

**Evaluating the Role of Non Governmental
Organisations in Global Governance – Case Studies of
Two Campaigns**

Assignment presented in partial fulfilment of the requirements for the degree
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Abstract

This is a study of the growing importance of non-governmental organisations (NGOs) to global governance. Global governance is defined as a dynamic process that deals with transnational issues that require the attention of governments, that is distinguished from domestic governance and international relations.

I, the undersigned, hereby declare that the work contained in this assignment is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Campaign to Ban Landmines (ICBL) and the International Campaign to Abolish Nuclear Weapons (ICAN) determine why some NGO campaigns are more successful than others. The study is approached with a focus on the following factors: the nature of the issue, the leadership, the membership and funding, the strategy, the communication, the timing and the external environment.

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ICBL is a global campaign to ban landmines, which is a goal, the issue area (type, number, nature and objectives) of the campaign. ICAN is a global campaign to abolish nuclear weapons, which is a goal, the issue area (type, number, nature and objectives) of the campaign. The study compares the two campaigns in terms of their leadership, membership and funding, strategy, communication, timing and external environment. The study also compares the two campaigns in terms of their success. The study concludes that ICBL was the more successful of the two campaigns because it had more success in this case the most important reason for success is its focus on a single issue and the effective use of the media. The study also concludes that the success of the two campaigns can hardly be universalised, they can provide a useful point of reference into this important field in International Studies.

Abstract

This is a study of the growing importance of Non Governmental Organisations (NGOs) in global governance. Global governance is defined as a complex and dynamic process that deals with issues that go beyond the capacity of national governments, that is distinguished from global government because of an absence of a central authority that can ensure compliance and the presence of a wide range of actors including non-state actors. The theory of Complex Multilateralism captures the role of NGOs and NGO coalitions well. Using this theory as a theoretical framework, this study focuses on two recent transnational NGO campaigns (*The International Campaign to Ban Landmines [ICBL]* and *the NGOs against Arms Trade*) to determine why some NGO campaigns are more successful than others. The theory of Complex Multilateralism in combination with extensive information on different types of NGOs and their activities on national and international levels, makes it possible to identify criteria that can determine success. These criteria are: a realistic goal, the issue area (type, number, salience and techniques used to frame the issue), government and intergovernmental organisation (IGO) commitment, access to IGOs, extensive expertise, effective use of the media, effective use of information technology, activity variance, leadership, persuasive and influential spokespersons, membership and funds. These criteria are described, defined and then applied to the above-mentioned transnational NGO campaigns. The main finding was that the ICBL was the more successful of the two campaigns because it had more of the criteria for success. In this case the most important reasons for success is: a realistic goal, the focus on a single issue and the effective framing of the issue, significant government commitment as well as good leadership. Although, the criteria that were developed can hardly be universalised, they do provide a useful starting point for further research into this important field in International Studies.

Opsomming

Hierdie werkstuk bestudeer die toenemende belangrikheid van Nie-Regerings Organisasies (NROs) in “global governance”. Laasgenoemde konsep word gedefinieer as ’n komplekse en dinamiese proses wat behels die hantering van vraagstukke wat buite die beheer is van ’n enkele staat, wat onderskei word van ’n wêreld regering as gevolg van die afwesigheid van sentrale gesag en die aanwesigheid van ’n wye reeks van akteurs of rolbeklëers insluitende nie-staatlike rolbeklëers. Komplekse Multilateralisme bied ’n goeie teoretiese begrip van die rol van NROs en NRO koalisies in hierdie proses. Hierdie studie maak gebruik van Komplekse Multilateralisme as ’n teoretiese raamwerk om te fokus op twee onlangse transnasionale NRO veldtogte (*Die internasionale veldtog om landmyne te verban en die NROs teen wapenhandel*) en sodoende te bepaal hoekom sekere NRO veldtogte meer geslaag is as ander. Reedsgenoemde teorie in kombinasie met inligting oor verskillende tipes NROs en hul aktiwiteite op nasionale en internasionale vlakke maak dit moontlik om kriteria vir ’n suksesvolle NRO veldtog te identifiseer. Hierdie kriteria bestaan uit die volgende: ’n realistiese doel, die aard van die vraagstuk (tipe, hoeveelheid, “saliense”, en tegnieke wat gebruik is om die vraagstuk te formuleer, toewyding van regerings en tussen-regerings-organisasies, toegang tot tussen-regerings -organisasies, veelsydige kundigheid, effektiewe gebruik van die media, effektiewe gebruik van inligtingstechnologie, verskeidenheid van aktiwiteite, leierskap, ooredende en invloedryke segspersone, lidmaatskap en fondse. Die bevinding is dat die internasionale veldtog om landmyne te verban die meer geslaagde veldtog is. Die belangrikste redes hiervoor is: ’n realistiese doel, die fokus op enkele vraagstukke en die effektiewe formulering van die vraagstuk, die toegewydheid van baie regerings, sowel as goeie leierskap. Alhoewel die kriteria wat in die studie ontwikkel is nie veralgemeen kan word nie dien dit as ’n nuttige basis vir verdere navorsing oor hierdie belangrike tema in die veld van Internasionale Studie.

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CDAT	Committee of Experts on the Arms Trade
CDCEB	Coordinating Committee on Arms Exports Control
CDCEC	Control
ECAAR	Economist Alliance Africa
ENAAAT	European Network Against Arms Trade
GRD	Grassroots Organisation
HST	Hegemonic stability theory
IANSA	International Network on Small Arms
IANSA I	International Action Network on Small Arms
ICBU	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
INGO	Intergovernmental Organisation
INGO	International Non Governmental Organisation
IPE	International Political Economy
IR	International Relations
LSN	Landmine Survivors Network
MTCR	Missile Technology Control Regime

Abbreviations

AP mines	Antipersonnel landmines
BASIC	British-American Security Information Council
CAAT	Campaign Against Arms Trade
CCW	Convention on Conventional Weapons
CD	Conference of Disarmament
CDA	Council of Defence Alternatives
CIT	Complex Interdependence Theory
COAT	Coalition to Oppose the Arms Trade
COCOM	Coordination Committee on Multilateral Export Control
ECAAR	Economist Allied for Arms
ENAAT	European Network Against Arms Trade
GRO	Grassroots Organisation
HST	Hegemonic Stability Theory
IANSA	International Network on Small Arms
IANSA	International Action Network on Small Arms
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
INGO	Intergovernmental Organisation
INGO	International Non Governmental Organisation
IPE	International Political Economy
IR	International Relations
LSN	Landmine Survivors Network
MTCR	Missile Technology Control Regime

NGDO	Non Governmental Development Organisation
NGO	Non Governmental Organisation
NISAT	Norwegian Initiative on Small Arms Transfers
NM	New Multilateralism
PO	Peoples Organisation
PVO	Private Voluntary Organisation
SACBL	South African to Ban Landmines
SANDF	South African National Defence Force
SIPRI	Stockholm International Peace Research Institute
UN	United Nations

Chapter 1

Problem Setting, Rationale, Methods and Theory

1.1 Introduction

Since the birth of the international system with the Peace of Westphalia, it has undergone some significant changes. One of these changes is the rise of new, important actors wanting to be a part of the policy-making process at the domestic and international level. These new actors, especially non-governmental organisations (NGOs), have proliferated to such an extent that many scholars believe we are in the midst of an “associational revolution” (Salamon, 1994; Najam, 1998:305)

Some scholars view this proliferation of non-state actors as the beginning of a process that will lead to the ultimate erosion of state sovereignty. The latter argument represents the opinion of only one side of an extensive debate. Others, including myself, do not believe that the state will soon dwindle away. In International Relations discourse the idea of sovereignty remains a prominent characteristic of the international system. In fact, it is still widely considered as the very essence of the international system. However, one cannot deny that this sovereignty is not as untouchable as it still was only a decade ago. As Kilby argues:

The post-Westphalian idea of an inviolate sovereign has given way to a more limited notion of sovereignty bounded by considerations of human rights. Nonetheless, the sovereignty of a legitimate government remains an important ethical issue so far as state sovereignty reflects the citizens’ right to self-determination (Kilby, 2000:49).

The state is deemed the most important actor in international relations because that only governments and intergovernmental organisations can actually ensure that specific policies can affect and be enforced upon an entire population. Governmental policy differs from that of other institutions. The state is the only organisation that has a legitimate monopoly on violence. This violence and the authority that goes along with it can be used to ensure compliance and punish defiance. For instance, on the international scene only states can make international laws and conventions, sign

treaties, be members of intergovernmental organisations (IGOs) such as the United Nations, can vote on international forums and so have an authoritative impact on important international decisions. Non-state actors like NGOs may have a voice but do not have a vote in such forums. However, states do not and have not ever been able to make policy in a vacuum. The national and international policy process is and always has been influenced by non-state forces, no matter how small the influence¹ (Uvin, 2000:17). Such non-state influence has been a matter of much interest in academic circles for the last few years. This is because some serious changes took place that put the spotlight on such non-state forces.

Thus, while not overlooking the great power and authority still vested only in the state, one must consider important trends that have in some way had a weakening effect on the state's power. One such phenomenon is the increasingly important role new actors such as multinational corporations, national and international (or transnational) non-governmental organisations (NGOs), peoples organisations (POs) or social movements and various other transnational organisations play on the domestic and international policy process. These actors have strengthened in number, expertise and in voice to become major international players that cannot be ignored by politicians or academics (Uvin, 2000:13; Bendaña, 2000; *Our Global Neighbourhood* 1995) These organisations represent, some believe, a part of a "global civil society" that forms an important part of the process of global governance² (Zoninsein, Schechter, Stanton: 1999.)

The focus of this paper falls on one component, perhaps the most dominant part of this "global civil society", namely the NGO. This does not imply a denial of the importance of other organisations that are also part of the global civil society and thus also have influence on the international policy process. In the current study the unit of analysis is the international NGO campaign, in other words the coalitions or groups

¹ Non-state influence or NGO influence, as the term is used in the current study, refers to the different ways in which non-state actors can have an impact on the governmental or intergovernmental policy process and the actual policies themselves. Influence can mean setting the agenda, changing government priorities, providing expert information to governments and the public that can change policy outcomes, participating in the formulation of actual policy, direct participation in processes of policy implementation and so forth. Influence is used to refer to instances where NGOs have a significant impact on processes of global governance.

² In this study global governance is defined as, a complex and dynamic process that deals with issues that go beyond the capacity of national governments, that is distinguished from global government because of an absence of a central authority which can ensure compliance, and the presence of a wide

these organisations form to promote their particular cause or causes. The question that I want to answer is: **Why are certain NGO campaigns more successful than others?**

After studying the discourse dealing with NGOs and other civil society organisations, I have compiled a list of such determinants or criteria which can be used to measure NGO success. These criteria can be considered a tentative answer to the above-mentioned question. The criteria will be applied to two case studies representing international NGO campaigns for two almost related causes within the issue area of international security. Only after thorough analysis of the cases can we determine if this tentative answer can be accepted or rejected. If accepted, these criteria can be used by NGOs and their sponsors as basic indicators of success. However, the study focuses on only two particular cases, thus results cannot be generalised for all NGO campaigns. Therefore, if the tentative answer is accepted, this does not mean that these success factors have to be considered as the only determinants of a successful NGO campaign. The NGO phenomenon and its activities in the international policy process are not linear and thus cannot really be predicted. As trends continue and NGOs evolve, new ingredients of success can arise or can be invented by NGOs themselves. Success can also depend on unique circumstances.

To return to the case studies, at this moment I want to point out that one case is already widely considered to be successful and the other not. Why? I think the second campaign failed because it did not have enough of the elements of success as contained in the list of criteria compiled in this study.³ The list of criteria and their definitions and explanations will be specified in *Chapter 2* along with discussions of other important concepts.

The first case is the *International Campaign to Ban Landmines*, which is widely considered to be a very successful NGO campaign. The second case centres on *the group of NGOs working to prevent or at least minimise the trade of arms between states*. Both campaigns have the same broad objective, namely disarmament and may

range of actors including non-state actors. This concept and the concept of global civil society are contested concepts and will be discussed in detail in Chapter 2.

³ In this study success refers to the achievement of the main goal of the particular NGO campaign. Failure thus means not achieving this goal.

even have some members in common.⁴ The latter case has a longer history than the first, yet cannot be or has not been as successful. The first case will be dealt with in detail in *Chapter 3*, the second case in *Chapter 4*. In each of these cases I will also focus attention on the specific roles that South African NGOs have played and thus the impact they have had on each respective campaign. This is because South African NGOs were and still are very active in both campaigns. The South African government also played a very important role in the first campaign.

These two case studies can also be considered a good illustration of how NGOs have moved into the issue area of security, which was formerly considered as high politics and thus the exclusive domain of the state. This illustrates again that, even though the international system has not been transformed, some important changes have occurred. NGOs now play a role in many international matters. At this time not so many NGOs are active in the area of international security. Most NGOs are active in fields such as human rights, protection of the environment and development. This is reflected in the literature.

The main purpose of this paper, thus, is to study the influence of NGOs in the process of global governance with a specific focus on the determination of what makes for a successful NGO campaign. All-important concepts such as global governance, global civil society, different categories of NGOs and so forth will be explained and discussed in *Chapter 2*. As a student of International Relations it would be remiss of me if I do not discuss how International Relations (IR) theory deals with NGOs (especially international/transnational NGOs). As it will become clear, the purpose of this study relates to important theoretical developments in IR. Thus I will discuss (in this chapter) the latest evolution in IR theory dealing with non-state actors and by doing so place the current study within a theoretical framework. I will conclude this paper in *Chapter 5* by discussing the conclusions of the current study as well as drawing some theoretical conclusions.

⁴ The two cases have the same broad objective of disarmament, but their main goals differ. In the first case the chief goal is to achieve an international ban on landmines and in the second case the main goal is to stop (very difficult) or at least minimise (more realistic) the trade of arms among nations.

1.2.The Rationale

During the last fifty years globalisation, globalism, international cooperation, collective security, universal laws and norms, interdependence, regional integration, global civil society, global governance and so forth have become important concepts in International Relations discourse. Global governance has become a key term. After the signing of the United Nations Charter in 1945, a new era of international behaviour and governance commenced. Changes in the international system caused states too lose effective control in many areas, forcing them to work together on more issues than they did before.

The end of the Cold War in 1989 and the rapid pace of globalisation are two of the most important events that occurred and triggered and sustained the trend towards democratisation, economic and international cooperation. It is from these phenomena that the concept of global governance has sprouted. Väyrynen (1999:xi) states that:

The growing need for global governance is in part the product of various forces or globalization that reduce the relevance and efficiency of national governments. Increasingly, states can thwart financial instabilities, political crisis, and environmental deterioration only by acting in concert.

Thus, faced with this changed international landscape, states strengthened their commitment to pursue common objectives through multilateral forums such as intergovernmental organisations, through regional economic integration and through other forms of cooperation (*Our Global Neighbourhood*, 1995).

These changes in the international environment and consequent changes in international behaviour triggered a wave of new actors in the form of non-state groups of all sorts including NGOs. Jackie Smith (2000:65) also came to a similar conclusion when she argued that:

Explanations for the rise of transnationally organized citizens' groups point to two simultaneous developments, namely, the rise of global interdependencies that lead people to interpret global problems and their solutions outside the state-centric framework and the increased reliance of states on international institutions to address collective concerns such as security, trade, and the environment. These two trends are manifest in – among other things – a rise in

the numbers of transnationally organized groups promoting collective problem solving and the more frequent occurrence of global conferences.

In order to better comprehend the changed international environment and the complex and dynamic process of global governance, it is important to understand all the actors that form a part of them. In International Relations discourse the state has been the object of scholarly attention for a long time and today still remains the focus of many academics in this area. With the increase of NGOs both in number and influence came an increase in scholarly attention in these types of organisations. Today an extensive discourse deals with this type of organisation. However, the greater part of the discourse deals with developmental, environmental and human rights NGOs.

There are still various gaps in the research that have to be filled. We still do not know enough of NGO activities in other issue areas or about the internal workings and the external activities of NGOs. We do not know enough about the effectiveness of these activities, especially NGOs' international activities and their contribution to the process of global governance, at least beyond their restricted participation in the activities of, for example, the United Nations. NGOs have gained more ground in the UN than in any other intergovernmental organisation and this is already very well documented by a number of scholars. But we need to know more. This is the rationale behind this research.

1.3 Methodology

Above I pointed out the objective of the current study. Now I will explain how I went about achieving this objective. This is an interpretative and a qualitative study. The study can also be considered exploratory because this is a reasonably new field of investigation. The study is based on an extensive exploration of the emerging discourse dealing with this kind of topic and the latest theoretical developments that attempt to explain the changes that took place in International Relations in recent years as well as specific information about the two case studies. The information on the organisations dealt with in this paper are extensive and detailed allowing this study to be based entirely on secondary information.

The study is based on two case studies. To test the proposition, I did a detailed analysis of two NGO campaigns. These campaigns (consisting of different NGOs working towards one goal) are the units of analysis. Success is the dependent variable and the list of criteria developed in this paper give the independent variables. Success is operationalised as the achievement of the desired goal. Case studies as a research method is very effective for answering "why" and "how" questions, where the researcher have little control over events and is dealing with complex units of analysis and when historical events have to be taken in account⁵. For all of these reasons case studies are appropriate for evaluative and exploratory research. This is why this study uses case studies to answer the research question.

I have evaluated the different sources of information to try and answer the question that is posed in this study. The study represents and evaluation of the success of the NGOs in the two case studies and not of all NGOs. From the discussion so far it should be clear that the findings of this study should not be taken out of context. The measures of success developed here can be used as guidelines by other NGO campaigns, but cannot be generalised or be seen as universal indicators of success.

1.4 Theoretical framework

The history of international relations as a discipline is usually told in terms of a number of great debates. These debates and the contributions of some of the most important IR theorists can be found in many articles and books. For instance, a volume edited by Neumann and Waever (1997) called *The Future of International Relations: Masters in the Making?*, gives a valuable synopsis of the evolution of IR theory and the contributions of influential IR scholars. According to Neumann and Waever, there are three great debates in the recent history of IR. They also include a fourth debate, but argue that this one is unlike the previous three and there is still uncertainty as to the status of this debate in the history of IR.

The first debate deals with idealism versus realism and was conducted during the 1940s; the second debate is behaviouralism versus traditionalism in the 1960s; the third is the interparadigm debate between realism, interdependence theory and neo-

⁵ These and other ideas on the merits of the case study method of research is pointed out by Yin (1984).

Marxism (or realism, pluralism/liberalism and structuralism) in the mid- 1970s; the other debate is the confrontation between rationalists and reflectivists and the arrival in IR of philosophy, postmodernism and the humanities (Neuman & Waever, 1997:8) The most recent contributions to IR in the fourth debate were not accepted into the mainstream and could still be considered as fringe theories during the 1980s and early 1990s.⁶

IR really emerged as a discipline after the First World War. At this time realism, which is related to but less cynical than the *realpolitik* of the previous century, dominated. Thus because of the First World War the realists could triumph about how right they were and how wrong the liberal idealists were. Most liberals believe in the general evolution of society and thus also change (for the better) in international politics. Realists, on the other hand, do not believe this, because they ascribe to the state certain human characteristics, which makes international politics a conflictual and repetitive process. It can be said that realism won the first great debate (Neuman & Waever, 1997:10). This victory did not last forever. Buzan stated in 1996 that today, "Realism has become a predominantly negative label, which very few people are willing to attach to themselves, but which many people use in debates" (Neuman & Waever, 1997:11).

