to provide a credible report. Unevenness in the quality of the material collected by researchers is inevitable, although in many cases it is attributable to lack of available data rather than poor research effort. Through research guides, training, peer guidance, and individual consultations, the Core Group has sought to increase the capacity of researchers to both collect information and present it in a usable format. The Core Group rarely terminates or discontinues research contracts, but maintains a list of "researchers of concern" to track researchers that consistently submit late or incomplete reports, or show no improvement after extensive training and other assistance.

Sustained Research

The majority of researchers participate over multiple reports, which allows them to establish and build their own networks of lasting information contacts. According to a survey undertaken in early 2003, nearly three-quarters of Landmine Monitor researchers had been with the initiative since its inception or the second report.¹⁵⁴ Most engage in other full-time work, but almost two-thirds of those surveyed indicated that it was not difficult to carry out their Landmine Monitor commitment or, if it was hard at the beginning, their engagement had become easier with time.¹⁵⁵ While individuals undertake some country research, the task is often divided among a team.¹⁵⁶

Sustained participation over the long-term helps increase the quality of research, but can also be exhausting. Most researchers wear two "hats": as a campaigner representing ICBL in their country and as a researcher reporting for Landmine Monitor. Carrying out both advocacy and research has exhausted many ICBL members, perhaps resulting in less effective advocacy work and less probing research. Constantly working in partnership with governments and other agencies, while rewarding, can

¹⁵³ Only 22 of the 110 researchers (20%) for the 2004 report spoke English as their first language.

¹⁵⁴ Almost three-quarters (71%) said they had been engaged since LM 1999 or 2000. Mary Wareham, HRW, "Landmine Monitor Post-2004: Views from the Research Network," unpublished survey, 29 May 2003. A total of 90 researchers were interviewed or responded to questionnaires in the survey that sought their feedback on the initiative in the period following the 2004 Review Conference.

¹⁵⁵ Mary Wareham, HRW, "Landmine Monitor Post-2004: Views from the Research Network," unpublished survey, 29 May 2003.

¹⁵⁶ The Core Group requires that every researcher participating in their individual capacity name a secondary or 'back-up' research contact that can complete the report if necessary.

also be difficult to sustain. Mobilizing media and public attention to an issue many assume was “over” in 1997 remains challenging. Returning to sources again and again for clarifications and more information often frustrates researchers, especially when they know the issue is not high on the agenda of many officials.

Open Sources

Landmine Monitor relies principally on open source or publicly available information. In addition, researchers are expected to conduct interviews and gather information from a wide range of sources, including international and national NGOs; UN officials; diplomats; international and national media; refugees and internally displaced persons; mine survivors, their families, and witnesses of mine incidents; rebels and military; and local residents. Media reporting, parliamentary hearings and other independent investigations are also useful sources of information. Researchers have created databases from basic software such as Microsoft Excel[®] and Access[®] to track data such as mine casualties. This also proves useful for analyzing evidence of mine use.

For researchers in potentially insecure countries, a certain degree of protection is provided by the fact that Landmine Monitor’s data is usually derived from and foot-noted to open sources, often from the government concerned. Nevertheless, sensitive questions about stockpile numbers or mine use can be dangerous to ask in certain countries and contexts. Landmine Monitor states that it “...is not intended to send researchers into harm’s way and deliberately does not include ‘hot war-zone’ reporting.” The Core Group maintains a regularly updated internal list of “researchers at risk,” and has undertaken several actions to enhance researcher safety since 1999.¹⁵⁷

Despite initial fears, there have been very few serious incidents involving Landmine Monitor researchers over the eight-year period of data collection for seven annual reports. The most serious case involved Landmine Monitor’s Bangladesh researcher, who was arrested without warrant at his home in Cox’s Bazar in August 2004 by a governmental battalion created to combat crime and terrorism. The ICBL issued an urgent alert and campaigners undertook an array of actions to protest the arrest.¹⁵⁸ A

¹⁵⁷ Most efforts aim to bolster the status of researchers, particularly those in-country. Researchers receive annual letters of reference to show to officials, as well as an identification card with their photograph on it. Publication grants enable the researcher and/or local campaign to publish the Landmine Monitor chapter and associated documents in the local language, in order to show the government and others where the collected information goes. This also helps establish their status as ‘experts’ with local media. Participation by researchers in regional or global meetings helps build their status, which is in turn magnified when they have hosted such an event.

¹⁵⁸ See: www.icbl.org/news/bangladesh_action

month later the researcher was freed and, on 19 April 2005, the charges filed against him were dismissed for lack of evidence. While the Landmine Monitor research could have been responsible for the arrest, the researcher was also engaged in a number of other research projects.

In countries that permit little or no civil society activity, the research task is sometimes carried out by Landmine Monitor researchers from neighbouring countries or from elsewhere in the region, or by expatriates living outside the country. Some undertake research missions to obtain information from local sources. In one incident in southern China in 2002, plain-clothed police officers confiscated a visiting researcher's notes on local landmine casualties. The researcher subsequently heeded their advice to leave the country immediately.

Advocacy-Oriented Research

Many researchers have drawn on their advocacy experience to employ a variety of methods to obtain more information from closed or unyielding sources. Belonging to a successful coalition with the status of Nobel Peace Laureate helps open doors, as does the widespread recognition of the mines issue as a 'humanitarian' cause supported by the late Princess Diana, Angelina Jolie, and other celebrities. Landmine Monitor plays a critical role in promoting dialogue with governments and other actors. According to one researcher, the process of "repeating our issues and concerns has led to them being heard and acted on. We have built up good relationships."¹⁵⁹ Research challenges nonetheless remain—not least the difficulty in getting available data from government agencies and field organizations engaged in mine action. The Core Group has sometimes speculated whether information would be more forthcoming if were it requested by a visiting "Western" researcher.