The second debate was mostly an attempt to promote behavioural scientific approaches as superior to traditional historic approaches. This led to the absorption of new techniques such as game theory and comparative politics into the mainstream. This debate ended in a draw (Neuman & Waever, 1997:11) This debate is not so important for my current objective, which is to show how IR has changed to incorporate non-state actors and to what extent this discipline is still lacking in its treatment of non-state actors. For the sake of this objective, the third and fourth debates are more important.

International Relations are mostly described in terms of the third debate. "A standard textbook presentation of International Relations explains that there are three paradigms or three dominant schools: realism, liberalism (pluralism, interdependence and world society) and Marxism (radicalism, structuralism and globalism). Some

⁶ Presently these new approaches are more readily accepted and can no longer be termed fringe theories. However, these theories have not yet been fully accepted in the mainstream.

writers claim that this is “the timeless pattern of International Relations...” (Neumann & Waever, 1997:12).

The 1960s and 1970s were dominated by increasing criticism of the then dominant realist paradigm. The brunt of the criticism was not methodological but was directed against the realist’s image of the world. Orthodox realism has a very cynical outlook, preoccupied with power, the denial of the possibility of progress and a blindness concerning other actors beyond the state and other issues beyond the political-military sphere. This criticism triggered alternative conceptions of the international system. Conceptions such as regional integration, transnationalism, interdependence and a pluralist system which allows for at least the recognition of numerous sub-state and trans-state actors in international politics (Neumann & Waever, 1997:13).

The third debate did also not lead to a clear-cut victory for any one side, but realism lost its dominant status. Although Marxism also became prominent, the greatest debate was between the realists and the liberals. Realists and liberals continued to see different realities and tested their theories against different material. In the late 1970s a more scientific form of realism labelled neo-realism emerged. Neo-realism differs because it was no longer argued from the basic premise of human nature. The main premise now was the anarchic structure of the international system. Liberal theory underwent a parallel development. It also became more general in its interpretation of the international system. “During the 1980s, realism became neo-realism and liberalism became neo-liberal institutionalism. Both underwent a self-limiting redefinition towards an anti-metaphysical, theoretical minimalism: they became increasingly compatible” (Neumann & Waever, 1997:18).

This compatibility of neo-realism and neo-liberal institutionalism led to a number of direct attempts to arrive at a synthesis of the two theories. Both theories had a shared willingness to operate on the premise of anarchy. The main difference between the theories now was the difference between absolute and relative gain. Attempts at synthesis led to approaches such as regime theory, co-operation under anarchy, hegemonic stability theory, alliance theory, trade negotiations; Buzanian security analysis can also be located in this field (Neumann & Waever, 1997:19) These new approaches, though still very state-centric, did allow more room for the inclusion of non-state actors in the study of international politics.

Thus International Relations as an academic discipline has been and still is to a large extent dominated by a state-centric view of international politics. Although many scholars have moved away from the assumptions of orthodox realism and liberalism, the basic premises of these theories are still reflected in newer mainstream theories such as neo-realism and neo-liberal institutionalism. The latter theories are based on the notion of anarchy and describe international politics from this basic premise. States are conceptualised as the main actors of international politics, leaving little room for civil society actors such as NGOs. So-called constructivist theories have brought norms, regimes and non-state actors to the forefront. These new theories are now more widely accepted and have moved beyond the fringes, but they have not yet been totally accepted into mainstream IR theory (Schmitz, 2000:87) The failure of traditional IR theories to predict the end of the Cold War and the changes that followed made room for new approaches in International Relations Theory.

Recently IR theories began to focus on the notion of world governance (despite anarchy) instead of world government (which would imply hierarchy) (Zoninsein, 2000:39). Such theories of global governance allow for notions such as global civil society whereby non-state actors receive more attention in the study of international politics. Scholars especially use these ideas when they study the process of globalisation and its effects on international politics and international political economy. This also helped to move IR theory closer to other social sciences.

Zoninsein (1999) analysed where and how the concept of a global civil society fits into recent approaches within the field of International Political Economy (IPE). He discusses three theories namely, Hegemonic Stability Theory (HST), Complex Interdependence Theory (CIT) and New Multilateralism (NM). He concludes that CIT and NM offer the most amenable theoretical frameworks for the study of global civil society and its role in the process of globalisation as well as its role in the process of global governance (Zoninsein, 2000:50). A brief discussion of these theories will help us to understand why he comes to this conclusion.

HST examines what political conditions are needed for a stable and open international economy. According to this theory, it is absolutely necessary that there should be a hierarchical distribution of power within the state system. In other words, for stability there must be a state with hegemonic powers. What is meant by a hegemon? The hegemon is a state that is more powerful than other states because of

its superior economic, political and military resources (quality and quantity). The hegemon must also have enough allies committed to the principles of liberalism. Common interest then binds these allies together and makes them accept the leadership of the hegemon. Within HST, which is firmly rooted in the realist perspective on International Relations, there is little room for a global civil society. The nation state and conflict and co-operation among states are the main preoccupations of this theory. The role of a civil society in the creation of a liberal order is not denied, but its role is not made explicit either. Its role in international politics is not really considered (Zoninsein, 2000:45)

Complex Interdependence Theory shares with HST an overwhelming preoccupation with the problem of anarchy. The presence of a hegemon is still necessary to ensure political and economic stability. However, the hegemon is not totally independent and superior. The interdependence between states ensures cooperation without hegemonic pressure. This interdependence ensures a liberal international economy and makes the co-ordination of national policies on certain issues an absolute necessity. The power of the state is less concentrated and this opens the door for non-state actors. Zoninsein explained that:

The diffusion of power within the system of nation-states (resulting from the inclusion of a larger number of nations with capabilities to decisively influence international economic, political, and military outcome) and outside the system of nation-states (arising from the presence of transnational corporations, crime organizations, international NGOs and new social movements, international political coalitions, religious organizations etc.), further redefine the terrain of international politics and players beyond the nation-states (Zoninsein, 2000:46).

CIT thus attributes a relevant role to global civil society

New Multilateralism is more critical of the current international environment than the previous two theories. This theory critically examines how the existing international order has come into being and searches for possibilities for change. Instead of taking the individual nation-states within the international system as units of analysis and becoming tangled in the web of anarchy, this theory takes the global

structure as a whole as its analytical unit. For NM the diffusion of power in the international system has radically altered the world order.

This theory can be traced back to the works of Robert Cox, who considers himself a critical realist and whose ideas are represented in many influential works. Some of the ideas on new multilateralism were developed and discussed in a series of books that emerged from a four-year project called the MUNS (Multilateralism and the United Nations System) project, which was sponsored by the United Nations University. Andy Knight, Michael Schechter, Stephen Gill, Krause and Sakamoto amongst others worked together on this project under the leadership of Robert Cox. The central idea that came from this project is that new multilateralism is the opposite of the old state-based multilateralism. Instead of some change to traditional top down multilateral processes, the goal is total transformation; it is to foster a bottom-up multilateralism that is based on a participative global civil society. Scholars agree that this new multilateralism is still an emerging form of global governance which has not yet taken its final form (O'Brien, Goetz, Scholte & Williams, 2000:4).

As mentioned, the ultimate goal behind new multilateralism is the complete transformation of the international system from being state centred to society centred. New concepts are necessary to make sense of such profound changes. For Cox, this new structure can be envisaged as a:

...complex multi-level world formed by a combination of macro regions (like the European Community), the perpetuation of many existing states with limited sovereignties, the disintegration of some existing states into autonomous micro-regions (Catalonia, Croatia, Quebec, etc.), transnational firms and social and religious movements analogous to medieval corporations and religious orders, global communications networks and ever integrating technologies (Zoninsein, 2000:49).

This 'post-Westphalian' political order does not mean that the nation-state is disappearing, but it does leave the door wide open for other actors with varying power. One can see why this theory would provide a better framework for studying the contributions of a global civil society to global governance.

O'Brien, Goetz, Scholte and Williams take the middle road between "old" and "new" multilateralism. "...we are witnessing the development of a hybrid form of

multilateralism. We call this hybrid *complex multilateralism*”(O’Brien *et al.*, 2000:5). I found that this description and explanation of our present reality (as I understand it) to be more accurate. This is because I find the theory to be more practical. NM in comparison with Complex Multilateralism, it seems to me, is describing an extreme or ideal situation which might never be achieved, though changes can bring us closer to that ideal situation. Yes, multilateralism is no longer just state based; global civil society is taking part in many areas as the case studies in the current study will illustrate, but the world has not changed to the extent that multilateralism is overrun by bottom-up forces as envisioned by new multilateralism.

John Ruggie made a significant contribution to the establishment of multilateralism as a central concept in International Relations theory. He noticed that during the early 1990s many scholars already believed that multilateral organisation was an important feature of the international system, but few of them gave explicit analytical attention to this concept. He made it his goal to set this right. Since then Ruggie has added important insights to the study of multilateralism. That is why I want to use Ruggie’s definition of multilateralism as a means for distinguishing between “new” and “old” multilateralism. As defined by Ruggie (1993:11), conventional multilateralism is “an institutional form that coordinates relations among three or more states on the basis of generalized principles of conduct” Complex multilateralism is a definitive move away from this traditional, “old” or conventional form of multilateralism.

The argument is that forces such as globalisation has mobilised civil society to be more active in matters of global governance. This has brought new actors into the process of multilateralism, which has made it much more complex. Multilateralism has changed because it now has to provide access to these new actors and this has changed the process and multilateral institutions as well. Now, “Constituencies within and across states must be appeased or, at the very least, their opposition must be diluted or diverted.” However, “Although multilateralism has moved away from its state-dominated nature, it is a far cry from a society-centred multilateralism” (O’Brien *et al.*, 2000:208).

I want to place the current study within the theoretical framework of complex multilateralism. As mentioned, it does not assume a total transformation of the world order as it is with the theory of new multilateralism. Its main premises are that there is

a global civil society which is mobilised and wants to form part of the processes of global governance and multilateralism. Secondly, multilateralism is no longer state based; civil society actors do now have access to this process which makes it more complex. Thirdly, this complex multilateralism is a hybrid form of the “old” or conventional (top-down) multilateralism and the “new” or emerging (bottom-up) multilateralism. I want to incorporate these assumptions into my own work.

Another interesting theoretical development called emerging multilateralisms and heterarchic governance, which is worth mentioning, is discussed by Knight (2000). He argues that many empirical studies (Weiss and Gordenker, 1996; Fawcett and Newcombe, 1995; The Commission on Global Governance, 1995; Riddell-Dixon, 1995) have shown that multilateral governance can no longer be limited by state centric actors such as intergovernmental organisations. This, according to Knight, makes it difficult to use the traditional top-down approaches of multilateralism. New models are needed to take into account multi-level multilateralism within state-society complexes. He discusses one such model, namely the subsidiarity model of heterarchic governance. He explains that this term refers to “Self-organizing interpersonal networks, negotiated interorganizational coordination, and decentred, context mediated intersystemic steering that is contrasted with traditional anarchic and hierarchical forms of coordination” (Knight, 2000:31).

The above-mentioned argument sounds very complex but, as Knight (2000:32) explains, it simply means that governance has broadened to such an extent that the lines between sub-national, national and international and global jurisdictions have become blurred. It also means that the simplistic container metaphor used in the past by neo-realist and neo-liberal institutionalists can no longer be used, because it leaves out a wide array of actors and action which span across the domestic-international divide. Thus this theory also allows for the recognition and the study of non-state actors such as NGOs in the process of global governance, because it broadens the scope of governance. This is an interesting argument; however, for the purpose of the current study the theory of Complex Multilateralism is most appropriate.

As far as the relationship between the state and NGOs is concerned, it would be all too easy to consider NGOs the heroes and states the villains when it comes to matters such as human rights and disarmament. One can also argue that the participation of NGOs in global governance helps to further the democratisation of international

policymaking. But are NGOs internally democratic? Most of the permanent and influential individuals within NGOs are not democratically elected as government officials are. The availability of funds and expertise also varies between Northern and Southern NGOs. However, NGOs incorporate the normal person on the street in its organisation in the way a government does not.

Conventional theoretical approaches to NGOs describe the relationship between the state and the NGO as mostly challenging, conflictual and almost adversarial. While this may be the case in certain circumstances, there are also cases where NGOs work parallel with governments and sometimes are even totally co-opted by government. NGOs can be very dependent on funds and can thus be influenced to run a campaign or form their agendas based on the standards of the sponsor. While many NGOs are independent from government, many are sponsored by government. According to Gordenker and Weiss (1995:543), the relationship between NGOs and states cannot only be described by narrow approaches derived from zero-sum-based analysis.

This is why I would like to consider NGOs and governments as partners in the process of global governance. They are not equal partners, obviously, and they each contribute differently to this process; their goals might also not always be the same, but they do work together in many instances. Thus they may differ or be in conflict over certain issues, but in the overall process of global governance they are partners. In this way NGOs and governments are not considered ultimate adversaries.

As Peter Willets (2000:192) aptly puts it, "Use of the word *partnership* suggest we have now reached equality between NGOs and governments, while still recognising that are different and separate from each other." Willets made this statement in an article where he discusses the status of NGOs at the UN. Although NGOs have gained much ground at other IGOs and other multilateral forums, the word "partnership" should still be used with caution when discussing NGOs' participation in global governance processes in general. Like Willets, the current study also use the term *partnership* to describe the relationship between the states and NGOs in the process of global governance, always remembering that on many levels this is not an equal relationship.

From the discussion above one thing is clear: the international landscape has changed and newer approaches and theories within IR recognise these changes. The rise of these new actors in the process of global governance is the product of the very changes that made the process necessary. “ The collective power of people to shape the future is greater now than ever before, and the need to exercise it is more compelling”(Our Global Neighbourhood, 1995:1) During the last fifty years people have found many new ways to exercise this power. The will of the people even in terms of international matters is no longer just represented by governments and thus the state. Bottom-up forces such as NGOs have grown stronger to form an integral part of the process of global governance. Thus, the state traditionally had few rivals but, because of changes such as the spread of democracy and globalisation, peoples’ concern for human rights, equity, democracy, the fulfilment of basic material needs, environmental protection and demilitarisation have grown enormously and have given rise to this multitude of new actors that can contribute to global governance.

This discussion of the evolution of IR has illustrated that, although many theories and approaches are still focused on a state-centric framework, changes in the world have prompted new ideas which are more widely accepted within the mainstream.⁷ Now scholars studying global governance, international regimes, interdependence and co-operation among states, civil society, multilateralism, etc. take notice and acknowledge the role of non-state actors such as NGO’s in international politics and global governance. As mentioned, the body of literature dealing with NGOs and other non-state actors is growing, even within the field of International Relations.

1.5 Conclusion

This chapter has made clear the objective of the study. The overall objective is to study the role that NGOs play in the process of global governance. Just as the NGO phenomena have grown at an amazing rate, so have the scholarly interest in this area. I am also very interested in this phenomenon and have realised there are still various gaps in the research that need to be filled, especially in issue areas such as

⁷ The discussion of the evolution of IR is only a summary of important developments and does not pretend to be a detailed analysis of all theoretical approaches and developments within the discipline of International Relations and/or International Political Economy.

international security. To place the study within a theoretical framework I have discussed the evolution of International Relations theory and mentioned a few approaches that now deal with process of global governance and the contributions of global civil society. The theory of Complex Multilateralism was discussed and the reasons why the current study is to be understood as based on the assumptions of this theory was pointed out.

The following chapters include detailed discussion and definitions of all relevant and important concepts such as global governance and global civil society and different types of NGOs. The success factors and their definitions will also be listed. When this has been done, I will apply the criteria for success on two case studies in order to test the hypothesis.

As it can already be seen in this introduction, there is no denying that dramatic changes have taken place in the international system in recent years. Events such as globalisation and the end of the Cold War have affected the power of the state and brought to the fore new actors that want to and do share in the international policy process. My hope is that this study would contribute in some way to a better understanding of this changed international system. This is a very exciting and complex world we live in and, as a student of International Relations, I consider it a privilege to witness change, and hope for and perhaps contribute to progress.

Chapter 2

Global Civil Society in Global Governance – Factors influencing NGO Success

2.1 Introduction

The rise of NGOs as a dominant part of a growing global civil society is a very interesting phenomenon which can be studied from many different angles. In this study I am trying to evaluate the influence of global civil society, especially NGOs in the process of global governance. From this angle it seems that NGOs have made significant progress in establishing themselves as important actors in international relations. In some cases they manage to influence the agenda and participate in international policy formation and implementation processes. As mentioned in the first chapter, the objective of this study is to determine why NGOs can achieve this in some cases and not in others. By answering this question one can determine the factors that contributes to success in NGO campaigns.

This chapter discusses the reasons why NGOs have become important actors in international relations. It highlights some events that may have been conducive to the proliferation and increased importance of NGOs. Events such as the end of the Cold War, globalisation and the development of the Internet will be discussed. Next I clarify the term NGO by giving definitions and specifying all organisations that fall under this term. I will also sort different NGOs into categories based on definitions and on membership and goal. Then one can conceptualise the terms global civil society and global governance. The last section contains the list of criteria and a discussion and definition of each. As explained the theory of Complex Multilateralism serves as a theoretical framework for this study. It serves as a background or a description of the kind of environment which the NGOs in the case studies function. However one can a make a connection between the theory and the criteria for success. This connection will also be explained in the last section of this chapter.

2.2 NGOs – discussion, definition and categorisation

NGOs have become important actors in international relations. They have increased in number at an amazing rate¹. Their influence in the policy process, nationally and internationally, though at a slower rate, has also increased significantly. They are now active in a wide variety of issue areas, even the security issue area, as will become clear in the following chapters. For these reasons they have become important objects of study in academic circles. As I have explained in the first chapter, significant changes in the international environment, such as the end of the Cold War and globalisation, served as triggers for the rise of non-state actors.

It is important to mention that the development of the Internet is also connected to the fast growth of NGOs. A number of scholars make this connection. Craig Warkentin (2001) did a significant study of this phenomenon. He studied NGOs as part of global civil society and made a reasonable argument for the connection between the development of the Internet and the rise of a global civil society. He connects global civil society, in particular NGOs, to the development of the Internet in three ways. “First, the characteristics that have informed the Internet’s development and defined its inherent qualities parallel those of global civil society. Second, the Internet’s inherent qualities facilitate the development of global civil society’s constitutive network of social relations. Third, as coexisting phenomena, the Internet and global civil society reinforce each other in an ongoing manner” (Warkentin, 2001:32). NGOs use the Internet to facilitate internal communication, to shape public perception, to enhance member services, to disseminate informational resources, to encourage political participation and to realise innovative ideas (Warkentin, 2001:36).

The only problem is the digital divide which distinguishes those that have access to the Internet from those who do not on a national and international level. Nationally those excluded because of socio-economic situations are distinguished from those who have unlimited access. Internationally the divide is between rich and poor countries, which amount to a divide between North and South (Warkentin, 2001:33-34).

¹ According to the Union of International Organisations, the number of active NGOs increased from a few hundred in the early twentieth century to more than forty thousand by the end of the 1990s. The

The end of the Cold War brought the spread of liberal democratic ideals, which opened up political space and made it possible for NGOs to establish a foothold in international relations. The post-Cold War environment allows NGOs to use democratic ideals such as transparency, legitimacy, pluralism and so forth to gain access to the national and international policy process. In the international sphere they have managed to gain access to and varying participation in some IGOs. However, at many such organisations they are still excluded. Charnovitz (1996) studied NGOs' struggle to gain influence at the World Trade Organisation (WTO) and highlighted some arguments for and against access to the WTO. I want to highlight some of these arguments here because they are applicable to the fight of NGOs to gain access at other IGOs and multilateral bodies as well. For instance, they can be applied to organisations such as the Conference on Disarmament (CD), where NGOs are still excluded, which feature in my case studies.

Charnovitz argued that it is vital for the public to understand the goals of the WTO and develop trust in the organisation and that NGO participation might do this. For this reason NGOs argued that if transparency was an appropriate norm at the national level, it was also appropriate at the international level. Because the WTO deals with sensitive issues, the concern was raised that, "... it is unlikely that member countries would be willing to entrust negotiations involving sovereignty to any entity other than themselves" (Charnovitz, 1996: 340). In response to this Charnovitz argued that there are many activities which fall short of signing treaties where NGOs could participate and provide important input. Activities such as providing expert information, bringing new ideas to the debate, securing public support for parliamentary approval, serving as monitors on the fulfilment of government commitments, etc. Another concern was that NGO participation could slow down commitment. Charnovitz argued that NGO involvement in matters such as the environment did not cause delays (Charnovitz, 1996:341). I want to add that, as processes of global governance are now, the NGOs are not the ones making the final decision, so even if they try to stall a certain negotiation process, governments have the power to agree on and sign any agreement at any time.

Another argument against NGO involvement is that governments must represent the interest of all their constituents and not only a few, and that, "... it is difficult to

most dramatic growth occurred during the 1980s (Warkentin, 2001:4) Higgott mention that the number

envisage a scheme that could equitably allow for direct participation by all of the citizens of the world.” (Charnovitz, 1996: 342). In response to this Charnovitz argued that giving members of civil society direct access to the organisation certainly would not go against the principles of democracy. It may even help to balance conflicting domestic interests. The other concern was that NGO involvement would be problematic because some groups have more resources for participation than others. Charnovitz argued that the same situation holds true for governments as well. Some members such as the USA, for instance, have more representatives and staff than others because they have greater resources (Charnovitz, 1996: 342-343). All of these arguments can be extended to other IGOs that do not allow NGO participation.

The other trigger mentioned above is globalisation. Higgott (1999) explains why the growth of NGOs can be connected to the process of globalisation. In his paper he wants to come to terms with globalisation in two areas, namely governance and justice. As discussed in the previous chapter, globalisation has caused states to lose effective control in certain areas, resulting in their having to work with other states in cooperative measures. This is the sort of governance Higgott refers to. The process of global governance will be discussed later in this chapter. The concept of justice is related to the adverse affects of globalisation, such as the domestic social dislocation that leads to growing opposition among disadvantaged social actors. Justice is needed for these groups. Higgott states that, “Globalisation has undoubtedly improved economic efficiency and it has provided enhanced individual liberties for many; but in its failure to ensure social justice on a global scale, it also inhibits individual liberty for many more” (Higgott, 1999: 1).

Globalisation can be understood as economic liberalisation and integration on a global scale. This definition might be too simplistic. Globalisation is a complex and contested term, which cannot be effectively dealt with here. I do not think that purpose of this study require a detailed analysis of globalisation. Thus, I will only highlight some insights discussed by Higgott. Higgott summarises the debate on globalisation by way of three phases. In the first phase globalisation was seen as a process that diminishes the nation state, the traditional actor in the international economic and political orders, to a reduced status. In the second phase globalisation is seen as a process that brings little change to the dominance of the nation state in the

of international NGOs alone was estimated at twenty thousand by 1994.

international economic and political orders. In this phase realists believes about the primacy of the state was reasserted. In the third phase of the debate it is believed that globalisation has led to significant changes in the international arena. It has brought something “new” which clearly distinguishes the contemporary era from the previous one. In this new era many actors are included: states, international institutions and non-state actors such as NGOs.

Higgott also highlights four broad styles of definition of globalisation:

1) globalisation as a specific historical epoch; 2) globalisation as a confluence of economic phenomena; 3) globalisation as the hegemony of American values, and 4) globalisation as a technological and social revolution. Taking account all of this, he states that, “Globalisation needs to be understood as a multi-faceted process that is both material (real) across several domains (economic, political, social and cultural) and ideational (offering competing normative discourses of knowledge of how global economic and political order might function)” (Higgott, 1999: 5) This provides enough conceptual clarity for the purpose of this study.

Higgott argues that in the light of the problems with justice and governance, the growing importance of non-state actors such as NGOs, emanate from globalisation. As I understand it, he argues that NGOs can be considered as actors that want or claim to want to achieve justice and they want to do so by participating in processes of governance. He states that “...limited and flawed as the activities of NGOs may be in many domains, they represent an important alternative voice in the discourse of globalisation and a voice that aspires, rhetorically at least, to the development of a justice based dialogue beyond the level of the sovereign state” (Higgott, 1999: 4). Higgott suggests that despite their flaws, such as the fact that their internal structure is not democratic, NGOs represent a discursive opposition to the effects of globalisation and as opposition they have greater commitment to normative issues such as justice. Although NGOs may have many problems, they have had significant successes in recent years that have proven that “NGOs are clearly capable of setting agendas and changing important international policy on important issues” (Higgott, 1999:20). For these reasons NGOs must be considered important global actors.

In a later work Higgott discusses the different ways of defining globalisation as mentioned above and explain that the exact distribution of power between actors differs, depending on the particular understanding of globalisation that is adopted. He argues that this does not always mean that some actors will gain authority at the

expense of others. For instance if the definition of globalisation allows an important role for global civil society it does not mean that the state suffers a significant loss of authority. This argument is related here only to show that many scholars agree that globalisation is connected to the growth of non-state actors, but the some definitions and understandings gives a bigger role to NGOs while others do not. Higgott's own definition of globalisation gives an important role to NGOs (Higgott, Underhill & Bieler, 2000:2)..

Anheier, Glasius &Kaldor (2001:7) also connect globalisation to the growth of non-state actors when they argue that, "global civil society both feeds and reacts to globalisation." They point out that different actors within this global civil society can be placed in certain groups based on their attitude towards or their position in relation to globalisation. They discuss these different positions and form different categories within the two extreme positions of those who are totally for globalisation and those who are totally against it. Thus globalisation is connected to the growth of non-state actors in many ways.

The end of the Cold War, the start of the process of globalisation and the origins of the Internet can be traced back to only a few decades ago. However, NGOs cannot be considered as totally new actors, though they are sometimes treated as such in the literature. This probably because in previous centuries there have been very few instances where they had any real impact on the state and its decision-making powers on the national or the international level.² The fact is that NGOs have existed for as long as the modern state. What is significant now is that the size and diversity and the international influence of these organisations have grown.. "The real change is in the breadth of the social interest represented by NGOs – a move towards democratisation that is domestic and international" (Uvin, 2000:18). Huge numbers of NGOs have used the advances in communications technology and economic globalisation to their advantage to place new constraints on the national sovereignty of state actors and this is important. "The emergence of NGOs as visionaries and instruments of change is perhaps one of the most hopeful developments this new complex world" (www.igc.org/infocus/papers/gfintro/index.htm 4/6/2000:7).

At first the spectacular growth of NGOs occurred mostly in the industrialised North, but recently the growth of NGOs has also become a salient phenomenon in

developing countries. Traditionally trade unions (which are no longer considered NGOs, according to current conceptual definitions) were the largest and most powerful NGOs nationally and internationally, but the NGO community has changed with shifts in economic and social patterns, causing the prominence of trade unions to decline and a new breed of NGOs to arise. This new breed involves issue-orientated mass membership and specialist organisations that tend to form interconnected networks and layers of influence (Our Global Neighbourhood, 1995). This is the type of NGO that will be studied in the two case studies. In each case there will be a section that deals with the specific contribution of South African NGOs to these campaigns. This brings us to the question: who and what are these important global actors?

For the sake of conceptual clarity I will now discuss the different types of social movements and distinguish those that may be defined in terms of the concept of NGO from the rest and again identify the type of NGO this study is dealing with. There are many different conceptual terms and definitions that are used by scholars to describe civil society groups such as NGOs. These organisations are sometimes grouped together under the term “the third sector”, because they are neither part of the state nor part of the business sector (Lewis, 1999:2). In the North most of these organisations are simply called voluntary organisations. When one studies different articles and books spanning different issue areas, one is faced with a wide variety of terms used for third sector organisations. In 1996 Najam identified as many as 47 different and largely confusing organisational terms in common use around the world (Lewis, 1999:2). I have selected a few definitions and categories, which will be used in the current study.

After surveying a number of classifications and typologies of NGOs I prefer to work with the categories used by Peter Uvin. Uvin (2000:11) explains that, “The term ‘NGO’ refers to formal, non-profit, non-violent, non-political (that is, not primarily interested in promoting candidates for office), voluntary organisations whose objective is to promote social change.” Thus, “Private organisations that seek to make profits are excluded, as are criminal organisations, insurgents, churches in their strictly religious function, the media, and political parties”.

² The successful anti-slavery campaign in the 1800s is one of the few historical examples where non-state forces in various countries had a significant impact on the governmental policy process.

Uvin (2000:11,12) distinguishes between four types or categories of NGOs. He bases these categories on membership and goal. The first category is composed of members with shared interests working towards a common goal. This category includes peasant associations, neighbourhood committees, alternative trade organisations, urban action committees, producer cooperatives, consumer organisations, women's associations and others. The organisations in this category are sometime called peoples' organisations (POs), community-based organisations, mutual benefit organisations and grassroots organisations (GROs).

The second category, according to Uvin (2000:12), consists of voluntary organisations seeking to create social change. These organisations are labelled intermediary organisations, grassroots support organisations, or just simply NGOs. Uvin, himself working within the issue area of development, prefers the term NGDOs (non governmental development organisations). A subcategory is the so-called international (INGOs), which usually refers to organisations actually located in developed countries that seek to promote economic and social change in developing countries. Well-known examples include organisations such as World Vision and Oxfam. In the USA these organisations are called Private Voluntary Organisations (PVOs).

The third category of organisations consists of various types of interest groups. The objective of these types of organisations is primarily to promote policy changes through a variety of activities, for instance, direct lobbying, and public education and policy research. The fourth category is called federations or coalitions. Here the members are not people but other NGOs. Such federations can consist of large numbers of NGOs – sometimes hundreds. These federations can be more or less formal, often organised around single issues or operating within a specific geographical territory. They may contain a mixture of all the above-mentioned categories of NGOs. Another form of coalition that is related to this category is less formal. It consists of networks where no single organisation is at the centre of decision-making. Cooperation is non-hierarchical and often temporary and also issue-specific.

Another subcategory that falls under the last category discussed above is the so-called hybrid NGOs that are formed by governments or consist out of a federation that has some governmental members. The NGOs that will be studied in the case study fit into the third and fourth categories and their subcategories. Some scholars also use the

terms transnational advocacy networks, transnational social movement organisations (TSMOs) and global social movements (GSMs)³. These are similar to the organisations discussed in Uvin's third and fourth categories and their subcategories. There are a multitude of different categorisations used by other scholars, which are so confusing and are mostly used as synonyms for already mentioned categories. Thus the rest of existing terms and categories will not be dealt with here. For the purpose of this study the above terms and categories will be sufficient. The one thing most of these scholars (all of them using a variety of terms and categories) agree on is that the NGO phenomenon fits within the sphere of so-called "global civil society."

2.3 Global civil society and the process of global governance: conceptualisation

To explain the concepts of global civil society and global governance is another difficult task. If one considers all the different opinions of different scholars on these concepts, explanations can become a bit theoretical, abstract and confusing. Obviously I cannot consider and discuss all these explanations and opinions. I have chosen a variety of definitions and explanations offered by a variety of scholars. All of these definitions is quite good explanations of the concepts I am interested in. From all of these definitions and discussion, I made my own deductions, which will be stated at the end of the following discussion.

The term "civil society" is a contested one in contemporary political debate. There is general agreement that the sphere of civil society falls somewhere between the individual and the state, but there is disagreement over the extent of civil society and what kinds of institutions are included within this sphere (Hunt, 2000:11). Definitions of civil society vary and, though there are many that believe that civil society is necessary for democracy, the ways that these relations should be characterised are also dealt with differently by scholars (Stanton, 2000:243).

Cox states that, "Civil society is not just an assemblage of actors, i.e. autonomous social groups. It is also the realm of contesting ideas in which the intersubjective meanings upon which people's sense of 'reality' are based can become transformed and new concepts of the natural order of society can emerge" (Cox (1999:10) He takes into account the top-down and bottom-up understanding of civil society. He

³ According to Higgott et al (2000:1) GSM refers to the larger and more active NGOs that are salient

explains that when those disadvantaged by globalisation and the world economy can manage to make their protests heard and seek alternatives, this gives a bottom-up dimension to civil society. However, when states and corporate interests influence and determine another version of civil society, making it an agency that protects the status quo, it reflects a top-down dimension (Cox, 1999:10-11). NGOs can reflect both these dimensions.

Warkentin (2001:1) states that civil society refers to “the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules”, where citizens are seen as “acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state and hold state officials accountable.” Warkentin lists a few more definitions and contends that, “However characterized, civil society refers to a vast network of social relations and institutions that exists at the level between the individual and the state” (Warkentin, 2001:1).

Zoninsein (1999) use a model proposed by Cohen to differentiate between the state, political society, economic society and the economy and civil society. In this model the sphere of civil society is distinct from the state and the economy. “Civil society is composed of a variety of uncoerced associations and relational networks formed for the sake of family, faith, interest, and ideology.” (Zoninson, 2000:40). Cohen’s model is different from the dichotomous model of state-society used by many scholars. According to Cohen’s model, the sphere of civil society includes, among other things, the politics of influence and of inclusion, allowing the participation of civil society actors in parties, lobbies, and any institutions of political and economic society. Civil society also, through the politics of reform, participate strategically in the formulation and implementation of policy (Zoninsein, 2000:41). Some scholars have extended the idea of civil society beyond national boundaries and developed the idea of an emerging global civil society.

The concept of a “global civil society” is even more problematic and so is the relationship between global civil society and the democratisation of global governance. Anheier et al (2001:1) suggest that “the spread of the term 'global civil society' reflects the underlying social reality. ” With this they refer to the significant

on the international level.

and measurable increase of non-state actors especially International Non Governmental Organisations (INGOs). Higgott is sceptical about the term global civil society. He argue that the term is difficult to define and accept as a theoretical concept. “But increasingly prominent as they may be, to see NGOs and GSMs as agents for building a post Westphalian global civil society and reconstructing a new social bond at the end of the twentieth century remains a significant exercise in wish fulfilment” (Higgott, 1999: 17). On the other hand, he states that “We are not going to have a global information economy without a global civil society. They are Janus faced” (Higgot, 1999:19). He then says that if government do not respond quickly and open up economic diplomacy to non-state actors, interaction will become adversarial rather than cooperative. This may lead to serious problems such as more problems with justice, as NGOs and other such “mission-driven” agents insist on involvement in the international policy process as they have already managed to do in other spheres (Higgott, 1999:19). Thus, however sceptical some are about the term of global civil society, it is now widely used and accepted although contested.

Schechter (1999:67) also mentions that, although it is becoming widely used, the term global civil society is a reasonable new term which is still very vague. He warns that one must not make the mistake many do and that is to assume that global civil society consists of little more than NGOs or NGOs congregated at global ad hoc conferences. He stresses that, “Although *some* NGOs are part of global civil society, they are not all of it, nor are all NGOs legitimately a part of it. Many NGOs receive considerable funding from statist institutions... The most conventional understanding is that global civil society ‘covers a multitude of institutions, voluntary associations, commerce, farming, or housing co- operatives, neighbourhood watch associations, religion-based organisations, etc.’” (Schechter, 1999:68).

Warkentin studied the concept and focused on NGOs, which he also considers a dominant part of global civil society. He state that “Global civil society , in its most fundamental sense, is a socially constructed and transnationally defined network of relationships that provides ideologically variable channels of opportunity for political involvement” (Warkentin, 2001: 19). To this definition he adds three elemental characteristics exhibited by global civil society, namely dynamism, inclusiveness and cognisance. He explains that “Dynamism refers to global civil society’s inherent adaptability to the exigencies of world politics, as well as flexible responsiveness to the activities and interests of the many actors who employ its channels of opportunity.

Inclusiveness points to the natural tendency of global civil society to be ever more encompassing, and respectfully so, of individuals' variant and broad ranging experiences, ideas and perspectives. Cognizance highlights the purposive manner in which global civil society's foundational social connections are established and subsequently maintained." (Warkentin, 2001) He applies these characteristics to eight different international NGOs to see how they are reflected in the NGOs' activities.

This global civil society as outlined above does take part in and influence the domestic and international policy process or global governance. What is global governance? First, global governance does not refer to world government or world federalism. In that sense one of the assumptions of orthodox realism remains: we live in an anarchic world. The use of the term anarchic has become somewhat disputed in recent years. However, the fact remains that there is no overarching international authority. In theory all states are equal and have the same sovereign rights. Instead of the term anarchic, the term multicentric (indicating the presence of other actors that may vary in degrees of power) is used in later IR theorising, such as regime theory.

A leading regime theorist, Oran Young (1999:11) use the phrase global governance to refer to the combined efforts of international and transnational regimes. He explains that "Regimes are a set of roles, rules, and relationships that arise to deal with issue-specific problems, whether these problems are associated primarily with the society of states or with global civil society" (Young, 1999:10). Rosenau as quoted in Zoninsein (1999:38) argues that government and governance "refer to purposive behaviour, to goal orientated activities, to systems of rule; but government suggests activities that are backed by formal authority, by police powers to ensure the implementation of duly constituted policies, whereas governance refers to activities back by shared goals that may or may not derive from legal and formally prescribed responsibilities and that do not necessarily rely on police powers to overcome defiance and attain compliance." This is a very clear distinction between government and governance, which is very helpful because these terms have been used interchangeably in certain cases.

According to the Commission on Global Governance, the term governance refers to the "sum of the many ways that individuals and institutions (public or private) manage their common affairs." The Commission's Report also states that global governance refers to this same process only at the global level. "There is no single model or form of global governance. It is a broad, dynamic and complex process of

interactive decision-making that is continuously evolving and responding to changing circumstance” (Our Global Neighbourhood, 1995:2). On the global level governance has been viewed primarily as intergovernmental relationships, but because of the already mentioned changes in the international arena, it must now be understood as also involving NGOs, citizens’ movements, multinational corporations and the global capital market, as well as the interaction of these entities with the global mass media, which have a dramatically enlarged influence on the whole process (*Our Global Neighbourhood*, 1995:2).