Landmine Monitor exists as an ICBL advocacy tool. According to Goose, the system is, "...not just information for information's sake," but designed "...to help the ICBL to accomplish its goals, which are all advocacy-oriented." It does this by providing the information that campaigners need to effectively lobby their governments.¹⁶⁰ Landmine Monitor has become the ICBL's backbone in many ways. It sustains the campaign with continued funds.¹⁶¹ Through the system, campaigners convene on a regular basis, which aids internal cohesion and stimulates advocacy activities. Landmine

¹⁵⁹ Mary Wareham, HRW, "Landmine Monitor Post-2004: Views from the Research Network," unpublished survey, 29 May 2003, p. 10.

¹⁶⁰ Telephone Interview with Steve Goose, Human Rights Watch, 11 April 2006.

¹⁶¹ It has consistently proven easier to raise funds for Landmine Monitor as opposed to core ICBL activities, as donors have been attracted in particular to Landmine Monitor's set deadline, impressive product, and capacity-building elements.

Monitor helps focus the ICBL on the issues at hand instead of the internal workings of the coalition, and propels the campaign's work forward. The annual release of the report provides a useful means to engage media and others on the issue. Landmine Monitor has assisted the ICBL to expand to new countries and regions, especially in the former Soviet Union and the Middle East. In sensitive areas, it is sometimes easier to conduct 'research' as opposed to 'campaigning,' though any ICBL member understands that their work necessarily involves both. According to one researcher, Landmine Monitor is, "...a very strong tool for the campaign. It builds confidence and strength in us all."¹⁶²

Landmine Monitor remains highly centralized under the control of the Core Group of northern-based NGOs, but there has been relatively little friction between the leadership and researchers. In part this is due to the dedication that all contributors bring to their work and the culture of mutual respect and cooperation that ICBL members promote. In the 2003 survey, one researcher described both the ICBL and Landmine Monitor as, "... the most rewarding process I have ever been involved with: the enthusiasm by all members, their genuine sincerity, the lack of dissent/backstabbing, and our common focus makes this overall a much better experience. ... So many other movements neglect this ... and dump people when they're done with them."¹⁶³ Another said, "I'm involved in several initiatives and I enjoy the community in ICBL. It includes a sense of ownership. I feel as if I'm important. I'm a stakeholder."

Assessing Data: The Editors

Rigorous assessment and verification of data is a critical component in any monitoring regime. It is therefore worth examining how Landmine Monitor's editing system turns the data received from researchers into the annual report.

Assessment

Landmine Monitor's editing and production period (of approximately three months) is extraordinarily short when compared to other publications. The dynamic nature of the Mine Ban Convention and continued fieldwork to eradicate mines means

¹⁶² Mary Wareham, HRW, "Landmine Monitor Post-2004: Views from the Research Network," unpublished survey, 29 May 2003, p. 9.

¹⁶³ Mary Wareham, HRW, "Landmine Monitor Post-2004: Views from the Research Network," unpublished survey, 29 May 2003, p. 7.

that annual reports are quickly outdated, and necessarily supplemented throughout the year by fact sheets and other information updates. The annual report remains the main baseline of information, however, as it contains the bulk of updated and verified information.

Often Landmine Monitor's editors, who also carry the title of "research coordinator," must prise country updates from researchers reluctant to consider them completed.¹⁶⁴ The first or initial edit of country updates is carried out by a team of approximately 12 regional and thematic research editors, mainly drawn from the Core Group NGOs. This usually involves checking for incomplete information or inadequate sourcing, and identifying issues requiring further investigation. Editors meet with researchers during the system's global and regional meetings to clarify submitted reports, request additional information, verify sources that have requested anonymity, and discuss risks and strategies for disclosing sensitive information.

The lead agency in the Core Group is responsible for the second and final edit, as well as for producing and printing the report.¹⁶⁵ The five or six-person team responsible for second edits continues to assess and verify information. They also carry out a line-edit and, on occasion, a complete re-write of reports to improve and standardize language for publication in English. The Chief Editor is responsible for the final edit, which involves the unenviable task of reviewing every line in the report. He standardizes the presentation of information, inserts language on crosscutting issues, and makes determinations on how to publish sensitive information such as new mine use.¹⁶⁶

Decisions taken during the editing are shared with researchers, who themselves check and review the various edits of their amended reports. Ever mindful of the length of the final report, editors remove old or repetitive or unsubstantiated information. Researchers sometimes contest these edits because information they deem essential has been dropped. The editors generally try to work with researchers until both sides are satisfied with the final print version.

¹⁶⁴ Submission of reports has been aided through a global researcher meeting convened to coincide with the submission deadline, so that the researcher either submits or risks embarrassing him/herself in front of peers for having no report to discuss at the meeting. Researchers also know they can continue to submit significant information during the editing process after the report is out of their hands.

¹⁶⁵ HRW served as lead agency from 1999-2004, and MAC since 2005. The chief editor at HRW was Steve Goose. Since 2005, Ian Doucet at MAC has carried out this task.

¹⁶⁶ Landmine Monitor takes great care when naming mine users by deploying various specific terms that indicate both the validity and veracity of the information. In some cases, the evidence is so abundant that Landmine Monitor seeks an admission from the user and confirms the user countries outright. The next "tier" of naming users is when Landmine Monitor has collected "compelling evidence" that point to mine use. Below that there is evidence of "likely" use that cannot be confirmed by "definitive evidence," but should be taken as "serious allegations."