Väyrynen (1999:25) contests the Commission on Global Governance’s definition, saying it is so broad that it is virtually meaningless. Väyrynen’s own definition is that “Global Governance refers to collective actions to establish international institutions and norms to cope with the causes and consequences of adverse supranational, transnational or national problems” (Väyrynen, 1999:25). I agree that the first part of the Commission’s definition might be broad. However I can find no fault with defining the process as complex, dynamic and constantly evolving with changing circumstances.

Gordenker and Weiss, cited in Zoninsein (1999:39), defines global governance “as efforts to bring more orderly and reliable responses to social and political issues that go beyond the capacities of the state to address individually [It] implies an absence of central authority, and the need for collaboration or co-operation among *governments and others* who seek to encourage common practices and goals in addressing global issues” (italics added). This definition also implies that a range of actors and not just governments take part in the process of global governance. This is echoed by Smouts, who argues that “the merit of the governance concept is that it emphasizes the interaction of a multiplicity of state and non-state actors and their co-ordination, which leads to a high degree of democratization on the multilateral level” (Zoninsein, 2000:39).

I deduce from all of the above definitions that global governance is a complex and dynamic process that deals with issues that go beyond the capacity of national governments, that it is distinguished from global government because of an absence of a central authority which can ensure compliance, and the presence of a wide range of actors including non-state actors. What is more, these non-state participants in the process of governance can be called a global civil society. The term global civil society is derived from civil society. I think Warkentin’s definition describes this

well. NGOs especially are the part of the global civil society that is very active in the international arena and in processes of global governance. However, one must not make the mistake of forgetting that global civil society consists of a wide variety of transnational social movements and organisations and thus are not made up just out of NGOs.

2.4 The NGO campaign: criteria for success

The theory of Complex Multilateralism can be connected with the criteria for success that will be spelled out below. The process of global governance includes all kinds of multilateral processes. As will become clear later in this paper, certain NGO campaigns are more successful because they have the elements needed for success, which is the criteria for success. Such campaigns manage to achieve their goals and in doing so they influence the international policy process. Earlier in this paper, what is meant with the term “influence” was explained. This means that when an NGO campaign is successful it will bring to the international process or the specific multilateral process, more of the elements of the theory of Complex multilateral process. Thus one can argue that the more successful NGO campaigns there are and thus have enough of the criteria for success to influence the international policy process; the more such multilateral processes will take on a mix of bottom-up and top down forces, as envisioned by the theory of Complex Multilateralism.

The following criteria are arranged from most to least important. From my perusal of the literature dealing with international NGO campaigns, it seems that such a hierarchy is plausible. For example, funds are always important, but are not that important for great international campaigns, which usually include very influential international NGOs. For small national NGOs working alone funds may be the make or break criterion determining their very livelihood and not just the goal they are trying to achieve. However, this does not mean that the criteria should be kept in a rigid hierarchy; in certain circumstances something that seemed less important might just be the greatest contributor to success.

- ***A realistic goal or objective***

A campaign will be more successful if it tries to achieve a goal that seems reasonable and possible to achieve. This does not necessarily mean that the goal is or will be

easily obtainable. It only means that the campaign must seriously consider the possibility of achieving its goal before anything else.

- ***Issue area (type, number, salience and techniques used to frame the issue)***

Much of the success of any particular campaign depends on the issue area and how the NGOs handle the issue. Certain issues can be an easy sell, especially issues with a human rights or humanitarian angle. In such circumstances NGOs can make emotional appeals to the general public and mobilise them to such an extent that governments cannot ignore the cause. A campaign might also be more successful when the entire network of NGOs concentrates on a single issue for a certain amount of time. As mentioned in the report by the Commission of Global Governance, such issue-specific, mass-member NGO networks are very effective in the global arena, especially in issue areas such as the environment and human rights. Another success factor is issue salience. It is difficult for NGOs to get wide public support when they are dealing with an issue that does not really affect the average citizen. Techniques such as grafting help to frame an issue in a certain way.⁴ Such techniques can also contribute to success.

- ***Government and or IGO commitment***

If governments or IGOs are already supportive of a certain cause it is obvious that the NGOs will then not have to do much to realise their goal of a certain policy outcome. This does not even mean all governments and IGOs should support the cause, which is actually impossible. There will probably always be some governments and governmental organisations that are against a certain cause. However, support of only a few key states can make a difference. In such circumstance NGOs can only offer additional information and research results for further enlightenment and still have a successful campaign. If the majority of governments are against a certain cause, the road to success for the NGO campaign will definitely be harder.

- ***Access to intergovernmental organisations***

The direct interactions of NGOs with intergovernmental organisations are a well-documented trend. NGOs in their dealings with the UN, for example, have made such progress that some NGOs have consultative status at certain forums within the UN. Studies have shown that NGOs have been faster and more active in lobbying international organisations than governments. By lobbying these organisations, NGOs

can also indirectly influence national governments (Uvin, 2000:19). Access to important intergovernmental organisations should therefore be considered as a factor that can determine the NGO success.

- ***Expertise (knowledge, information gathering, research, quality of networking)***

Uvin (2000:19) analysed significant studies done by a variety of scholars and concluded that “NGO effectiveness in influencing government is determined by a variety of factors, such as their size and resources, the quality of their analysis and the way they draw on generally accepted scientific and social standards, their moral stature among important publics, the quality of their networking...” Expert knowledge and skills are an obvious success factors when it comes to international campaigns that try to influence important policy decisions. Thus the above-mentioned expertise should and can make a difference in the failure or success of any international NGO campaign. The next two criteria can also be put under expertise, but I believe that they play a central role in any NGO campaign today and have thus been listed as two separate criteria.

- ***Effective use of the media***

The media can be used as a powerful tool by NGOs to educate and mobilise the public. Television and satellite transmission give different people in different corners of the world the same information. Today most people know what goes on in other countries they have never been to and may never see. This is due to global news networks such as CNN and BBC; a universal teenage culture has spread through programmes such as MTV, etc. Thus the visual media especially can have a great impact on or influence over public opinion. This can be used to an NGO campaign’s advantage. Media endorsements can also help further the cause.

- ***Effective use of information technology (Internet, communications technology, etc.)***

Technology is often used to explain the increase in the salience of NGOs (Uvin, 2000:17). Easy and cheap travel as well as electronic and fax communications make it easy for private groups to exchange information and ideas, and network and organise across national borders. It is thus only natural to assume that effective use of these technologies in an NGO campaign will contribute to its success and that the opposite will then also be true.

⁴ The grafting technique is very important in the case studies analysed in this study. This technique and

Ronald Deibert has argued that the connection between technological changes and the transnational social movements that permeate contemporary world politics is not coincidental. Just as the invention of the printing press facilitated the rise of nationalism and the transition from medieval to a modern order so do the contemporary technological changes involving the Internet and telecommunications carry potentially far reaching effects by creating environments in which transnational social movements flourish (Price, 1999:629).

- ***Activity variance (fact finding, advocacy and education, lobbying governments and intergovernmental organisations, consultation at global conferences, research, monitoring, service delivery, etc.)***

Big international NGOs such as Amnesty International engage in a wide variety of activities whereas others such as developmental NGOs might just focus on service delivery. It is my contention that a major NGO campaign that wants to influence the policy process would be more successful when they engage in a wide variety of activities.

- ***Leadership***

Sometimes the actions of one individual can make all the difference. In flexible organisations or campaign where people are not controlled and can contribute in their own way, individuals with good leadership qualities can take the initiative and thus contribute greatly to the success of the organisation.

- ***Persuasive and influential spokespeople***

Getting people who are famous for their moral stature or any celebrities to support the cause can be very good for a campaign. The general public is usually inspired by such people. It is especially fortunate when the issue is of such a nature that celebrities would not need to be persuaded to support it, but will do so out of their own convictions and thus become impassioned spokespeople for the cause.

- ***Membership (numbers, geographical spread)***

Mass membership can contribute to success of a particular campaign. Membership can be used to persuade government on the basis of wide-spread support. For example, the campaign can use its membership figures as a sort of petition to show government how many people are united behind the cause. Branches and allies all

others that are relevant will be explained in Chapters 3 and 4, which deal with the case studies.

over the globe can also contribute to success and help to make certain activities such as monitoring of local situations and advocacy easier.

- ***Funds (origin, amount)***

As already mentioned, most NGOs are very dependent on funds. Some are funded by government and can thus be co-opted to support government in any particular cause. Thus if governments are against a certain issue, it would be better that the NGOs of a certain campaign get their funds from private sponsors and other means in order to be independent of government. The more money the campaign has, the more it can do. This is obvious. Uvin (2000) mentions that in many NGO coalitions the Southern allies are represented at global conferences and so forth by their Northern partners because of a lack of funds.

2.5 Conclusion

This chapter discussed the origins of NGOs and their dramatic rise to importance in the last two decades. In doing so it was possible to highlight some events that have contributed to this situation. I also discussed and clarified the concepts of global civil society and global governance. I pointed out the different kind of NGOs that exist and made clear which of those this study focuses on. In the last section a connection was made between the theory of Complex Multilateralism and the criteria for success, and the latter was listed and defined. This chapter in combination with Chapter 1 lays the groundwork for the two case studies that follow

Chapter 3

Case 1: The International Campaign to Ban Landmines

3.1 Introduction

We may be well advised not to discard the notion of civil society in the future. The rise of new social movements, autonomous bodies, all sorts of organizations that are neither entrepreneurial nor governmental, and altruistic associations grounded on a conception of the polity as creation for the preservation of freedom of action of citizenry, may unexpectedly be the harbingers of a civil society stronger than in the past (Giner as cited in Shaw, 2000:1)

The rise of a raft of transnational activist bound together by powerfully shared concerns over single issues like human rights, environment and gender equality is the most graphic evidence of the erosion of the state-centered international order (Thakur & Maley, 1999:281)

The following is a story of global civil society at its best. During the early 1990s the horrific impact of antipersonnel landmines (AP mines), felt during and long after conflict, was brought to the attention of the world due to the hard work and dedication of various NGOs and leading individuals. NGOs decided to work together to rid the world of this mutilating weapon. They joined and formed the International Campaign to Ban Landmines (ICBL), later attracting more than a 1000 diverse NGOs to the cause. The global movement towards the goal of a total ban in the use, production and stockpiling of antipersonnel landmines that originated out of this initiative was phenomenal.

In a very short period of time this movement of non-state actors achieved their goal and convinced more than a hundred governments to sign a treaty, which established a complete ban on antipersonnel landmines. In addition to the fast pace of the process, the fact that the NGOs got most of their state support and commitment from small and medium states, whereas big and powerful countries such as the United States and China remained either reluctant or totally against the cause, is significant. The

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction was signed in Ottawa on 3 December 1997.

This treaty is historically significant not just because of the unconventional way it came into being and because of the unconventional actors that fought for it, but also because it is the first treaty to ban an entire class of weapons that was already in widespread use (Thakur & Maley, 1999:273). Today this case is considered one of the most successful instances of NGOs working together to influence governments and also working in partnership with governments to contribute to the process of global governance. This campaign (the ICBL) and its coordinator, Jody Williams, received the Nobel Peace Prize in 1997 for their efforts to obtain an international treaty banning landmines¹.

Only 5 years after the campaign was formally launched, it achieved its goal. By 1996 the campaign had worked up tremendous momentum. Things really started moving in 1996 with the beginning of the fast-track diplomatic initiative called the Ottawa Process. The Ottawa Process provided a legitimate diplomatic forum where governments and NGOs could work together almost on an equal footing. After only 14 months of this fast-track diplomacy, the treaty was signed in Ottawa by the representatives of nearly 125 states of the world. A significant number of these states have since ratified the treaty. Later more states followed suit and, while some important states are still reluctant to commit to this treaty, it can now be considered an international norm. According to predetermined regulations, the treaty comes into effect six months after the 40th state has ratified it. The ratification process also went very quickly; Burkina Faso became the 40th country to ratify in September 1998 and the treaty thus officially came into effect in March 1999. Thus, although not all states have signed the treaty, and the fact that there is still a lot to be done in terms of implementing the treaty – like the actual clearing of minefields, monitoring compliance and victim assistance – the campaign can be considered a great success. Later I will determine if the list of criteria for success has anything to do with this success.

¹ This is but the second time that the Nobel Peace Prize was awarded to an NGO. Amnesty International was the first NGO to receive this honour for their contribution to the establishment of the Universal Declaration of Human Rights (Korey, 1998: 26).

This case illustrates that NGOs have and can influence governments and the process of global governance. Global civil society has come a long way. At the treaty signing ceremony Jody Williams said, “The tide of history has changed... Together we are a superpower”(Korey, 1998:27). They might not really be a superpower, but few people – academics as much as politicians – can deny that NGOs are certainly making an impact on the process of global governance. Williams’s emphasised that NGOs have become a significant factor in international relations.

The chief objective of this chapter is to study the above-mentioned NGO campaign in detail and apply the criteria for success discussed in the previous chapter. First I will give a very brief background on landmines. The next section clarify concepts that are central to this case, such as arms control, disarmament, fast-track diplomacy, humanitarian law and international norms. The following section consists of highlights of the most important events in the history of this campaign. This chapter also focus on the implications of this campaign in terms of the theory of new or complex multilateralism, concentrating on the Ottawa Process and the particular circumstances in which the ICBL operated to reach their goal, also discussing the relationship between the NGOs and the different governments.

I will also devote a section to dealing with the particular role and contribution of the South African Campaign to Ban Landmines (SACBL). Lastly I will apply the criteria for success and determine if any of these factors had anything to do with the success of this campaign. After this one might be able to highlight some of the ingredients of success that are peculiar to this campaign because of its unique circumstances, and thus would be impossible to be replicated or applied by other campaigns in the future.

3.2 Landmines: background

Antipersonnel (AP) and antitank landmines had been in production and use as early as World War I. Antitank mines were developed first.² They are large in size and designed to blow up armoured vehicles and tanks. These weapons are placed

² The Ottawa Convention defines an AP mine as “a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons” and a mine as “a munition designed to be... exploded by the presence or contact of a person or vehicle.” Antitank mines and anti-vehicle mines and anti-ship mines are not covered by the convention (Lachowski, 1997:545).

under the ground on roads and are activated by the weight of vehicles that drive over them (Kady, 1998:27). The military soon realised that these mines were not very effective. This was because the antitank mine had a few flaws. For instance, one of its major flaws was that they were easily spotted by enemy troops and could just as easily be removed and replanted in enemy minefields. Hence the antipersonnel landmine was developed to protect the antitank landmines. It was not long until improved versions of antipersonnel landmines were used as weapons in their own right and no longer just to protect antitank mines (Vines, 1998:119).

There are two basic categories of antipersonnel landmines. The first is specific target mines that kill or injure the person who activates the mine. The second category is fragmentation mines, which can injure or kill the victim who activated the mine as well as anyone else within its effective range (an approximately 20-meter radius). There are also hybrid forms of the two categories (Kady, 1998:28). Today there are more than 344 types of antipersonnel landmines. According to the estimates of the US State Department, there are about 90 million of all these different mines lying hidden in the soil of at least 62 countries (Vines, 1998:120).

The major producers of AP mines during the last 25 years have been the United States, Italy, the former Soviet Union, Vietnam, China, the United Kingdom, Sweden, Germany, Austria, France and the former Yugoslavia. In comparison to other conventional weapons, landmines are very cheap and easy to manufacture. South Africa was until recently also a producer of and trader in AP mines. Most states around the world have bought and used these weapons at some point in time. Only a handful of states can be mentioned that have never bought or maintained stockpiles of antipersonnel landmines (Vines, 1998:121).

Since World War II the innovation, production and use of antipersonnel mines have proliferated to an alarming extent. Landmines were used in great numbers in almost every conflict in the last half of the 20th century. These conflicts were mostly intrastate, affecting not only soldiers and “freedom fighters” or “terrorists”, but also large numbers of civilians all over the world. Innovations such as the so-called “scatterables” were introduced by the United States in the 1960s for use in the Vietnam War. These mines can be scattered from the air (without detonating) over a very large area. It is almost impossible to keep a record of where scatterables are planted. Another innovation from the United States was the so-called “smart mines”. This type of mine is designed to self-deactivate after a certain period of time. This is

one of the USA's better innovations, I would say, but it is still a devastating weapon that kills or maims indiscriminately. Other countries competed in the production, innovation and trade of AP mines, starting an arms race in terms of landmines. AP mines today are to be found hidden in the territory of many countries and they range from very simple devices (but not less lethal), to highly sophisticated high-technology weapons (Kady, 1998: 26,27).

One of the main problems of antipersonnel landmines is that they are designed specifically to kill or incapacitate human beings as opposed to antitank mines, which target objects. What makes it worse is that these mines are indiscriminate in causing particularly horrific injuries or death for soldiers and civilians. According to widely used statistics, 26 000 people year or 500 per week are killed by AP mines. The majority of these victims are civilians.³ The AP mine does not respect a ceasefire. It kills during conflict and remain hidden to kill long after conflicts are over. After conflict, hidden AP mines prevent arable land from being used, they prevent people from returning home and going on with their lives and thus prevent the rebuilding of a war-torn society. AP mines have long-lasting social, psychological, economic and environmental implications (Cameron *et al.*, 1998:5). It is claimed that over the years AP landmines have caused more deaths than nuclear, chemical and biological weapons combined, leading to their being called "weapons of mass destruction in slow motion."⁴

3.3 Conceptualisation

3.3.1 Arms Control and Disarmament

Arms control is defined by an international relations dictionary as follows:

Measures taken unilaterally or through agreement among states to reduce the danger of war by such means as partial disarmament, security arrangements to avoid nuclear war, and stabilization of force levels. Arms control measures are aimed at restricting only certain aspects of the arms race, for example,

³ This information was encountered in a variety of sources.

⁴ This point is found in a variety of sources, including Kady, 1998, Cameron *et al.*, 1998 and Price, 1998.

prohibiting certain types of weapons, restricting nuclear testing, or demilitarising geographical areas.⁵

Arms control and disarmament are not the same things, although arms control is sometimes used as an overarching term that covers both processes as it is in the definition above. However, it seems that arms control has more to do with the management of the use of certain weapons, whereas disarmament aims to reduce or abolish certain weapons. This idea is reflected in the following definition as well:

Arms control measures are means of trying to constrain reciprocal threats by regulating the acquisition, testing, numbers, rations, types, location, deployment, spread, or use of current or prospective armaments; *disarmament* entails the actual reduction or elimination of armaments. The former seeks to institutionalize and regulate arms buildups; the latter aims to halt, reverse, or even pre-empt them (Thakur, Maley, 1999:274).