Verification

In the course of final editing, and sometimes sooner, Landmine Monitor often invites governments to review and clarify information in the report concerning their activities, especially sensitive information such as new use of antipersonnel mines. The government concerned is given a deadline to respond so that its views can be incorporated prior to print. Responses received after the deadline are often included in the summary findings and the following year's report, as well as posted in their entirety on the 'Comments' section of the Landmine Monitor website.

Several mine clearance agencies and other relevant groups are also invited to review edited updates concerning their activities, in order to suggest amendments or additional information. They respond because they know the annual report is widely read and referred to, especially by their donors. This dialogue with field NGOs has helped repair a much-exaggerated rift that emerged in 1997. Field agencies have sometimes provided Landmine Monitor with new information concerning mine use or transfers. In 2002, the HALO Trust provided Landmine Monitor with information on Iranian-manufactured antipersonnel mines, stamped with the dates of 1999 and 2000, which the agency was encountering in their clearance operations in Afghanistan. Field agencies sometimes worry that providing sensitive information to Landmine Monitor could jeopardize their status in the country concerned. As one UN official explained: "We need to cultivate contacts and trust with people ... [T]urning information over to Landmine Monitor is not necessarily in our interest in the long-term."¹⁶⁷

The assessment and verification in the editing process is thorough enough that it is rare for State Parties to point out factual mistakes or statistical miscalculations. While regrettable, typos are inevitable when one considers the huge size of the report and brevity of the editing period.

Remaining Independent: The Users/Donors

Reporting of compliance issues can be politically challenging for States Parties and official verification bodies, and even NGOs doing compliance reporting can find their independence questioned or compromised. Landmine Monitor's independence from the objects of its reporting is thus critical to the credibility of the initiative.

One major indicator of support for the Landmine Monitor can be found in its funding, which governments and other agencies have consistently sustained since 1999 on an annual report budget of between one and two million dollars. Sixteen countries

¹⁶⁷ Telephone Interview with Justin Brady, UN Mine Action Service (UNMAS), 8 February 2006.

contributed to *Landmine Monitor Report 2004*, more than double the number supporting the first report.¹⁶⁸ Six governments have continuously funded the project since its establishment and another four since the second report in 2000.¹⁶⁹ State Parties have also demonstrated their support for Landmine Monitor in other ways, for example by hosting a researchers' meeting or launching the annual report.¹⁷⁰

There have been few instances of dissent from within the ICBL on the overwhelming governmental support for the initiative. In one case, the U.S. Department of State offered to fund Landmine Monitor's annual reports.¹⁷¹ The Core Group consulted the ICBL CC on the matter and found the campaign's leadership divided on whether to accept the funds. Several campaigners thought the funds should be accepted, because most ICBL field NGOs already used U.S. funds for their mine action programs. Others were concerned the U.S. government would apply undue pressure on the ICBL during the editing process, or that it would tout the funding as evidence of ICBL support for flawed U.S. policy on banning landmines. The Core Group decided not to accept the funding, primarily because the ICBL leadership was so divided on the matter.

There is no evidence to suggest that Landmine Monitor has been 'soft' or 'kind' in its research and reporting of its donors' or other governments' activities. It has sometimes encountered problems when a State Party viewing the initiative as official

¹⁶⁸ *Landmine Monitor Report 1999* received donations or pledges totaling \$1,138,713 from seven governments (Austria, Belgium, Canada, Ireland, the Netherlands, Norway, and the United Kingdom), as well as from the Open Society Institute. *Landmine Monitor Report 2004* received donations or pledges totaling \$1,955,629 from 16 governments (Australia, Austria, Belgium, Canada, Denmark, France, Germany, Italy, Luxembourg, the Netherlands, New Zealand, Norway, Sweden, Switzerland, Turkey, and the United Kingdom), as well as from the European Commission and UNICEF.

¹⁶⁹ Austria, Belgium, Canada, Germany, the Netherlands, and Norway have funded every Landmine Monitor report since 1999, while Australia, Denmark, France, Germany, and Switzerland have supported the initiative since the second report in 2000.

¹⁷⁰ Landmine Monitor's first global meeting took place in Dublin, Ireland in September 1998. Subsequent global meetings have been held in Canada (1998), Norway (1999), Belgium and the Netherlands (2000), France (2002), Italy (2003), and Bosnia-Herzegovina (2004). Only one global meeting has been held in a non-state party, the United States in 2001.

¹⁷¹ In the introduction to the U.S. State Department's fourth edition of its "Hidden Killers" landmine publication, the agency stated that the report would, "... likely ... be the last, since there now exist a number of other reference documents and databases that outline the landmine problem around the world. Most notable is the Landmine Monitor Report (LMR), published by the International Campaign to Ban Landmines. LMR possesses a global reporting capability and the means to assess the efforts of the international community to resolve the world's landmine problem. We commend the LMR Core Group for assuming this significant responsibility." Bureau of Political-Military Affairs, *Hidden Killers 2001 -- The World's Landmine Problem* (DOS: Washington DC, 2001). Available online at: www.state.gov/t/pm/rls/rpt/hk/2001/6961.htm

tries to dictate what should be in the report. Landmine Monitor editors have had to explain on more than one occasion that the report is a NGO publication that welcomes information and comments from governments, but governments cannot collect and present information for their country update, nor can they edit the entry. Occasionally, Landmine Monitor receives complaints from governments upset about the name used for their state or neighbouring countries, or for the title used to describe a breakaway republic or insurgent group.¹⁷² Goose notes that governments sometimes think “...they can just tell us what’s acceptable because that’s standard state practice.”

A very small number of governments remain completely unresponsive to Landmine Monitor’s questioning, such as North Korea or Iraq (pre-2003). It is of course in the government or agency’s best interest to have the data on their activities reflected as accurately as possible. According to one government official, “I try to feed information, especially good news, into the system as early as possible. I wouldn’t want to see us undercounted as yours is a widely read publication and we want to see our inputs reasonably well-reflected.”¹⁷³

In 2005, Landmine Monitor continued its global monitoring of every country, but decreased the number of country updates in its annual report by removing the ones on donors and other State Parties that had largely completed their obligations. Those dropped seemed to accept the rationale, but one representative of a deleted entry noted, “We wouldn’t want people to think you’re trying to protect us from some of the compliance aspects that we haven’t quite met.”¹⁷⁴

Since its inception, Landmine Monitor has solicited brief landmine activities reports from selected agencies, regional organizations, and global initiatives for inclusion in the appendices section, which is preceded by a disclaimer.¹⁷⁵ All those invited to contribute to the first report responded positively, with one exception.¹⁷⁶ In addition to demonstrating the ICBL’s support for partnership, the appendices section has proven useful in keeping the pressure on these actors to demonstrate their

¹⁷² For example, Landmine Monitor has received comments from China (regarding the Taiwan entry), Greece (on FYR Macedonia), Moldova (on Pridnestrovie Moldavian Republic), Turkey (on Cyprus and on the Kurdistan Workers Party, PKK).

¹⁷³ Telephone Interview with Andrew Willson, DFID (UK), 10 February 2006.

¹⁷⁴ Ibid.

¹⁷⁵ The disclaimer reads: “The entities contributing to the appendices of this report do not necessarily endorse the rest of the *Landmine Monitor Report* and they are in no way responsible for other material contained in this report. Likewise, Landmine Monitor does not necessarily endorse, nor does it take responsibility for the accuracy of, material included in the appendices.”

¹⁷⁶ The World Health Organization never responded.

engagement on the issue. As with the governments, almost none wish to be seen as inactive on the issue.

While governments and others have provided feedback, some critical, on Landmine Monitor research findings, very few have dared to criticize or discredit the initiative itself. There has been a marked absence of dismissive statements or gestures toward the ICBL or Landmine Monitor. Even non-State Parties have praised Landmine Monitor. Myanmar described the report as “impressive both in its scope and coverage.”¹⁷⁷ Georgia has cited it as, “a crucial component in achieving such a noble goal as [a] mine-free world.”¹⁷⁸

How “Unprecedented” is Landmine Monitor?

Landmine Monitor claims that the initiative marks, “... the first time that non-governmental organizations are coming together in a coordinated, systematic and sustained way to monitor a humanitarian law or disarmament treaty.”¹⁷⁹

Civil society engagement in the monitoring of treaties and regimes is nothing new, but Landmine Monitor does appear to be unique because it is the first example of a coordinated coalition of NGOs (not a single NGO) systematically monitoring a multilateral treaty (and not only a humanitarian problem or other issue).¹⁸⁰ At the outset, Landmine Monitor needed to be different from predecessors because of the nature of the issue and Convention it would monitor. Its in-country research network, coalition-comprised coordination structure, consistent donor support, and regular dissemination of credible research findings represent innovative practices.

There are multiple examples of NGOs engaging in and monitoring agreements in an unofficial capacity. The International Committee of the Red Cross (ICRC) is the most officially accepted civil society agency tasked with safeguarding and promoting

¹⁷⁷ Letter to Mary Wareham, Human Rights Watch, from Amb. Tin Winn, Embassy of Myanmar to the United States, 16 July 1999.

¹⁷⁸ Letter to Mary Wareham, Human Rights Watch, from Giorgi Burduli, First Deputy Minister of Georgia, 10 July 2001.

¹⁷⁹ See the “About Landmine Monitor” introductory section contained in every annual report issued since 1999.

¹⁸⁰ The International Council of the Federation of Trade Unions (ICFTU) has monitored and issued annual reports detailing violations of the Conventions and Recommendations of the International Labor Organization (ILO), but this cannot be described as an NGO endeavor. See ICFTU, *Annual Survey of Violations of Trade Union Rights: 2005* (Brussels: ICFTU, 2005).

international humanitarian law, such as the 1949 Geneva Conventions and their 1977 Protocols, as well as disarmament agreements. Elsewhere, in the environmental realm in particular, civil society has been able to formalize links to official monitoring regimes.¹⁸¹ The 1972 Convention on International Trade in Endangered Species (CITES) reflect a high-degree of formal engagement by NGOs. Official reporting by governments to the CITES Secretariat is supplemented by reports monitoring trade and transfers provided by the World Conservation Monitoring Center and the Trade Records Analysis of Fauna and Flora in Commerce (TRAFFIC).

Several federations or coalitions of NGOs also monitor and regularly report on specific issues, ranging from humanitarian aid and contemporary crises to access to healthcare and social services (see table).¹⁸² NGO coalitions monitor and issue regular reports to influence issues that are in the process of becoming legalized through a treaty framework, such as the proposed Convention on the Rights of People with Disabilities.¹⁸³

Other NGO coalitions are now seeing the many benefits of having a credible research product, and are studying Landmine Monitor to establish similar mechanisms to monitor new agreements.¹⁸⁴ These include efforts to monitor the 2000 Optional Protocol Convention on Children in Armed Conflict and the 2001 UN Programme of Action on Small Arms & Light Weapons.¹⁸⁵ After the United States withdrew its support in July 2001 for a draft protocol to the 1972 Biological and Toxic Weapons Convention, effectively scuttling over six years of work to establish a verification me-

¹⁸¹ Oliver Meier and Clare Tenner, "Non-governmental monitoring of international agreements," in VERTIC, *Verification Yearbook 2001* (London: VERIC, 2001), p. 208.