The concept of disarmament is more appropriate for the case discussed in this chapter. In this case the aim was to totally abolish a certain weapon, namely AP landmines. As already mentioned, it is unique that the weapon (AP mines) that was to be abolished was a conventional weapon that was already in widespread use. There are two basic arguments for disarmament. The first is that the growing innovation, production and trade in all kinds of weapons makes the world a very dangerous place by heightening political instability, the risk of armed hostilities and the human and economic costs of war. The second argument is that armaments divert resources from being used for more productive ends. It perpetuates underdevelopment because too much of the scarce resources of many countries is used either to produce or buy weaponry – resources that can be put to better use in development projects and the provision of welfare services.⁶ The above conceptualisation and arguments are of special relevance to the second case study discussed in Chapter 4 and will be further discussed in that chapter.

3.3.2 The Ottawa Convention: an international norm?

There are many norms regulating international life. For instance, there are norms proscribing chemical warfare, prohibiting slavery, torture, genocide, etc. The

⁵ Ziring, L., Plano, J.C., Olton, R. (1995)

dictionary definition of a norm is “a standard and proper behaviour or principle of right and wrong accepted by many or a standard pattern of behaviour.” This definition is very similar to the International Law definition of a custom. Custom is a major source of International Law. However, a custom and a norm are not the same thing and this will become clear later in this section. In this section I am focusing on the concept of an international norm and dwell on the question of whether or not the Ottawa Convention can be considered to be such a norm and also I also evaluate the strength or weakness of the norm.

The Ottawa Convention is widely believed to be a breakthrough humanitarian achievement. Many scholars argue, as do I, that the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa Convention) can be considered an international norm (Thakur & Maley, 1999; Price, 1998). I have already explained the concepts of arms control and disarmament. They come into play here as well. From the beginning the ICBL put a unique spin on the landmine issue, framing it in such a way that it could not be handled as a normal arms control or disarmament issue, but rather as a humanitarian crisis of extraordinary proportions that had to be dealt with very swiftly.

Arms control negotiations and agreements, whether they are bilateral or multilateral, were a prominent feature of the Cold War era. Such agreements mostly concerned weapons of mass destruction like nuclear, chemical and biological weapons. It was a form of military cooperation between enemies because of a shared motivation of self-preservation (Thakur & Maley, 1999:275). In the post-Cold War era most arms control negotiations and agreements take much the same form. So-called “conventional weapons” are still not very high on the list of priorities of arms control and disarmament forums.

The ingenious framing of the AP mine issue as more of a humanitarian issue moved it out of the category of “conventional weapons” and are sometimes described by the ICBL and others as “weapons of mass destruction in slow motion.” The treaty can be considered part of the body of International Humanitarian Law. The reasons why International Humanitarian laws and norms came into existence are quite different from those that explain the origins of arms control and disarmament agreements. However, I am not an expert on International Humanitarian Law and this

⁶ This argument appears in many sources.

is not the place to discuss its origins.⁷ The only point I want to make here is that arms control and disarmament agreements are part of international law, but are very different from International Humanitarian laws.

This distinction is important because one of the biggest criticisms that is held by some against the Ottawa Convention is the fact that many powerful countries such as the USA and China did not sign. This fact is not such a big negative if one considers the argument that a humanitarian treaty is different from a general one. According to Thakur and Maley (1999:280), “A humanitarian treaty seeks to make progress through stigmatization and the construction of normative barriers to use and deployment.” Thus even if some important states have not signed the treaty, to openly defy it will raise a moral dilemma for them. It will force them into at least sympathising with it or risk being cast in a very bad light in the eyes of the world at large. This also helps to strangle the market for AP mines in a big way (Thakur & Maley, 1999:280). In this way the humanitarian angle of the issue even helps to override the commercial considerations that are usually a strong force in the weapons industry.

Richard Price discusses some important factors that can contribute to the strength or weakness of a norm. He also mentions factors that particularly contributed to the strength of this norm. For instance, he argues that the international environment after the Cold War is conducive to the establishment of a norm such as the AP ban. This is because the nature of war and the security environment have changed significantly. Wars are mostly internal and civilians are the main casualties of such conflicts. Leaders can no longer just focus on matters such as weapons of mass destruction and so forth.

Human security has now become a very important concept, making responses to humanitarian issues a high security priority. Axworthy explains:

As the nature of conflict has changed, it has become clear that individual security is not necessarily a product of national security. Human security is found in the conditions of daily life – food, shelter, arable land, health, employment, and public safety – not primarily in the state’s military strength.

At the same time, the winds of globalizations have levelled many of the

⁷ Such a discussion would include a consideration of concepts such as the “just war” and the work of Hugo Grotius and others, the split of different schools of International Humanitarian Law and events

barriers between international and domestic issues and exposed individual citizens to their blast (Axworthy, 1998:451).

In the post-Cold War era there has also been a spread of norms such as democratisation, multilateral transparency and so forth, making processes such as the Ottawa process possible (Price, 1998:341). Price discusses more factors that helped to facilitate the establishment of the AP norm and also help to strengthen it. Such factors include the technology that enhances the abilities of civil society to get an issue into the minds of the public and onto the agendas of governments, and also help civil society to ensure reporting of incidents because of more effective surveillance. The simplicity and the emotional appeal of the issue also helped to establish the issue and will also help to deter those who do not want to comply with it. He discusses these and other factors in detail to conclude, in the same vein as Thakur and Maley (1999), that

Although evidence of many of these mechanisms are evident in the generation of a new norm proscribing AP land mines, I argue that the role of moral persuasion and social pressure arising from identity politics and emulation are particularly crucial (Price, 1999:616).

From the discussion above it should become clear that the Ottawa Convention could certainly be considered as an international norm. There has been much discussion on the strength or the weakness of this norm. There are scholars who are doubtful of the strength of the norm. I believe that this norm is a strong one, because it sets a particularly rigid standard and the ICBL, the ICRC and the pro-ban group of states have made sure that this issue is on the minds of the public and will remain there for a long while. Much of the success of this treaty depends on the continuous surveillance and vigilance of global civil society and continued campaigns of stigmatisation of unwilling states as well as continued education of the public. In this way non-signatories will find it hard to ignore the emotional appeals of their domestic constituencies. Even non-state forces such as guerrilla fighters, liberation armies and so forth will find it very difficult to find international support (on which they often depend) if they keep on using landmines.

such as the formations of the Geneva Convention on the treatment of prisoners of war, the

3.4 The global movement to ban landmines: a brief history

3.4.1 NGOs united to achieve a single goal: history of the ICBL

War has been a prominent feature of society since the beginning of time. In the last half of the twentieth century interstate wars were not common; war and conflict was mostly intra-state in nature. In these conflicts landmines were used in great numbers. Many of these landmines are still scattered (hidden) in various regions of the world, causing tragedy long after conflicts have ended. Landmines are indiscriminate in nature. They cannot choose their target as a soldier can. During war they are meant to kill the enemy, but after the war they keep on killing and then the victims are ordinary civilians (including women and children) trying to proceed with their lives. These mines cause especially gruesome and crippling injuries.

AP mines are at the root of a global humanitarian crisis. Every year they claim about 26 000 casualties, many of whom are innocent civilians. An AP mine can take its deadly toll many decades after it was first laid; it is not a weapon that respects a cease-fire and it is indifferent to the distinction between civilians and soldiers. All casualties of war are lamentable, but AP mines are designed to inflict particularly horrific injuries on their victims (Cameron; Lawson & Tomlin, 1998:2).

As early as the 1970s there were some organisations that had made efforts to ban or at least try to get some control over the use of AP mines. For instance, the International Committee of the Red Cross (ICRC) played a leading role in pressing governments to reconsider weapons that are indiscriminate and cause unnecessary suffering. These efforts helped towards the establishment of the 1980 Convention on Conventional Weapons (CCW) (www.icbl.org). The second protocol of the CCW dealt with prohibitions and restrictions on landmines, but it was weak and ineffectual and thus largely ignored during armed conflicts (Thakur & Maley, 1999:283) Not satisfied with this, the ICRC and a few others also started some advocacy programmes that taught civilians and soldiers that AP mines was quite different from other weapons. The ICRC has played a very important role in the global movement to ban landmines. Later the ICRC worked in close contact with the International Campaign

establishment of the Red Cross and so forth.

to Ban Landmines (ICBL). At the end of the 1980s and in the early 1990s the global campaign against landmines took off (Williams; Goose; 1998:21).

“Non-Governmental Organizations (NGOs) ultimately launched the campaign to eliminate landmines” (Williams; Goose, 1998:20). It was the NGOs which went in to war-torn societies to provide aid and relief, to help rebuild society, to document human rights abuses and so forth that became acutely aware of the horrific and long-lasting consequences of using AP landmines. Until the end of the Cold War governments remained largely unaware of this epidemic. Governments would probably have remained oblivious to the extremity of the problem, if not for the early actions of NGOs. Governments at the time were preoccupied with nuclear disarmament measures and other such matters concerning weapons of mass destruction. It was the NGOs such as those that provided the prosthetic limbs for landmine victims that ultimately decided that they have to address the root of the problem and not simply deal with its effects. It was the NGOs that tried to help war-torn societies like, Somalia, Afghanistan and Cambodia by educating them about the dangerous legacy (the landmines) of the conflicts that had ended (Williams, Goose, 1998:21).

The following are a few important events that spurred NGOs with diverse interests to join and work together to form the International Campaign to Ban Landmines (ICBL) to achieve one goal, the total ban on AP mines:

1. In 1980 a British army sergeant went to Afghanistan to start an agricultural development programme. He became aware that such a programme was actually impossible because of the landmines that were still in the ground causing unexpected destruction and tragedy. He helped to launch the first NGO landmine clearance programme in the world.
2. In 1991 the Women’s Commission on Refugee Women and Children, which spent some time in refugee camps on the Cambodian border and worked with many landmine victims, called for a ban on landmines and pleaded the case before the US Congress.
3. Also in 1991 the Asia division of Human Rights Watch and Physicians for Human Rights called for a ban and issued their influential work *Landmines in Cambodia: The Cowards’ War*.
4. During the same year the Vietnam Veterans of America Foundation opened a prosthetic clinic in Cambodia. They quickly realised that there was huge demand

for prosthetic limbs and that they had to address the root of the problem and not just try to remedy it by increasing the supply of prosthetic limbs. Together with Medico International of Germany they jointly launched an advocacy campaign to ban AP landmines.

5. In 1992 the Australian public were alerted by NGOs to the devastation caused by landmines in Cambodia. Thereafter hundreds of Australians signed a petition calling for a ban on landmines and brought it before their government.
6. In the same year Handicap International, after years of providing prosthetic limbs to mine victims, together with Mines Advisory Group and Physicians for Human Rights, launched their campaign to ban landmines. They also started to advocate and mobilise the French public by issuing *The Cowards' War* in French (Williams, Goose, 1998:20; www.icbl.org/chronology.html).

These NGOs and individuals simultaneously began to discuss the necessity to work together to reach the ultimate goal of a universal ban of antipersonnel landmines. This assortment of NGOs included Handicap International, Human Rights Watch, Medico International, Mines Advisory Group, Physicians for Human Rights and Vietnam Veterans of America Foundation. They came together in October 1992 to formalise the International Campaign to Ban Landmines (ICBL). The campaign defined itself as a flexible network of organisations that share common objectives. In 1993 the Campaign Steering Committee was formalised and a coordinator, Jody Williams, was appointed. The Steering Committee consisted of the original six organisations. Thereafter many national campaigns were formed in many regions of the world and they joined the ICBL. The Steering Committee was expanded in 1996 and 1997 to reflect the diversity and the expansion of the campaign. New members of the Steering Committee included the South African Campaign to Ban Landmines (SACBL) (<http://www.icbl.org/frames/history.html>).

In May of 1993 the ICBL sponsored and hosted the first NGO International Conference on Landmines in London. This conference brought together 50 representatives of 40 NGOs to put their heads together to devise a strategy to build a campaign to achieve a total ban on landmines (www.icbl.org/frame/history.html). The first step of the plan was to educate the public and public officials about the detrimental effects of AP mines. It was also recognised that, in order to influence governments, lobbying efforts should first be concentrated in countries that had the sort of political culture in which NGOs can most effectively pressure governments to

take action. So for the first few years of the campaign it was concentrated and expanded in North America, Europe, Australia and New Zealand (Williams, Goose, 1998:25).

A year after the first conference the campaign's second major conference was held in Geneva. The interest in the landmine issue and participation of NGOs doubled at this conference. Now the campaign had also achieved the support of the United Nations Children's Fund (UNICEF). UNICEF co-hosted the Geneva NGO conference and helped to push the United Nations (UN) to formally support the ban movement. During this conference it became evident that the ICBL had already become a force impossible to ignore by governments. The respective national campaigns were beginning to make a difference, even though they varied greatly from each other. For instance, the Canadian, French, Italian and US campaigns grew in influence. Meanwhile, as the campaigns in the North began to make headway, new campaigns emerged in the South, especially in mine-infested regions such as Cambodia (Williams & Goose, 1998: 30). In August of 1994 the Cambodian Campaign to ban landmines was formally launched and it joined the ICBL (www.icbl.org)

The Cambodian Campaign had a very significant position within the ICBL. Many Cambodians have suffered unnecessarily because of landmines. Cambodia became a sort of "poster country" for the movement to ban landmines with many visual images and icons used in the campaign coming from this country. For instance, Tun Channareth, a young Cambodian soldier who stepped on a landmine and lost both his legs, became a founding and dedicated member of the Cambodian Campaign as well as a familiar symbol of and spokesperson for the ICBL (Cameron, Lawson & Tomlin, 1998:15). Though Channareth was only one of many victims who actively took part in the campaign, he was particularly visible. Not surprisingly the third ICBL international conference was held in Phnom Penh, Cambodia in June 1995. This conference was very successful, with more than 450 participants from over 40 countries. As a result of the conference the campaign's networking grew dramatically, new information was exchanged and new strategies for action were developed. More importantly six new national campaigns were formed in the South. The SACBL was one of these new campaigns (William & Goose, 1998:30).

In addition to the work of the respective national campaigns and the various international conferences the ICBL and other supporters of the cause also tried to persuade governments at conventional multilateral forums and diplomatic discussions

to get the issue on their priority lists. The ICBL first focused on the CCW (Convention on Conventional Weapons) review process. They also considered the conventional forum for the negotiation of disarmament issues, the CD (Conference of Disarmament). When they failed to achieve significant results here, they looked for alternatives. With the help and initiative of a group of pro-ban states, the Ottawa Process got started. The Ottawa Process was a fast-track diplomatic process that culminated in the establishment of the Ottawa Convention in 1997. I will discuss this part of the history of the campaign, which includes CCW review, the CD and the Ottawa Process, in detail later in this chapter.

3.4.2 The SACBL – South Africa’s contribution towards a total ban on AP landmines

“An estimated 20 million mines lie buried in the soils of southern Africa, many unmapped and unmarked” (Stott, 1998:68). Southern Africa is the most mine-infested region in the world. The United Nations has listed Angola and Mozambique as two of the most mine-contaminated countries. In this region it is only Lesotho and Mauritius that are unaffected by the devastation of landmines (Stott, 1998: 68). South Africa stood out as a major producer and exporter of landmines in the region; however, the country was remarkably unaffected by the landmines epidemic. Most landmine injuries that were reported took place along South Africa’s borders between Mozambique, Zimbabwe, Angola, Botswana and Namibia (Stott, 1998:69). Before South Africa’s famous democratic elections the former president, FW De Klerk, had already declared a moratorium on the export, marketing and transit of all types of landmines (Nel, Taylor & van der Westhuizen, 2000:52).

After the elections in 1994 South Africa, after years as a pariah state, could at last rejoin every aspect of international life. The new government was a bit cautious and initially took the middle road on the landmines issue. The government acceded to the 1980 CCW and became a state party to the convention in 1996. At this time the South African government stance was much like that of the United States. The South African government supported a limited ban on the marketing, export and transit of all landmines, but insisted that self-destructing or “smart mines” needed to be maintained for defence purposes. Needless to say, South African NGOs were not satisfied with this situation.

A few South African NGOs were dissatisfied with South Africa's role in the spread and the use of landmines in the region since the early 1990s. In 1995 some of these NGOs attended the ICBL's Third International Conference to Ban Landmines in Cambodia (Nel *et al.*, 2000:52). South African-based organisations that attended this conference included the Ceasefire Campaign, the African Centre for the Constructive Resolution of Disputes and the Centre for South-South Relations. The South African delegation committed themselves to establishing a national landmines campaign in South Africa. In July 1995 the Ceasefire Campaign launched a campaign against AP mines as part of its demilitarisation project.

In 1996 the national campaign was incorporated under the umbrella of the ICBL and was restructured and renamed as the South African Campaign to Ban Landmines (SACBL). Permanent members of the SABL steering committee included Oxfam UK and Ireland, the Group for Environmental Monitoring, various Church groups such as the Anglican Church and the Catholic Justice and Peace Commission as well as numerous former anti-apartheid activists. The SACBL was endorsed by more than 100 other South African NGOs, community-based organisations, religious groups and student movements across the country. These organisations came from a variety of interests ranging from protection of the environment to human rights. The SACBL mirrored the diverse and flexible network and decentralised nature of the ICBL (Stott, 1998:71).

This diverse and broad participation supported the SACBL's success. Member organisations from a wide range of political tendencies and social affiliations were not necessarily against all weapons *per se*, but they were united against the effect of anti-personnel landmines on their particular constituencies (Stott, 1998:72).

Disappointed with the government's stance and the lack of success at the CCW review process, the SACBL in collaboration with ICBL intensified their efforts. The SACBL in their advocacy campaign quickly learned what to focus on, who to target and when to act (Stott, 1998:71). As part of their reinvigorated strategy the SACBL in 1996 took a few very high-profile politicians to Maputo in Mozambique to expose them to the detrimental effects of landmines (Nel *et al.*, 2000:53). In addition to this the SACBL continued with their efforts to educate the public and government about the effects of landmines in the region succeeding in persuading many to support the cause. In 1996 leading military veterans of the South African Defence Force, the

Azanian People's Army, the former military wing of the African National Congress (ANC) and others signed an open letter to the president at the time President Nelson Mandela announcing that they support an immediate ban on antipersonnel landmines because it is the humane thing to do and it would not hamper South Africa's military effectiveness. Support also came from the public in the form of five thousand postcards that were signed and posted to President Mandela, urging the government to support a complete ban on landmines (Nel *et al.*, 2000:53).

The events discussed above led to a radical change of the South African government's stance towards the total ban of AP mines. This change came early in 1997 before the fourth International NGO Conference on Landmines was held in Maputo⁸. The South African government in consultation with the SABL announced their support and complete commitment to a total ban on AP landmines. Since then South Africa became one of the leading nations in the pro-ban group and also a leading African voice helping to persuade others on the continent to join the cause. South Africa also was the first African country to destroy its stockpiles of AP mines and openly supported the Ottawa process. Significantly, South Africa was the third country to sign the Ottawa convention in December 1997 (Nel, Taylor & van der Westhuizen, 2000:54).

3.4.3 The ICBL and the CCW – the conventional route

As mentioned above, one of the initial strategies of the ICBL was to target the review negotiations of the 1980 Convention on Conventional Weapons (CCW) to persuade governments to commit to a total ban on landmines. Thus, in addition to the variety of activities by the different national campaigns of the ICBL, it started to make preparations to target the CCW review process, hoping to achieve its goal by pressuring governments at this forum. The CCW process began in September 1995 in Vienna and was expected to take no longer than three weeks. It took longer than expected and had to be continued in Geneva in 1996. The ICBL were not allowed into the negotiations, but still managed to have a significant impact on the process. The ICBL provided a wealth of factual information on the landmine issue; it pressured

⁸ This change in the South African government's stance led to significant progress in the African campaign. At the end of the Kempton Park conference held on 19-22 May 1997, 43 of the 53 members of the OAU pledged their support for the Ottawa process and its goal (Lawson *et al.*, 1998:173).

governments to take an aggressive approach to the landmine problem and strengthened the campaign's relationship with certain governments. However, the negotiations were hampered by the slow and incremental process, which was based on states trying to reach consensus. The ICBL became disillusioned with this process and realised that it would not achieve its goal of a total ban on landmines there and at that time (Williams & Goose, 1998:31)

The CCW is an international humanitarian law treaty that attempts to regulate the use of certain conventional weapons. Protocol II of this convention attempts to regulate the use of landmines. A review of this convention became necessary and, as mentioned before, the results of this review process were rather incremental. After the review this convention did not establish a ban on landmines, but it made more rules that may help to regulate the use of such weapons. However, it still allows the production, use and trade of these weapons. The rules are not extremely complicated, but they make it very difficult to determine if states really comply, especially in times of conflict. For instance, some of the CCW rules regulating the use of landmines are as follows:

- Mines must be directed only at military objects;
- Mines must be cleared by those who lay them;
- Records and maps must be kept of the location of minefields;
- All antipersonnel mines must be detectable to make mine clearance easier;
- The transfer of non-detectable mines is prohibited;
- Long-lived antipersonnel mines may only be used in marked, guarded and fenced minefields;
- Antipersonnel mines used outside marked areas must self-destruct within 30 days and self-deactivate within 120 days (Kady, 1998:45).

One does not have to be an expert on International Law to see that it would be very difficult to ensure compliance with these rules. This is why the ICBL did not want to sway from their goal to achieve an ultimate ban, even though big and powerful countries might not form part of it. The slogan of the campaign became "No exception, no loopholes and no reservations" (Williams & Goose, 1998:41)

All was not lost at the CCW review. The ICBL managed to improve and broaden their relationship with certain states that supported the cause. Initially the ICBL and thus its goal for an immediate ban on landmines had the full support of only a handful

of states. During the CCW review the number of pro-ban states grew. By the end of the CCW review process the number of pro-ban states have grown from 14 to 41.⁹ These states, especially Canada, became active partners of the ICBL and its cause (Williams and Goose, 1998:33). This partnership between the ICBL and these few like-minded states spurred the fast-track diplomatic process that started and ended in Ottawa and appropriately became known as the Ottawa process.

3.4.4 The CD: another conventional option

The Conference on Disarmament (CD) is a United Nations (UN) forum for arms control and disarmament negotiations. It is located in Geneva, Switzerland and has 61 member states, including all the permanent members of the UN Security Council. For the greater part of its existence the CD dealt with weapons of mass destruction. However, in recent years issues such as the illicit trade of light weapons and so forth began appearing on its agenda. The CD operates on the basis of total consensus, like many other multilateral intergovernmental bodies. It mostly operates behind closed doors, leaving no formal involvement for non-state actors such as NGOs (Goose, 1999; www.icbl.org, 1998). The CD is a very good example of old, top-down multilateralism.

In 1997 a number of nations, with USA in the lead, tried for the first time to put landmines on the CD's agenda. They did not have much success. The Ottawa process started at the end of 1996. Lachowski and others sized the situation up as a two-track process, with the CD as the arms control track and the Ottawa Process as the humanitarian track. Many countries realised that pursuing the issue at the CD would be a time-consuming process and these were the so-called pro-ban states, with Belgium, Canada and others taking the lead¹⁰. These countries associated themselves

⁹ In addition, the ICBL developed a strategy to establish "mine-free zones". They tried to build regional blocs that support the ban and did achieve significant success. Central America became the world's first mine-free zone in September 1996. All six governments in this region committed themselves to a total ban. Next the ICBL focused on the Southern African region, which is the most mine-infested region in the world. The ICBL worked closely with the South African government and the SACBL and with the OAU (the Organisation of African Unity) and managed to sway many countries to join the cause. These regional victories were supplemented with the growing number of pro-ban states (Williams & Goose, 1998:37).

¹⁰ Other states that showed early support for a total ban and that can be included in this group are Austria, Columbia, Denmark, Germany, Ireland, Malaysia, Mexico, Mozambique, the Netherlands, Nicaragua, Norway, Panama, the Philippines, Slovenia, *South Africa*, Sweden, Switzerland and Uruguay. Later a growing number of African and Latin American countries came to support this group.

with ICBL's cause of a total ban of AP mines as soon as possible. Other such as the USA, who never favoured a total ban, especially not so quickly, favoured the CD as the best and most suitable forum to deal with the issue, but did not totally dismiss the Ottawa Process as an alternative.¹¹ The main reasons these countries gave for their decision was that the CD already included all the major landmine producers. Critics of this stance put the argument that the CD did not include most of the mine-infested countries living with the deadly legacy of landmines every day.

Some countries totally rejected the idea of the Ottawa Process and were not prepared to discuss the issue outside of the "proper" forum for disarmament issues, namely the CD. Such countries included China, Iraq, Libya, Pakistan, Russia, Syria and Turkey. Countries such as Cuba, Azerbaijan, North Korea, South Korea, Sri Lanka and Ecuador were totally opposed to a ban and thus were not willing to discuss it at any forum. The reason for this stance was that these countries are located in areas of continuing or potential conflict and they argued that landmines were important for their national security (Lachowski, 1997:547; Lawson *et al.*, 1998; 165; Dolan & Hunt, 1998:404)

Although it was not a high priority issue, the landmines question was discussed at the CD throughout 1997, but it soon became clear that a timely and effective agreement would not be reached at that forum. The CD track resulted in a deadlock and this helped to strengthen the parallel but faster track represented by the Ottawa Process as the only viable option left to address this issue (Dolan & Hunt, 1998: 405). Some time after the Ottawa Convention had already been signed by 122 countries, the landmines issue reappeared on the CD agenda, mostly because at the insistence of the USA. They wanted an AP transferred ban to be discussed at the CD. The argument was that reluctant states such as India, China, Russia and the USA itself would more readily agree to a binding international agreement if such a step-by-step approach were taken. This sounded like a good way to get such states to commit to the landmine issue (Goose, 1999).

¹¹ Others included in the category were France, Italy, Japan and the UK. However, all of these countries, with the exception of the USA, did in fact later opt for the Ottawa Process and they all signed the treaty in 1997. The change of heart of the UK and France was very interesting, because it coincided with a timely change in government. The UK, France and Italy have also ratified the treaty since then.

I do not agree and not surprisingly the Ottawa Convention supporters, the signatories and the ICBL were very cool on this issue. They argued that the Ottawa Convention already set a strong international norm which is respected internationally even without the commitment of the USA, China and a few others. The moral standard set by this norm is hard to defy even for non-signatories. A separate transfer ban as suggested above would do more harm than good. It can weaken the already established norm. Goose (1999) made this argument crystal clear when he said that,

Governments, or non – state actors, cannot be expected to adopt the mind set that AP mines are unacceptable if there is a menu of options to choose from: one convention that completely bans the weapon; another convention that bans export, but permits production, stockpiling and use; another that permits production, stockpiling, trade and use of certain mines under certain conditions.

It easy to see why such a situation would only lead to confusion and the perpetuation of the humanitarian problem of landmines. The ICBL slogan comes to mind as the best defence against such a situation arising: “No exceptions, no reservations and no loopholes.” The Ottawa Convention has already achieved this.

3.5 Times of change: the Ottawa Process – the new or complex multilateralism

In less than 14 months the Convention on Ban Antipersonnel Landmines was negotiated and finalised by states and non-state parties. Afterwards it was signed by 122 states. This was the Ottawa Process. Amid the disappointment with the CCW review process, the ICBL still managed to increase and strengthen their links with pro-ban states. NGOs, pro-ban states and other groups and committed individuals realised at that time that the issue needed to be addressed at a different forum. It was clear that traditional multilateral forums, such as the CD, which was the next logical option, might not produce the expected results. The CD represented the same restraints that hampered progress at the CCW review process. For groups at the core of this cause conventional forums could only mean another long and drawn out process resulting in little change. This can be seen as clear frustration with traditional multilateral processes. An alternative was needed and the Ottawa Process was that alternative.

The Ottawa Process started with the first Ottawa conference, 3-5 October 1996, called “Towards a Global Ban on Anti-Personnel Mines”, sponsored by the Canadian government. This conference attracted 74 states as well as a wide variety of international and non-governmental organisations, including the ICBL (Lawson, Gwozdecky, Sinclair & Lysyshyn, 1998:54). This was the first state-initiated and -sponsored conference on anti-personnel mines. Before it was mostly NGOs that took the initiative on this issue. This conference was very significant and can be considered a turning point in the attempts to ban anti-personnel landmines (Kady, 1998: 54).

During the conference government officials, NGO representatives and mine victims worked side by side in workshops, plenary sessions and other activities. They agreed on a “Final Declaration” through which they committed to “seek the earliest possible conclusion of a legally-binding agreement to ban production, stockpiling, transfer and use of antipersonnel mines” (Kady, 1998:84). Important diplomatic information, usually reserved exclusively for national government use, was shared between states and NGOs throughout the process. This productive working relationship between state and non-state actors continued not only at the conferences, but at all the meetings and activities in between. Lawson *et al.* (1998:170) give a very good description of the process when they argue that the Ottawa process can actually be seen as two processes taking place at the same time but on parallel tracks. What they meant is that on the one track formal diplomatic negotiations went on during the four main conferences of the Ottawa process and on the other track states and NGOs worked on a series of activities and multilateral initiatives (ongoing media campaigns, various regional conferences, etc.) to build political will and momentum. I think that this is one of the unique features of the process that contributed to its success.

Already at the first Ottawa conference momentum and political will for the cause started to build up. However, there was still room for surprises. At the end of the conference Canada’s foreign minister, Lloyd Axworthy, really set things in motion by taking a great diplomatic risk with his challenge: “ I commit Canada to this goal, to work with our global partners to prepare a treaty [to ban AP mines] that can be signed by December 1997 and implemented by the year 2000” (Nel, Taylor & van der Westhuizen, 2001:33). With this statement Axworthy stepped out of the traditional diplomatic forum by challenging other governments to commit to a very different process and by including the ICBL as a valued partner in the process.

This was the start of an unconventional diplomatic process that was called the Ottawa process¹². States supportive of the cause was now sprang into action. Before this conference it was still mainly the ICBL and other non-state actors that did the hard work of advocacy, informing citizens, promoting the cause and pressurising governments. After the first Ottawa conference pro-ban states took the initiative on many activities and also started to put pressure on governments still reluctant to join the process. This is where track two – the building of momentum, support and political will for the process – really spun into action.

For instance, immediately after the conference Austria in consultation with other states and NGOs started preparing a draft text of the ban treaty, Belgium offered to host the next conference in June 1997 and Norway volunteered to host formal diplomatic negotiations. Ireland and the Netherlands started to work on building AP mine policy within the European Union (EU). Canada was working closely with core group members, the ICBL and regional organisations like the Organisation for African Unity (OAU). Two conferences were held in Southern Africa, one of them at Kempton Park in South Africa in May 1997. Switzerland planned to host several core group meetings in Geneva (Kady, 1998:56). The ICBL continued to make sure they were heard all over the globe with the call for a ban treaty with “no exceptions, no reservations and no loopholes” (Lawson *et al.*, 1998:176). This was a time for planning pressuring, keeping up the momentum and building political will for the next big step (The Brussels Conference) in what has become known as the Ottawa Process.

The Brussels Conference was held from 24 to 27 June 1997. At the conference those states willing to commit to formal negotiations at Oslo without objection of signing the treaty as drafted by Austria after negotiations were identified. The Ottawa process was now based on the “self-selection principle” whereby states had to express their willingness to be bound by the Brussels Declaration to become full participants in the process. Out of the 154 countries that attended the conference, 107 governments endorsed the Brussels Declaration and thus supported the objectives of the Ottawa

¹² On 10 December 1996 a Resolution (51/455) was passed in the UN General Assembly which called on states “to peruse vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfers of antipersonnel landmines with a view of completing negotiations as soon as possible.” Although the resolution did not specifically refer to the Ottawa Process, supporters of the process took it as a legitimising instrument for a fast-paced diplomatic process. The CD was also not mentioned in the Resolution. Supporters of the Ottawa Process was sure that it was the only forum where the issue can be perused “vigorously” and where the goal can be reached “as soon as possible.”(Lawson *et al.*, 1998:170).

process. The ICBL naturally showed wholehearted commitment and continued to play a central role throughout the process. The UN and regional organisations such as the OAU and the Caribbean Community (CARRICOM) also attended the conference and showed support for the cause. Except for the ICBL and other non-state actors such as the ICRC, many influential and famous people were associated with the cause – such as Princess Diana, Archbishop Desmond Tutu, Gracia Machel, Jimmy Carter and the Secretary-General of the UN, Kofi Annan (Lawson *et al.*, 1998:172).

The Brussels conference was considered very successful. Next were the formal negotiations based on the draft prepared by the Austrian government. The Oslo conference represented the last step before the treaty could be signed in Ottawa. On the parallel track more global, regional and sub-regional multilateral meetings, which included NGOs, were held before the start of final negotiations. Two days before the Oslo Conference was set to begin one of its greatest supporters, Princess Diana, died in a tragic accident. This made participants even more dedicated and determined to end the humanitarian plight caused by landmines, the cause for which Diana cared so much about. The conference started on 1 September 1997, less than a year after Minister Axworthy's daring challenge, and was attended by 87 full participant states, 33 observer states and of course thousands of NGOs. The South African, Jacob Selebi, was elected as the conference chairman and showed great diplomatic skill and leadership throughout the conference.¹³

When discussing the Oslo Conference, it is extremely important to discuss the position of the USA on the global movement to ban landmines. The USA is a very powerful and influential country and many countries follow its lead. The US was an early leader in the struggle against landmines. As in other countries, the US government was also put under immense pressure by NGOs. The NGOs had some success and were helped by the exceptional leadership that emerged from the US congress in the person of Senator Patrick Leahy. Cooperation between the senator and NGOs led to the establishment of a one-year moratorium on the export and transfer of AP mines for the US in 1992. This moratorium was extended for the next few years (Kady, 1998:58,59). In 1994 former President Clinton was also among the first

¹³ Ambassador Selebi was chosen as chairman because he was known as a strong and independent politician who could stand up to anyone, including the US, but also to show that at least symbolically the process was not Western dominated, which contributed greatly to the commitment of African delegates and other southern delegates (Dolan & Hunt, 1998: 410).

leaders to call for the “eventual elimination” of the antipersonnel mine (Kady, 1998:59).

However, as can be clearly deduced from the paragraph above, the USA was never in favour of a total and immediate ban on all kinds of AP mines. This was shown later in their retreat from a leadership position to that of reluctant onlooker. As calls for an absolute ban became stronger because of the strength of the ICBL and other non-state groups, as well as the increase in the number of states that supported the cause, the USA remained on the outside. With the start of the Ottawa Process the USA was still convinced that the CD was the best forum to handle the issue and thus avoided the process.

As the momentum of Ottawa Process moved it forward, the USA was still reluctant to commit. Finally on 18 August 1997 the US changed its stance and decided to participate in the Oslo negotiations. This was very significant because, even though they came with a bargaining package with which they wished to change the outcome, they at least showed a willingness to take part and consider the issue seriously. Unlike China and Russia and some others that rejected the process entirely, the US realised that this was an issue that affected the world and that they, who are considered one of its leaders, had to be part of it.

As mentioned the US wanted some exceptions and these dominated and constrained the Oslo negotiations for a while. The US proposed five major changes, which received some support here and there, but most states and NGOs were against these changes. Firstly the US wanted an exception to be made for their use of AP mines in Korea. The second proposal was that states should be allowed up to nine years to implement the treaty. Their third proposal was that the prohibition against reservations should be deleted from the final treaty. The USA also wanted a change in the definition of an AP mine, so that they could keep on using their self-destructing “smart mines”. Lastly the USA wanted the time period to notify withdrawal from the treaty to be reduced from one year to 90 days (Lawson *et al.*, 1998: 177; Dolan & Hunt, 1998: 412; Kady, 1998: 61). The US delegation presented these proposals as an “all or nothing package” refusing to compromise on any one of them (Lawson *et al.*, 1998:178).

The majority of states and the NGOs were already committed to a treaty without reservations or exceptions. The USA had few allies to support their proposals, especially the most controversial ones such as the shorter notice for withdrawal, the

exception of “smart mines” and the continued use of landmines in Korea. It was quickly concluded that though the “smart mines” were very high tech, short lived and self-destructing, when they are activated they still could not discriminate between civilians and soldiers. The only support for some of the proposals came from Japan, Australia, Spain, Ecuador and Poland. Initially the UK and Brazil also supported the proposal to allow countries to withdraw from the treaty on shorter notice (Dolan & Hunt, 1998: 411).

The core group and their NGO partners remained firm to establish a treaty with “NO EXCEPTIONS – NO RESERVATIONS – NO LOOPHOLES”. This mantra was stamped on the conference newsletter, the “Ban Treaty”. The ICBL kept up their effective media campaign, putting out leaflets, posters, daily fact sheets, press releases, press conferences by phone, radio and television, making clear that accepting even one of the US proposals will make the treaty as ineffective as the CCW. Although the US proposals did receive some support initially, they were all eventually rejected. This led to a stalemate by the second week of the Oslo negotiations (Kady, 1998:62).

The USA were given a few days to reconsider their proposal and came back with a more streamlined version of the first package. This package included proposals to change the withdrawal clause (time reduction under certain circumstances), proposals to allow nine years for start of implementation and again proposals to change the AP mine definition (Dolan & Hunt, 1998: 414). Again the USA did not draw support. The USA’s own Senator Leahy (an avid supporter of a total ban) noted that these proposals cannot be accepted because “an effective international agreement that is based on stigmatising a weapon cannot have different standards for different nations” (Kady, 1998:62).

Finally on 17 September the US team announced that their government does not have any further proposals and will not be signing the treaty in Ottawa. The next day Ambassador Selebi closed the conference after all participants committed to signing the ban treaty as it was formulated without reservations, exceptions or loopholes. Everyone was ready for the final step (Lawson *et al.*, 1998: 180); after the conference the process drew even more support from previously reluctant states such as Australia, Greece and even Russia. The USA announced that they would unilaterally stop using landmines in 2006 (Dolan & Hunt, 1998: 415).

On 3-4 December 1997 at the Ottawa Conference, the final step in the process was held in Canada. The Ottawa Conference attracted 2400 participants, which included 500 members of the international media. 122 States signed the treaty.¹⁴ More than half a million dollars were pledged for mine action.¹⁵ Canada ratified this immediately and promised to devote a 100 million dollars on mine action over the following five years. This marked the end to a fast-paced, complex and unconventional diplomatic process that was described by Canadian Prime Minister Chrétien as “without precedent or parallel in either international disarmament or international humanitarian law” (Lawson *et al.*, 1998: 181). The ratification process went quickly as well.