¹⁸² For example, as a self-described "independent transparency mechanism", the Small Arms Survey has reported annually since 2001 on all aspects of the problem of SALW. See Small Arms Survey, *Small Arms Survey 2001: Profiling the Problem*, Oxford: Oxford University Press, 2001, p. 2 and <www.smallarmssurvey.org>.

¹⁸³ In 2002, the Center for International Rehabilitation (CIR) formed the International Disability Rights Monitor (IDRM), together with Disabled Peoples International and other disability groups, to "document problems, progress, and barriers experienced by people with disabilities" in a report format. The report aims to assist in the establishment of a UN convention on the rights of people with disabilities. See IDRM, *International Disability Rights Compendium 2003*, US: CIR, June 2003. See <www.disability.ws>.

¹⁸⁴ The author has provided feedback to initiatives tackling biological weapons, disability rights, small arms, and tobacco control, among others. See also: Jenni Risseanen, "Comparative Survey on Civil Society Monitoring," unpublished evaluation prepared to inform the creation of the Bioweapons Project in 2002.

¹⁸⁵ Coalition to Stop the Use of Child Soldiers, *Global Report 2004*, released 17 November 2004; International Action Network on Small Arms (IANSA) & Biting the Bullet, *Examining Implementation of the UN Programme of Action*: 2005, released July 2005.

chanism, NGOs have set up their own monitoring initiative on biological weapons with government funding support.¹⁸⁶

According to one perspective, "... Landmine Monitor stands as a landmark in NGO efforts to promote treaty implementation, and the standard by which other, necessary attempts will be judged."¹⁸⁷

¹⁸⁶ The global civil society BioWeapons Prevention Project (BWPP) aims to strengthen the norms against using disease as a weapon by tracking compliance with agreements that outlaw hostile use of biotechnology. See <www.bwpp.org>.

¹⁸⁷ Amb. Stephan Nellen, "Open Forum: Lessons from the implementation of the antipersonnel Mine Ban Convention," *Disarmament Forum* Science, technology and the CBW regimes, No. 1, 2005, pp. 66.

Conclusion

An Unprecedented Initiative

The effectiveness of the Landmine Monitor is sometimes difficult to demonstrate empirically. Its research informs and challenges other actors in the Mine Ban Convention process in complex and dynamic ways. Landmine Monitor's findings are taken up, but not necessarily attributed, by others. Sometimes Landmine Monitor's research prompts changes in posture or policy by governments that are not acknowledged in public. And, of course, many visible challenges remain for the achievement of the Mine Ban Convention's goals—not least being the ongoing challenges of universalizing membership of the Convention, and the looming ten-year deadlines for mine-affected states to clear mines.

While inevitably constrained by the evidence base, the capacity of its research network, and the extent to which governments and others make landmine-related information publicly available, Landmine Monitor has nevertheless flourished. Since its establishment, the initiative has constantly evolved, both in terms of quality of the product and functioning of the system. In 2006, most of the system's innovative mechanisms established in 1998 were still functioning effectively. The research network has continued to gain in strength and expertise, with many original researchers still participating. The Core Group remains intact, with largely the same division of coordination responsibilities.¹⁸⁸ Donor support for Landmine Monitor, while always a concern, remains strong. While it remains independent, States Parties and others continue to accept and often act on Landmine Monitor's research findings.

Through Landmine Monitor and other means, the ICBL has provided State Parties with a better understanding of what the Mine Ban Convention requires of them, and helped promote greater action to implement the Convention. Landmine Monitor's independent evidence has proved a useful tool for States Parties to exert pressure on other states to comply with the Convention. Even non-States Parties are

¹⁸⁸ The Core Group lost one member in its post-2004 structural reshuffle, the Kenya Coalition Against Landmines.

changing their behavior as the Convention gains strength, ever aware that the ICBL will not leave them alone as it constantly monitors their actions and encourages adherence to the antipersonnel mine prohibitions.

Landmine Monitor remains the foremost available source on the global landmine issue. Disseminated for free, its annual report and associated documents have become essential reading for diplomats, practitioners, donors, media and others seeking to gain a better understanding of the Convention's successes and setbacks. Its ability to regularly churn out ever more detailed research is one of the hallmarks of Landmine Monitor's success.

Landmine Monitor is an important factor in explaining why the ICBL continues to be accepted as an integral actor in the Mine Ban Convention process. The ICBL remains a model for how an active, coordinated, and engaged civil society can play an integral role in realms traditionally reserved for states, such as negotiation, monitoring, and implementation of international agreements. ICBL members have forged long-term relationships with military officers, diplomatic representatives, political leaders, and government officials tasked with implementing the Convention, thus demonstrating the importance of continued partnership and cooperation on this issue.

According to Richard Price, the key source of NGO influence is authority, which can be derived from three principal sources: "expertise, moral influence, and a claim to political legitimacy."¹⁸⁹ Originating in part from civil society concerns in the field, the ICBL's claim to moral authority was clear from the outset. It gained political legitimacy through its participation in the process leading to the establishment of the Mine Ban Convention. Landmine Monitor has strengthened and reinforced the ICBL's expertise, which was credible from the beginning, and a reliable Landmine Monitor is crucial to the ICBL's continued credibility.