No one can deny that this was a remarkable process that led to a remarkable outcome. As the last quotation suggested, this innovative diplomatic process has no parallel. The question is: did it represent a real change in the multilateral process? Can this case be considered an example of new multilateralism or at least a move towards it or was it just the same old multilateral process with some unique features because of unique circumstances?

The answer is yes and no. Yes there definitely were some dramatic changes in the diplomatic process, but the multilateral process was not transformed as envisaged by the theory of new multilateralism. However, I believe it was a move toward new multilateralism and not just because of unique circumstances. One can conclude that this case was unique in a certain sense, but this does not mean that its basic elements of effective campaigning by NGOs, fast-track diplomacy and a strong partnership between governments and NGOs cannot be achieved again. This case fits neatly into the theory of complex multilateralism. A hybrid of old and new multilateralism with a mixture of bottom-up and top-down forces taking the initiative at different points in time. It also means that in the future there is an alternative when traditional multilateral mechanisms and forums constrain a cause. In the following paragraphs I will take into consideration different arguments that will explain how I have arrived at this conclusion.

Lawson *et al.* (1998) argue that the Ottawa Process originated from a profound sense of frustration with traditional multilateral diplomacy. At the time of the CCW Review Process this frustration was felt by the ICBL and other NGOs as well as the

¹⁴ SA, Canada and Norway were the first three to sign and did so almost simultaneously.

pro-ban states. They also argue that one cannot overlook the fact that this point might never have been reached was it not for the years of skilful advocacy work by non-state actors such as the ICBL and the ICRC. What is especially significant is the way they framed the issue to make it so very urgent (Lawson *et al.*, 1998: 160) From this point of view one can conclude that, especially in the beginning, the global movement to ban landmines was essentially driven by bottom-up forces.

Lawson *et al.* reflect on the many changes from traditional multilateralism that the Ottawa Process itself represented.

- Firstly, the whole process was based on the principle of self-selection and not membership, as is the case with a traditional multilateral forum such as the CD.
- Secondly the process was definitely unconventional, with ministers, bureaucratic officials, parliamentarians, mine victims, NGO representatives, IGO representatives and members of the international media working side by side at plenary sessions, workshops and actual negotiations, leading to a unique synergy between political, bureaucratic and civil society supporters of the cause.
- Thirdly, the process was very fast track compared to traditional negotiations on disarmament issues.
- Fourthly, the process had a dual dimension to it; Lawson *et al.* called it a “two track approach”. Aside from the actual planning and negotiations at the formal process (the first track), there was continuous advocacy, conferencing, regional and international strategising, etc. to build political will and momentum for the process on the second track. Here the NGOs’ effective use of the media and the effective cooperation amongst themselves and between them and the core group of governments played a leading role (Lawson *et al.*, 1998:170).
- Fifthly, pro-ban states consisted mostly of small and medium powers. However, they stood strong in their commitment to a total ban even when powerful states such as the USA, Russia and China did not support this goal. When the USA decided to join the Oslo negotiations with various suggestions for changes, pro-ban states with support of their non- state partners did not sway from their common goal.

¹⁵ “Mine action” is a term denoting various aspects of humanitarian mine clearance that includes minefield surveying, marking and mapping, clearance, awareness and victim assistance (www.icbl.org/chronology.html: 2000).

- Finally, as in tradition multilateral processes, rules and procedures were spelled out in the beginning, but these rules and procedures did not hamper the progress of the process. If consensus could not be reached, it was agreed that decisions would be taken by a two-thirds vote (Lawson *et al.*, 1998: 176).

Lawson *et al.* (1998: 182) concluded that the Ottawa Process pushed the boundaries of multilateralism. They also suggested that much of the success of the process had to do with the uniqueness of the issue, but that many such issues manage to rocket to the top of the international agenda just to be shot down again. This means that, although the nature of the issue helped much towards achieving the outcome, it was the unconventional partnership between states and non-state forces that ultimately drove the process home.

They finally stated that “In a world in desperate need of rapidly organized multilateral responses to complex and large-scale threats to human health, security and development, the Ottawa Process holds open the hope that multilateral diplomacy will continue to evolve as a flexible and effective instrument of global governance” (Lawson *et al.*, 1998: 183). From this statement one can infer that the Ottawa Process represents an evolution in the multilateral process, though not a transformation into new multilateralism, as explained before. Thus this argument fits the theory of Complex Multilateralism.

Dolan & Hunt (1998) argue in a similar vein, though they are a bit more sceptical on certain points. They start out by arguing that the CCW Review Process embodied traditional international relations, with negotiations exclusively interstate and top down, reflecting the power structure, with the USA, Russia and China leading the negotiations. This as we know led to little change in the landmine situation. In contrast, the Ottawa Process was driven by a nexus of NGOs and states. Dolan & Hunt (1998:393) also concluded that it could be considered a bottom-up process compared to the CCW and the CD. Like Lawson *et al.*, they also remarked on the many changes that the Ottawa process represent compared to traditional multilateral processes. In discussing these changes they pointed out that change was possible because of dramatic changes in international relations, including the rise of new actors such as NGOs.

Dolan & Hunt (1998: 394) reflected on the ideas of Robert Cox and Andy Knight on New Multilateralism and came to the conclusion that “...the negotiations [during the Ottawa Process] can be best understood by recognising the contradictory

intersection between 'bottom up' and 'top down' multilateral processes evident in the current global conjecture." Thus, "At one level, the Ottawa Process is said to be exemplar of the 'new' multilateralism, an extraordinary exploration of new forms of multilateral diplomacy in the post-Cold War era", but "We concur that this multilateral process is certainly innovative in many respects. However, a more sober assessment reveals somewhat more ambiguity than its supporters acknowledge. This ambiguity reflect this 'schizophrenic' nature of multilateralism in the contemporary era" (Dolan & Hunt, 1998: 396; 379). Thus they also agree that there was enough of a change to support the conclusion that a hybrid of new and old multilateralism had evolved.

Axworthy (1995) also believes that the changes to the multilateral process were very significant. He looks at the changes in the world at large, especially changes in the nature of the security policies of states. He stated, "I believe this campaign to ban landmines not only produced a significant victory in international disarmament, but also epitomized broader changes that have shaken the foundations of international relations" (Axworthy, 1998:448) He concluded that

The success of the landmines campaign was not a unique event, never to be replicated in the world of diplomacy. The Ottawa Process clearly had its own special features. But it also demonstrated that global problems require global solutions. They cannot be addressed effectively by states, even the most powerful of states, acting in isolation. The landmines campaign was the harbinger of the new multilateralism with new alliances among states, new partnerships with non-state actors and new approaches to international governance (Axworthy, 1998: 453).

Many scholars who participated in the Conference on "New Diplomacy: The United Nations, Like-Minded Countries and Non-Governmental Organisations" also studied the landmines case and concluded that it does represent remarkable changes. They saw in this case and others a trend which includes "The apparent shift from concentrated top-down leadership in the international system to multi-sourced bottom-up mode of leadership." Many of the scholars also remarked on unique features of the Ottawa Process as well as the fact that the issue itself (its emotive appeal, the way it lend itself well to problem solving, etc.) contributed greatly to the success of the process.

Larrinaga & Sjolander's (1998) argument is the most sceptical, but even they did not disagree that the multilateral process underwent significant changes. However, they believe that the Ottawa Process does not represent a move towards new multilateralism. They argue that at first glance it might look like it, as they mention the many changes compared to traditional multilateralism. However, they argue that there was too much "telling imagery of the old" (Larrinaga & Sjolander, 1998: 364). For instance, they illustrated that "for two days, a seemingly endless parade of (almost exclusively male) state representatives spoke eloquently of their governments' enthusiasm for the Convention and then walked across the corridor to sign for 'their' government on 'their' dotted line. Down the hall, some distance away, representatives of non-governmental organizations and 'ordinary citizens', represent only themselves affixed their signatures to a civil society treaty pledging to keep, those that signed the 'real' Convention honest and to pressure those that had not into doing so (Larrinaga & Sjolander, 1998:364).

They further argue that the multilateral process was certainly made more efficient and more responsive to civil society, enhancing the so-called diplomatic toolkit, but this does not necessarily make the process new in the sense of the theory of new multilateralism. They argue that new multilateralism will arise in a moment of antagonism between bottom-up and top-down forces, which will give rise to transformation (Larrinaga & Sjolander, 1998:365). As I have explained, I agree that the multilateral process was not transformed as envisaged by the theory of new multilateralism, but I cannot agree that the process was the same old multilateralism with just an increase of efficiency and responsiveness to civil society. Bottom-up forces played a significant role and, although it is ultimately only states that could sign the Convention, without the work of NGOs I do not believe that there would be a Convention at all.

Larrinaga & Sjolander (1998:369) argue that there was transformative potential when the NGOs entered the security discourse, but the challenge become diffused when the issue was framed as a humanitarian one in line with the human security concept. "Form the time the 'official' Ottawa Process was launched, based on a common understanding of landmines as a humanitarian scourge, political space and potentially tranformative democratic possibilities were effectively foreclosed." But they also agree that "The global movement to ban landmines illustrates some of the transformative potential of new multilateralism that is eroded as the movement

become domesticated by the Ottawa Process and brought into the orbit of existing state diplomatic practices.” (Larrinaga & Sjolander, 1998: 369).

Even this argument still falls within the framework of complex multilateralism. It is true that NM requires total transformation that needs antagonism as described above and it is true that the bottom-up process before the Ottawa process was closer to that transformation. However, the Ottawa Process itself is really not the same as “existing state diplomatic practices”. The changes in existing practices achieved by the Ottawa Process represent enough of a change to distinguish it from traditional practices such as you would find at forums such as the CD, making this a hybrid between two extremes. There are many more sceptics that see no significant change in the multilateral process, especially concerning this case. One cannot list all these arguments, but I have taken them in account. However, my conclusion remains as it was stated in the beginning of this section.

3.6 Criteria for Success Applied

- *A realistic goal or objective*

“AP landmines for most of their existence been regarded largely as weapons of no particular ill repute” (Price, 1998: 617) This was the kind of sentiment which NGOs had to deal with when they first set out to achieve a total ban on landmines, a class of weapons that was already in wide-spread use. Governments at the time were preoccupied with arms control measures for nuclear and other weapons of mass destruction and were oblivious to the effects of landmine during and after war. Was the goal to achieve a total ban on landmines realistic? The answer is that it was. Here is why.

The goal of this NGO campaign was realistic for four reasons in particular. Firstly, there are already existing rules that are proscribed by the laws of war and international humanitarian law namely, “civilian discrimination” and “unnecessary suffering”. These two rules are explained by Price (1998:628) as follows: civilians should not be the international objects of attack during conflict and that weapons causing “superfluous injury” which leads to “unnecessary suffering” are not to be used. Secondly, weapons taboos like a total ban on certain classes of weapons also already existed, so the NGOs were not aiming for anything wholly new. Chemical, biological as well as nuclear

weapons already banned by these weapons taboos, which were considered very effective (Price, 1998:629).

The NGOs used these facts to their advantage, highlighting early on that AP landmines represent particularly serious transgressions of norms regarding “civilian discrimination” as well as “unnecessary suffering”. NGOs also made clear that these mines do not stop injuring and killing people during wars, but continue to do so long after the conflicts have ended. They enlightened the world with statistics that showed that landmines have killed and maimed more people than nuclear, chemical and biological weapons combined, calling them “weapons of mass destruction in slow motion”. With this they wanted to place AP mines in the same category as nuclear, chemical and biological weapons that were already considered taboo.

Thirdly, the NGOs’ goal can be considered reasonable because they realised early that they would have difficulty trying to ban all kinds of landmines and rather focused on the one kind that caused the most harm to civilians. I think excluding anti-tank and anti-ship and other kinds of mines made their goal so much more achievable. It gives the campaign focus and made the “no real military utility” argument so much easier. Finally, the ICBL and the other NGOs that were involved in this campaign did their own research and used the results of many other studies to conclude that the humanitarian damage caused by landmines outweighs their military utility. This also made their goal easier to achieve. Thakur & Maley (1998:279) stated that “if a particular type of weaponry is inherently inhumane, or if the expected military utility is less than the casualties inflicted on innocent civilians, then it makes sense to address such armaments through humanitarian regimes.” For all these reasons the NGOs’ goal to achieve a treaty that would ban the use, production, transfer and stockpiling of AP mines was a realistic goal. It made sense.

- ***Issue area (type, number, salience and techniques used to frame the issue)***

Landmines as conventional weapons can be placed within the issue area of security. As mentioned before, this is a reasonably new and probably the most difficult issue area for non-state actors to get involved in. NGOs are still mainly active in issue areas such as human rights, development, protection of

the environment and so forth. In this case non-state actors managed to participate in the security issue area with great success. Some scholars believe that the security context was not directly challenged when the issue was based on the human security concept. I believe that it was challenged indirectly because, although the result was a humanitarian treaty, disarmament was also achieved.

Still one must admit the landmines issue was not a normal disarmament issue. NGOs manipulated the issue to their advantage. Many scholars, for example Nel, Taylor & van der Westhuizen (2000:14), argue that the landmines issue was an “easy sell” because “It is a clearly defined, tangible concern about which most people cannot remain emotionally unaffected”. I agree, especially compared to the issue in my second case study. However, I also want to argue that it was so easy, because the NGOs effectively made it so.

First of all, AP mines were considered as conventional weapons of war already in widespread use. Especially during the late 1980s and early 1990s landmines were used in almost every conflict around the globe. Governments were unaware that there was a problem, militaries did not consider landmines as different from any other weapons at their disposal and civilians in war-torn societies accepted them as part of the cruelty of war. Changing people’s minds about something that is accepted a part of life, even a very bad part, is not so easy to do. The landmines issue was not salient before NGOs made it so. They actively formed public opinion. Also, they did not only focus on the emotional appeal of the issue that makes it such an easy sell. As Nel *et al.* (2000:15) also stated, “appeals in support of a ban were not exclusively based on moral grounds but also tackled questions of military utility of landmines.” The NGOs moved the issue from just a security issue to a humanitarian one with wide ranging impact that stretched from death and injuries to civilians to environmental degradation and development problems. With this they managed to reach a diverse range of political constituencies.

I mentioned that a technique called grafting was used by the NGOs to frame the issue. In the previous section discussing the rationality of the goal I explained how this NGO campaign used the existing rules of war to ensure that landmines could not be considered conventional weapons any longer. I

also explained how they used the precedent set by other weapons taboos to achieve a ban on landmines. They placed landmines in the same category as weapons of mass destruction, especially because of their long-term effects. This process is known as grafting.

Price (1998:628) explains that “grafting refers to the mix of genealogical heritage and conscious manipulation involved in such normative rooting and branching.” He goes on to explain that “Instead of having to compare landmines to other weapons, none of which have been banned, opponents of landmines compared them to weapons that have already successfully been branded taboo.” The chemical weapons taboo especially was used as establishing the genealogical heritage and used as referent for landmines to be a candidate for prohibition “through the grafting of normative justifications from one weapons category onto another” (Price, 1998:629).

The fact that so many different NGOs worked together on a single issue contributed greatly to the success of this campaign. One of the criticisms against NGOs is that, although they often achieve some access to the diplomatic process, they often do not achieve their goals because they are disorientated and in competition with each other (*Canadian Centre for Foreign Policy Development*, 1999:5). This was not the case with the ICBL. More than 1000 NGOs, great and small and from diverse fields, came together to focus on a single issue and to achieve a common goal. “A major strength of the ICBL was its ability to cut across disciplines to bring together a diverse array of NGOs to work toward a single goal” (Williams & Goose, 1998: 22).

- ***Government and/or IGO commitment***

Most scholars agree that the fact that pro-ban states and NGOs worked in such close partnership was one of the major reasons for the success of the Ottawa Process and ultimately this NGO campaign. At first governments were unaware of the problem of landmines, but later certain governments grasped the nature of the cause and remained committed to it. The number of pro-ban states grew dramatically after the CCW Review Process. Most of those that are included in the core group were already sympathetic to the cause even before the CCW Review. The fact that most of these states can be described as small and medium powers is significant, especially because they did not sway under pressure from more powerful states. I think that without the commitment of

these states, especially those in the core group, this campaign might not have reached its goal, especially not as quickly.

Although IGO commitment did not play such a big role the support and commitment of the UN did make a contribution to the success of this campaign. For instance, as mentioned elsewhere in this chapter, the UN General Assembly passed a resolution in 1996 that might have given still sceptical governments that last push towards the Ottawa Process. The resolution did not name the Ottawa Process or the CD as the forum to address the issue, but it heightened the sense of urgency that already surrounded the issue, making the Ottawa Process the best alternative.

- ***Access to IGOs***

As mentioned, the UN played a significant role in this campaign. The ICBL used UN conferences and events as a direct access point to international politics to spread information and lobby governments directly.

- ***Expertise (knowledge, information gathering, research, quality of networking)***

The NGOs of this campaign used their considerable expertise to their advantage. I have already discussed the skilful way they manipulated and framed the issue. Most of the NGOs that formed and joined the ICBL were working in war-torn societies at one point or another; providing prosthetic limbs, recording human rights violations, etc. and therefore had direct experience and first-hand knowledge of landmines and their effects. In addition, they were also very effective in gathering further information such as statistics and research results. Research on the military utility of landmines was very important to the success of the campaign.

Coalition building was another one of the ICBL major strengths. As mentioned, they brought together a large number of diverse organisations and still manage to coordinate strategies and activities on different levels, regional and international, to achieve a common goal. They also cooperated very productively with other groups such as the ICRC and later also with many different governments. Networking played an important role in keeping the coalition within the ICBL and the partnerships with the ICRC and pro-ban governments. The ICBL made effective use to telecommunications

technology, but it did replace regular face-to-face meetings. As Williams and Goose (1998:25) stated, “Unlike in many coalition efforts, international meetings of the ICBL have never been devoted simply to sharing information. ICBL conferences have also included campaign capacity building workshops and training sessions at regional and international levels.”

At venues such as UN conference NGOs also manage to network with each other and pro-ban states, managing to connect the local agenda with the interstate agenda. Meetings were also held between the ICBL and pro-ban states to strengthen their partnership and to discuss ways to build momentum and political will. The ICBL’s expertise definitely contributed to the success of this campaign.

- ***Effective use of the media***

The ICBL used the media very creatively and effectively, which made an important contribution to the success of the campaign. They used every form of media available.¹⁶ They even used popular cartoon comic books such as *Superman* and *Wonderwoman* to spread information on the effect of AP mines. Through the media they bombarded the public and governments with factual information, but they also used it for emotive appeal. In addition to the normal media channels, they also distributed a series of leaflets, posters and pictures showing victims of landmines, containing educational information and seeking support for their cause. The ICBL also have their own newsletter the *Landmines Update*. The *Landmines Update* was used as an early communication tool amongst members of the ICBL and later, especially during the Oslo negotiations it was used to spread the message of “No reservation, no exceptions and no loopholes”; they also used it to publish a good list and bad list, naming countries that supported the ban and shaming those who did not as a way of getting more states to commit to the cause (Lawson *et al.*, 1998:179).