Landmine Monitor has demonstrated that civil society-based verification is no longer just a concept but a practice, and a model for other campaigns to consider while exploring similar initiatives.

Building the Norm

Despite ICBL disappointment at States Parties' reluctance to consider operationalizing Article 8, compliance with the Mine Ban Convention remains impressive. By building on the Ottawa Process experience, pursuing a norms-based approach to

¹⁸⁹ Richard Price, "Transnational Civil Society and Advocacy in World Politics," Review Article in *World Politics* 55:4 (July 2003), pp.387.

compliance, and supplementing it with elements of a sanctions-based model, negotiators of the Mine Ban Convention produced what now appears to be a workable model for cooperative compliance. Both the ICBL and Landmine Monitor play an essential role in this compliance model.

According to the lifecycle of norms, the norm supporting the prohibition of antipersonnel mines had emerged by 1996, reached a tipping point by May 1997 (when 60 governments were on record supporting the ban), and cascaded with the adoption of the Mine Ban Convention later that year. The norm has since been in the final stage of becoming internalized.¹⁹⁰ Comparing the mine use evidence collected by Landmine Monitor to Richard Price’s continuum of norm-building indicates that the norm against the use of antipersonnel mines is becoming widely accepted.

Benchmarks to Establish the Norm Prohibiting Antipersonnel Mine Use ¹⁹¹

Rejection of the norm			Acceptance of the norm		
Outright use	Surreptitious use	Denials of use	Using, but claim to believe in the norm	Use only in the most desperate situations	No use, because don’t have the weapon anymore

The ICBL and Landmine Monitor are ensuring consolidation and internalization of the norm created against antipersonnel mines. States Parties, and even those outside the Convention, continue to go to great lengths to demonstrate their compliance with the norm.

Looking to the Future

Since governments and the ICBL broke away from the traditional mode of multi-lateral diplomacy to negotiate the 1997 Mine Ban Convention, the historic break from ‘business as usual’ diplomacy has continued with civil society endeavours such

¹⁹⁰ Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines,” *International Organization*, No. 52:3 (Summer 1998), pp. 613-644; Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization*, No. 52:4, Autumn 1998, pp. 887-917.

¹⁹¹ Author’s table based on telephone Interview with Richard Price, Associate Professor, Dept. Political Science, University of British Columbia, 27 February 2006.

as Landmine Monitor. Landmine Monitor's impact has been unprecedented in adding credibility to advocacy in support of a multilateral process. Its work, primarily in support of the ICBL, has helped push humanitarian perspectives—which differ from orthodox national security-focused arms control approaches—to the forefront of the minds of multilateral practitioners.

Unfortunately, multilateral disarmament endeavors have since floundered to the point that, as one long-time participant notes, "...something is seriously broken in that domain."¹⁹² The world's sole multilateral disarmament negotiating forum, the Geneva-based Conference on Disarmament, has ignored NGOs since its inception and, unable to agree on a work plan since 1997, has been reduced to an embarrassing farce. Crises and obstacles in multilateral norm-building continue, such as the failure of the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons in New York. Agreements on small arms and explosive remnants of war are non-binding and weak, representing marginal steps forward when compared to the Mine Ban Convention.¹⁹³ After years of being patient, NGOs are frustrated by the lack of progress by CCW member states to agree to a negotiating mandate to address cluster munitions. According to one view, the consensus-style of decision-making that governs these processes "... clearly suits the defectors [and] not those who'd like to cooperate."¹⁹⁴

In the disarmament world and beyond, there has since 1997 been much speculation about what issue will be the next to "pull an Ottawa [Process/Convention]."¹⁹⁵ What will be the next cause to jump outside the normal diplomatic channels in a coordinated attempt to secure a new norm? Few governments appear willing to take a risk, and NGOs find themselves looking for bold leadership to launch the charge, as Canada's Foreign Minister Axworthy did in 1996. It is becoming more commonly understood and accepted that, "...like-minded groups—not consensus-based processes—may be the best way to establish new multilateral norms."¹⁹⁶

¹⁹² David Atwood, "NGOs and Disarmament: Views from the Coal Face", *Disarmament Forum*, No. 1 2002, p. 5.

¹⁹³ CCW Protocol V on Explosive Remnants of War, agreed to on 28 November 2003, had 16 States Parties by April 2006. The UN Programme of Action on the Illicit Trade in Small Arms and Light Weapons in all its Aspects was agreed to in July 2001.

¹⁹⁴ John Borrie, UNIDIR, "Connections: Disarmament as humanitarian action and what it means to you," unpublished paper, 2005.

¹⁹⁵ After 1997, "to pull an Ottawa" became a common catchphrase in U.S. diplomatic circles, following the government's disastrous underestimation of the Ottawa Process's likelihood for success.

¹⁹⁶ John Borrie, UNIDIR, "Connections", 2005.

Whatever happens, the Mine Ban Convention remains a model for establishing new norms and expanding the boundaries of international law. The ICBL remains one of the most effective examples of civil society coalition campaigning, perhaps so much so that it has proved a difficult act to follow. Landmine Monitor's reputation for credible research is slowly being realized by the broader community, while the initiative continues with the routine, yet crucial, business of monitoring the eradication of a weapon that was once in widespread use. The Mine Ban Convention might look very different today if the ICBL folded after December 1997 and there had been no Landmine Monitor.

Table 1) Official Disarmament Monitoring Initiatives

Initiative:	IAEA	Organisation for the Prohibition of Chemical Weapons (OPCW)	Provisional Technical Secretariat for the CTBT Organization (PTS)	Implementation Support Unit (ISU)
Treaty:	Various	1993 Chemical Weapons Convention (CWC)	1996 Comprehensive Test Ban Treaty (CTBT)	1997 Landmine Ban Convention
Date Established:	1957	1997	1996	2001
Primary Aim:	Safeguard Nuclear Science & Technology	Ban Chemical Weapons	Ban Nuclear Testing & Explosions	Ban Antipersonnel Landmines
Opened 4 Signature:		13 Jan. 1993 (Paris)	24 Sep. 1996 (New York)	3 Dec. 1997 (Ottawa)
EIF (# SP required):	29 July 1957	29 Apr. 1997	11 more SP needed incl. USA	1 Mar. 1999 (40)
States Parties (Signatories):	138 member states	178 (13)	176 (44)	151 (3)
States w. Stocks		6	10	
Last Annual Report:	2004	2004 (rel. 8 Nov. 05)	2003	2004/2005 (Nov.)
Expenditure:	\$304 mill. (2004 budget)	64.84 mill. (2004)	\$86.7 mill (2003)	CHF576,074 (2004)
Funding:	Member States	Member States	Member States	Member States (20 in 04/05)
HQ:	Vienna	The Hague	(91% in 2003) Vienna	Geneva
Implementing Agency:	IAEA Secretariat (2,200 Staff)	Technical Secretariat (500 Staff, incl. 200 Inspectors)	PTS (272 Staff)	ISU (2.5 Staff)
Oversight Body:	Board of Governors (35-member states)	Executive Council (41 SPs)	Preparatory Commission (112 SPs)	Coordinating Committee (c. 24 SPs)
Website:	www.iaea.org	www.opcw.org	www.ctbto.org	www.gichd.ch/219.0.html
NGOs Monitoring:	Numerous incl. Nuclear Threat Initiative	Some incl. Harvard Sussex Prog.	Few incl. VERTIC	ICBL/Landmine Monitor

Table 2) Comparison Of Landmine Monitor Reports: 1999-2005

Annual Report:	1999	2000	2001	2002	2003	2004	2005
Release Date	3 May	11 Sep.	12 Sep.	13 Sep.	9 Sep.	18 Nov.	22 Nov.
SP Meeting (Location)	1MSP (Maputo)	2MSP (Geneva)	3MSP (Managua)	4MSP (Geneva)	5MSP (Bangkok)	1RevCon (Nairobi)	6MSP (Zagreb)
Budget in millions (\$mths):	\$1.103 (12)	\$1.476 (16)	\$1.675 (12)	\$1.675 (12)	\$1.755 (12)	\$2.142 (15)	\$1.802 (12)
# Donors. Countries listed once only, but continued funded indicated with a *	7 (AUT,* BEL,* CAN,* GBR,* IRL, NET,* NOR,* OSI)	12 (AUS,* DEN,* FRA,* GER,* JPN, SUI*)	12 (EC)	14 (SWE)	15 (ITA, LUX)	17 (NZL, TUR, UNICEF)	19 (CYP, Greece and Holy See)
# Researchers (Countries):	80 (80)	115 (95)	122 (95)	115 (90)	110 (90)	110 (93)	77(72)
# Pages:	1,071pp	1,115pp	1,175pp	922pp	826pp	1,311pp	1,053pp
# Words:	331,551w	406,950w	412,000w	417,238w	378,187w	604,427w	
Researcher Meetings:	Dublin, Ottawa, Oslo	Brussels, Neth	10 x reg/WDC	6 x reg/Paris	4 x reg/Rome	6 x reg /Sarajevo	none
# States Parties (incl. Sig.):	71 (135)	100 (37)	117 (140)	125 (143)	134 (147)	143 (152)	147 (7)
States Parties since last LM:	+13 since Dec 97	+29	+17	+8	+9	+9	+4
# Producers:	16	16	14	14	15	15	13
# Stockpiler Countries:	131	105	100	94	78	67	
# Global Stockpile est.:	260 million	250 million	230-245 million	230 million	200-215 million	200 million	160million

Table 3) Disarmament Monitoring Initiatives By Advocacy Coalitions

Initiative:	Landmine Monitor	Child Soldiers Global Report	Red Book	Bioweapons Monitor
Treaty/Topic:	1997 Landmine Ban Convention	2000 Optional Protocol Convention on Children in Armed Conflict	2001 UN Prog. of Action on Small Arms & Light Weapons	1972 Biological & Toxin Weapons Convention
Date Estb./First Report:	1998 (1999)	1998 (2004)	1999 (2003)	2002 (2004)
Principal Product:	Annual	Every 3 Years	Every 2 Years	Annual
Last report:	2005 (Nov.)	2004 (Nov. 17)	2005 (July)	2004 (Dec.)
# Country Updates:	112	196	180	
Govt. Reporting:	YES		YES	NO
Distribution:	Free	\$25.00 Free on web	Free	Free
Author/Publisher:	ICBL	Coalition to Stop the Use of Child Soldiers	Biting the Bullet & IANSA	BioWeapons Prevention Project
HQ Location:	Ottawa	London	London	Geneva
Research:	Editors (12) Researchers (77)	Editors (10) Contributors (14)	Writers (9) Contributors (130)	Contributors (12)
Oversight Body:	Core Group (4 NGOs)	Steering Committee (7 NGOs)	Biting the Bullet (3 NGOs)/IANSA	Board of Directors (8 NGOs)
Report Leader:	Project Coordinator & Chief Editor	Project Manager	None	Director & Publications Coordinator
Work Language:	EN	EN	EN	EN
Pub. Languages:	AR, EN, ES, FR, PO, RU, Other	AR, EN	EN	EN
Report Budget:	\$1,834,306			\$278,203
Donors:	AUS, AUT, BEL, CAN, CYP, DEN, FRA, GBR, GER, IRE, ITA, LUX, NED, NZL, NOR, SUI, TUR, EC2 x Multilateral.	FIN, IRE, SUI	CAN, FIN, GBR, NED, SUI	CAN, FIN, GBR, NED, SWE Foundations (3)
Website:	www.icbl.org/lm	www.child-soldiers.org	www.iansa.org	www.bwpp.org

Table 4) Other Monitoring Initiatives By Advocacy Coalitions

Initiative: ICFTU	Reality of Aid	World Disasters Report	International Disability Rights Monitor	Global Health Watch
Theme: ILO Labor Standards	Humanitarian aid & poverty reduction	Contemporary crises (natural & human-made)	Convention on the Rights of People with Disabilities (proposed)	Several/Political economy of health & healthcare
Date Estb./First Report: 1949 (1999)	1993 (2002)	1919 (1993)	2003 (2004)	2003 (2005)
Principal Product: Annual	Every 2 Years	Annual	Regional	Annual
Last report: 2005 (Oct. 18)	2004	2005 (Oct. 5)	2005 (Aug. 10)	2005
# Countries Reviewed: 136			7 (Asia)	
Govt. Reporting:			NO	
Distribution: Free	\$16.00 RoA Free on web	\$30.00/£17.95 Kumarian Press/Earthscan Free on web	USD\$10.00 Free on web	Free
Author: ICFTU	Reality of Aid	International Federation of Red Cross and Red Crescent Societies	Center for International Rehabilitation & Disabled People's International	Zed Books, People's Health Mvmt, GEGA, Medact
HQ Location: Brussels	Quezon City	Geneva	Chicago	Decentralized
Research:	Secretariat National networks (40)	Researchers (30)	? x Editors 134 Contributors	6 x Editors
Oversight Body:	Management Committee (6 regional reps.)		CIR Board of Directors (23 individuals)	2 NGOs, 1 Mvmt
Report Leader: Gen. Secretary		Secretary General	CIR Chairman, President	None
Donors: Membership fees		AUS, CAN, IRE, SWE Red Cross Chapters (7), Private (1), Coalition (1)		11 x NGOs 1 x Govt. Aid Agency
Website: www.icftu.org	www.realityofaid.org	www.ifrc.org	www.ideanet.org	

Table 5) Other Monitoring Initiatives By Individual Ngos And Agencies

Annual Report: SIPRI Yearbook	State of the World	HRW World Report	Human Development Report	Small Arms Survey
Treaty/Topic: Conflict, mil. expenditure, weapons	Environmental & social issues	Human rights violations	Human development	Small arms prod., trade, stocks, use
Date Estb./First Report: 1966 (1969)	1974 (1984)	1978 (1989)	(1990)	1999 (2001)
Author: SIPRI	World Watch	Human Rights Watch	UN Development Programme	Small Arms Survey
Publisher: Oxford Uni. Press	VW & Partners	HRW	Oxford Uni. Press	Oxford Uni. Press:
Last report: 2005 (Jun. 7)	2006 (Jan. 11)	2006 (Jan. 18)	2005 (Sep. 7)	2005 (Jul. 11)
Distribution: £80.00	\$18.95	£14.99/ \$24.00 Free on web	US\$22.95 Free on web	£17.99
HQ: Stockholm	Washington DC	New York	New York	Geneva
Size: Staff (60)	Staff (43)	Staff (233)	Writers (10) NHDUR Staff (11)	Staff (12) Chapter Authors (11)
Oversight Body: Governing Board (10)	Board of Directors (17)	Board of Directors		Programme Council
Leader: Director	President	Exec. Director	National Human Development Report Unit	Programme Director & Project Director
Agency Expenditure: Sek26mill. (2004)	\$3.356mill (7.7=\$1)	\$2,938,699 (2004)	\$25,832,572 (2005)	
Donors: Govts: SWE Foundations	Govts: DEN, NOR Foundations Individuals Publication Sales	No Govts. Foundations Individuals	UN Member states	Govts: AUS, CAN, DEN, FIN, FRA, GBR, NET, NOR, NZL, SUI, SWE
Website: www.sipri.org	www.worldwatch.org	www.hrw.org	http://hdr.undp.org	www.smallarmssurvey.org

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What If No One's Watching?



The Landmine Monitor is an unprecedented civil-society based reporting system, monitoring progress and set-backs in the implementation of the 1997 Anti Personell Landmine Convention. It has published the annual Landmine Monitor Report since 1999, and is widely accepted as the standard reference on the global landmine problem, by governments, international organizations, private sector and civil society. It is published by the International Campaign to Ban

Landmines, the global coalition that was awarded a Nobel Peace Prize for its efforts. Few, if any, civil-society campaigns have managed to define and take on such a new role for themselves, transforming themselves from an international advocacy effort into a de facto monitoring mechanism delivering de facto formal reports on a multilateral instrument.

What impact has the Landmine Monitor had on the implementation of the 1997 Mine Ban Convention? Are the experiences made relevant for other civil society initiatives? How unique is this initiative? In this report, Mary Wareham explores these and related questions as well as providing a comprehensive insiders account of the establishment and development of the Landmine Monitor. Wareham was global research coordinator for the Landmine Monitor from 1999 to 2005, and has followed the initiative close since its inception until her departure from Human Rights Watch in June 2006.



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