- ***Effective use of information technology (Internet, communication technology, etc.)***

“The global web of electronic media, including telecommunications, fax machines, and especially the Internet and the World Wide Web, have played an unprecedented role in facilitating a global network of concerned supporters around this issue” (Price, 1998:625). The ICBL used all kinds of information technology to communicate with their diverse members, to share information and to strategise and to spread information about landmines and their campaign to ban them. As mentioned the campaign newsletter was used as an early communication tool. In the early years the campaign was also very dependent on fax machines and telephone communication. This was speedy but costly.

New communications technologies such as e-mail made their communication more cost effective. “The ease and speed of communication within the ICBL provided by e-mail had a great impact on the ability of civil society organizations from diverse cultures to exchange information and develop integrated global political strategies” (Williams & Goose, 1999:24).

The use of these communications technologies was of absolute importance, linking together a huge coalition such as the ICBL. The ICBL also established a website with extensive information which they updated regularly. In this way any person with access to the Internet could learn about the history of the ICBL, join the campaign, and read about the problems and the progress and so forth.

- ***Activity variance (fact finding, advocacy and education, lobbying governments and IGOs ,consultation at global governance forums, research, monitoring, service delivery, etc.)***

As should have become clear so far in the discussion of this campaign, the ICBL and other non-state actors working on this cause have been very active as they worked towards achieving a total ban on landmines. The ICBL was active and still is in all of the activities mentioned above. Most significantly they participated directly as full partners in the negotiations

¹⁶ The ICBL persuaded many influential newspapers and magazines to endorse the ban – including the

and other activities during the Ottawa Process. They are currently still active in keeping up awareness of the issue, pressuring non-signatories to sign, monitoring states' compliance to the regulations of the Convention, raising funds, working with mine victims and still having conferences and meetings with governments and IGOs.

- ***Leadership***

There are many people, not just in the ICBL, who showed exceptional leadership in this case. Their hard work and brave actions are one of the reasons why the campaign can be considered a success. First there is Jody Williams, the ICBL's coordinator, who won the Nobel Peace Prize along with the ICBL as a whole. The success of the ICBL was definitely a team effort, but Jody Williams is one of the people that can be singled out for great leadership.

Williams had many years of experience as a social activist when she joined the campaign to ban landmines. After she finished her tertiary education, where she obtained two masters degrees, one of which is an International Studies degree, she spent many years in Central America. There she was active in many different projects aiming to change US policy towards Central America, especially during the Reagan and Bush administrations (Jenish, 1997:32-33).

After Williams returned from Central America, she was offered a job by the Vietnam Veterans of America Foundation, which was already active in the campaign to ban landmines. Williams accepted the challenge and immediately started to bring already existing grassroots organisations in different countries together as well as bringing victims and activists together (Burger, 1998:2). At the time Medico International also approached her to coordinate their international campaign against landmines. Williams had much to do with the formation of the ICBL (Jenish, 1997:32).

Jody Williams organised the first international conference to ban landmines. It took place in New York in 1992 and attracted six NGOs. From this moment on these NGOs started to discuss the necessity to work

New York Times, the *Washington Post* and the *Economist*, to name but a few (Price, 1998:621).

together (Jenish, 1997:33). These NGOs came together in October 1992 to form the ICBL. From then one more conferences were held and more and more NGOs joined the ICBL and Williams had the task of coordinating the efforts of 1000 different NGOs. She showed dedication and commitment throughout the duration of the campaign and still does. After the treaty was signed, Williams ended her coordination and other administrative responsibilities to become the ICBL's ambassador, lobbying world leaders to sign and ratify the treaty.

Another person that can be mentioned for great leadership is Canada's Minister of Foreign Affairs, Lloyd Axworthy. As mentioned before, government commitment is one of the most important contributing factors to the success of this campaign. Here Axworthy played a leading role. The Canadian government was one of the leaders – if not *the* leader – of the pro-ban states. After the failure of the CCW Review, the ICBL held talks with pro-ban governments, strengthening their links with states as well as drawing new supporters. Canada was the first to offer and sponsor an international conference. It was here that the idea of the Ottawa Process was born.

Axworthy himself worked hard to ensure that his government remained committed to the cause. When Axworthy took that bold gamble at the Ottawa Conference in 1996, he dared other states to commit to an unconventional process and to accept the NGOs as their full partners. He also committed himself and his government to this goal. He took a great diplomatic risk when he made that statement, but the gamble paid off.

Next I want also to mention the diplomatic skills and leadership of South African Ambassador, Jacob Selebi. Selebi was elected as the chairman of the Oslo negotiations. He worked quickly and efficiently to establish a work plan for the negotiations. It entailed, for instance, that areas of difficulty must be clearly defined within 24-48 hours of the conference so that the problem solving and consultation can begin immediately, avoiding early deadlocks and any unnecessary conflicts that can slow down the process. The main problems were clearly defined as centring on the US proposals and this was therefore dealt with first. When no compromise could be found with the US and most state rejected their

proposals, the US could do nothing but withdraw from the negotiations. After that the negotiations went smoothly and speedily. At that point most states were already in agreement about the most important issues. Thus only a day after the US left, Selebi could close the negotiations (Lawson *et al.*, 1998: 177-180). Selebi's work plan was described as "diplomatically bold and administratively efficient" (Lawson *et al.*, 1998:177).

Finally one can also mention US Senator, Patrick Leahy as showing great leadership and contributing to the success of the campaign. The US took the first unilateral initiative in the world when it placed a one-year moratorium on the export of landmines in 1992. This moratorium was extended for several years after 1992 and it was the result of Senator Leahy's hard work and leadership. Leahy worked closely with US NGOs, especially the Vietnam Veterans of America Foundation. However, as explained before, the US government was never committed to a total ban, especially not so soon. Leahy kept up his efforts in cooperation with Congressman Lane and US NGOs. He was disappointed in his government's decision not to sign the ban treaty and remained an avid supporter throughout the Ottawa Process. He openly criticised his government and former President Clinton for not committing to the cause.

- ***Persuasive and influential spokespeople***

Obviously all the individuals mentioned in the previous section also fit in here. I have described their respective contributions to the campaign sufficiently. Many other people were used or rather chose to be spokespersons for this cause, including landmine victims, celebrities, well-known diplomats, religious leaders and so forth. I will mention and describe the roles of a few people who I think made the most important contributions to the success of this campaign.

Firstly the various landmine victims that told their stories in the media and at conferences contributed greatly to gain sympathy and support from governments and the general public. They experienced the tragedy of landmines first hand and helped to set the tone at many conferences. These victims came together to form the Landmine Survivors Network (LSN) and worked hard to get victim assistance on the agenda of the ICBL and

the pro-ban governments¹⁷. Victim assistance was at first a secondary goal for the ICBL¹⁸. The ICBL worked very hard to ensure that “Victim assistance is now an established pillar of the ICBL”(White & Rutherford, 1998: 136).

The late Princess Diana of Wales was also a very effective spokesperson and supporter of the cause. Diana made a great contribution by helping to raise public awareness of landmines and their effects and also to the ultimate success of the campaign (McGuire, 1999: 10). The media always followed Diana wherever she went, capturing her image whatever she did. She used her celebrity status to the best advantage. She visited mine-infested countries such as Angola and Bosnia, talking with and listening to victims there. Photographs of her with victims of landmines were circulated all over the world (Kady, 1998:67)

Diana was also very sympathetic to the issue of victim assistance. She was seen as the most important ally of the LSN. Her death in August 1997 came as a shock to the world. At the time Ottawa Process was in full swing and the news of the tragic event made supporters even more determined to achieve their goal (White & Rutherford, 1998: 112). Diana also called on her government to support a total ban. The British government’s initial stance was similar to that of the US. Diana’s actions in support of the global movement to ban landmines were described as an act of “unofficial diplomacy” (Kady, 1998: 67).

Other celebrities and well-known figures who spoke out and supported the cause that need to be mentioned include Archbishop Desmond Tutu, Gracia Machel, Jimmy Carter, former Secretary General of the UN, Boutros Boutros-Ghali as well as current Secretary General of the UN, Kofi Annan (Lawson *et al.*, 1998: 173).

¹⁷ Delegates of the LSN were heard first and made an impact at the Vienna CCW Conference in September 1995. Since then they have been an important part of the global movement to ban landmines (White & Rutherford, 1998:99).

¹⁸ One of the criticisms of the ban treaty is that it does not address the issue of victim assistance properly. However the ICBL is currently busy raising funds, pressuring governments to support victim assistance projects and also promoting the involvement of landmine victims in the implementation of victim assistance programmes (www.icbl.org: 2001).

- ***Membership (numbers and geographical spread)***

As mentioned, the ICBL represented an extensive network of more than a 1000 NGOs. This network included a wide variety of organisations in terms of size and activities, from small grassroots NGOs to big and powerful international NGOs. Each of these different NGOs had their own membership base. The ICBL also had national campaigns in most countries of the world. The ICRC also had supporters all over the world. This surely contributed to the success of the campaign. This extensive membership in numbers and geographical spread made the NGOs a massive force that could not be ignored.

- ***Funds (origin and amount)***

Any campaign is dependent on funds and this one was no different. I do not know the specifics of how this campaign acquired its funds. However, I know the bigger members of the ICBL had enough funds to help smaller members, especially those in the developing world. They helped these organisations to lobby their governments and to sponsor regional activities. Later when the partnership between the ICBL and pro-ban states was established, governments started to sponsor some of the international events such as big conferences and so forth, but government funds did not affect the campaign negatively, because these governments and NGOs were fighting for the same goal. It seems lack of funds did not constrain the success of this campaign.

3.7 Conclusion

This chapter discussed how a network of NGOs achieved their goal of establishing a total ban on AP mines. The first phase of the campaign can be described as a bottom-up process with global civil society taking the initiative. Later they became partners with states that favoured the cause, which led to a fast track and unconventional diplomatic process with state and non-state actors working side by side. That can be described as an example of complex multilateralism. At the end of the process an internationally recognised and legally binding treaty was signed by 122 states. This treaty was formed, signed and ratified quickly to go in to effect in 1998. A

unique feature of this case is the way small and medium countries stood up to powerful states and sided with global civil society.

Even though powerful states such as the US and others did not sign the treaty, it can now be considered an international norm, causing a moral dilemma for states that want to keep on producing, using, storing, and trading AP mines. Establishing this treaty was the most important goal for the NGOs, but this is only the first step in ridding the world of landmines. The treaty still has to be implemented and effective implementation is the next goal of governments and NGOs. Actual mine clearance, victim assistance and monitoring of compliance are the activities that will keep them busy. Meanwhile, landmines are still claiming victims all over the world. The ICBL is currently still busy with their ongoing campaign against landmines.

For the purposes of this study the focus of this chapter was only on their first goal, i.e. the establishment of a total ban. This was achieved in 1997. I applied the success criteria to this campaign. Almost all the factors that I believe can make or break an NGO campaign contributed the success of this campaign. Although the case has some unique features, its success can be used as an example for other NGO campaigns and many of its basic elements can be reconstructed. This case has shown that the multilateral process is evolving just as the world itself is changing. It also showed that non-state actors play a more and more important role in international relations.

Chapter 4

Case 2: NGOs Working to Curb or Stop the Arms Trade

4.1 Introduction

“Question: What is the post-Cold War global policy on conventional arms sales? Answer: Competition. Or free trade, as some might say. Increasingly, almost everyone sells almost anything to just about anyone who can pay – and often to some who cannot...In the absence of any enforceable multilateral restraints, the invisible hand has become the principle mechanism for allocating potent conventional weapons and associated technologies on a global basis” (Kellar & Nolan, 1998:113).

“The security policies of states represent, prima facie, a particularly hard case for demonstrating the role of transnational nonstate actors in new issue areas of world politics. This is so because conventional wisdom assumes that the high politics of security policy is where the state ought to be the most autonomous from society at large and able to set its sights on military imperatives relatively independent of societal pressures, whether domestic or international” (Price, 1998:613).

The extent to which the international arms trade has become an accepted phenomenon, treated by many as any other business transaction, has been problematic for many transnational NGOs and groups of NGOs for some time now. As became clear in the third chapter, the security issue area can no longer be kept away from civil society; NGOs have managed to have an impact even in this area. However, the various international campaigns against the arms trade have not really achieved great success yet. This chapter will explain why.

First it will give a background to the international arms trade. By doing so one can describe patterns that emerged during the Cold War and post-Cold War eras. I will also discern between the different types of conventional weapons that are traded among nations. A following section will consider the international security situation and how it did and still does influence the arms trade. The latter issue is very complex, but I will only highlight important factors that are relevant for the purpose

of this study. In discussing this issue, I will highlight the arguments for and against international arms trade. It is especially important to also mention the effect that the September 11, 2001 terrorist attacks on the USA has had on the international security situation.

Secondly, another section of this chapter, dwell on the South African situation concerning the import and export of conventional weapons. Naturally, the current arms procurement debacle will have to be discussed as well. I will do so briefly. Many South African NGOs are especially active on this issue, this will become clear later in this chapter. Thirdly, I want to discuss international disarmament and arms control measures that have some impact on the global arms trade. In particular I will discuss and evaluate the effects of the UN Register of Arms Transfers, the CCW and the Wassenaar Arrangement. The next section list and describe the different NGOs currently at work on this issue.

It is important too explain that this case does not represent one NGO campaign, as was the case with the ICBL in the previous chapter. Here all of the NGOs are working on the same issue with more or less the same goal, but they are not working as one organisation. Some of these NGOs are linked, others are not. So in fact there are many different NGOs working towards the goal of stopping or curbing the international arms trade. In addition to this, there is also the fact that working against international trading of arms is not the only issue that some of these organisations are focused on. Many of them have a variety of goals within the security issue area as well as on areas such as development and other humanitarian issues.

This creates some methodological limitations for this case. I will spell them out here. Firstly, this case is actually a study of different campaigns, but they do share a common goal, therefore I will apply the success criteria to them all as a whole rather than testing every single NGO against it. This can be done because the NGOs in this case can be considered as a global movement against the international arms trade as with the landmines case; the only difference is that not all the NGOs are connected. Secondly, the information used here is secondary information, just as in Chapter 3, but unlike in the previous case, this case is not dealt with as a case study as such in any of the literature. Also, much of the information on the NGOs in this case is found on the Internet. The Internet is an unsystematic source; thus one cannot be sure that this case study include information on every NGO in the world that might be working on this issue. Some grassroots organisations also working on this issue might not have

websites. Some websites are not very detailed either. However, I am sure that I have enough information on the most important NGO campaigns and that this information is sufficient for the purpose of this study.

So I will list the NGOs, first the international ones and regional ones, then following with a separate category dealing with South African NGOs working on this issue. These sections will discuss the history, goal, purpose, achievements and current activities of each of these NGOs as well as highlight the linkages among some of them. Next is a discussion of the case in terms of the theory of Complex Multilateralism. To do so I will focus on the CD and discuss the possibilities of any other multilateral alternatives. Finally I will apply the success criteria and evaluate this case to come to a conclusion.

4.2 International arms trade – background

Arms can be broadly divided into five categories, namely weapons of mass destruction, major weapons systems, light weapons, dual-use equipment and military services (Levine & Smith, 1997:340). Levine and Smith include military services in their categorisation of arms because, even though it is a service and not a weapon. It sometimes makes out a very lucrative part of an arms deal¹. Such services can include maintenance of major weapons systems, training in the use of weapons sold and so forth. Trade in weapons of mass destruction is already not permitted. The current global movement against the arms trade is focused on the trade in conventional weapons that can be divided into three basic categories, i.e. trade in major conventional weapons, trade in dual-use items that can be utilised in the production of conventional weapons and weapons of mass destruction, and trade in small arms and light weaponry (Hartung, 2000:4).

Major conventional weapons include items such as tanks, submarines, combat aircraft, other military aircraft such as helicopters, missiles, etc. This is the category where the most measured trade takes place; it is also the most expensive. Small arms

¹ Often offset arrangements are also included in an arms deal. Offsets can take a variety of forms. Lumpe (1994) summarised it best when she explained that arms sales come in two basic varieties: direct and indirect offsets. Direct offsets transfer military technology, typically by granting a licence to the recipient country that allows them to produce a weapon system or its components or subcomponents. Indirect offsets are not directly related to the military and may involve the counter-importing of some random products from the arms-importing country, transferring commercial technology of direct investment in the importing country.

and light weapons include rifles, pistols, machine guns, hand grenades, man-portable missiles, landmines etc.² Small arms and light weapons are cheaper and widely available. Trade in these weapons is not just handled by governments, but often by private dealers, which makes it very difficult to monitor. They are also considered the weapons causing the most deaths and injuries during conflicts. Dual-use equipment can be used for both military and civilian purposes, for instance, technology such as machinery and tools that can be used to produce commercial products, but also to produce different kinds of weapons (Levine & Smith, 1997:341).

Arms industries, manufacturing all these kinds of weapons, exist because every state has the sovereign right to ensure its national security. Governments have industrial policies to regulate the arms industry, because it quite different from other industries. This is the origin of national arms industries. Today the picture looks quite different. Globalisation has not left arms industries unaffected. Arms industries are high-technology industries, very dependent on huge amounts of capital for research, development and production. This leads them to argue in favour of free and open commerce and wanting to do business as is done by any other industry today. They are targeting the global market, becoming export oriented, applying global business strategies like international mergers, acquisitions, strategic alliances, co-development and licensing arrangements, etc. Development, production and marketing of advanced conventional weapons are beginning to resemble other sectors of the international economy (Kellar&Nolan, 1998:120-122). This situation is distressing for global civil society.

Richard Bitzinger reflected on this idea and describes “the globalization of the arms industry” by stating that it “ entails a significant shift away from traditional, single-country patterns of weapons production toward internationalization of development, production and marketing of arms” (Parker, 1999:122). Stephen Staples (1999) looks at the effects of globalisation on arms trade and focuses on what he calls the military-corporate complex. He discussed the concept of the “military-industrial complex” developed by former US president Eisenhower, which refers to the collusion between the military and defence contractors to subvert democracy. Staples argues that, with the end of the Cold War and the changes that went along with it, Eisenhower’s concept needs to be reconsidered. He argues that Eisenhower’s idea has

² As seen in the previous chapter, landmines have been removed from this category into the category of

been transformed into the military-corporate complex. It is this new beast that affects international security and national stability (Staples, 1999)

He explains that globalisation has created a different relationship between governments, corporations and their military allies. The nation state can no longer rule over its economy and some defence companies are no longer bound within national borders. Former nationally orientated defence companies are now transnational corporations moving operations around the world in search of higher government subsidies, favourable tax incentives, lower wages, low labour standards and mergers with other corporations to make for even more powerful transnational corporations (Staples, 1999).

During the Cold War era arms were traded amongst nations, but for different reasons than they are today. The arms trade was driven by geopolitical and ideological calculations (Keller & Nolan, 1998:114). For much of this period (the 1960s to the 1980s) the global arms trade was dominated by the competitive practices of Washington and Moscow. Mostly arms were supplied by these two superpowers and their closest allies. Trade of arms was used to attract allies, but there was a clear policy on both sides. On the Western side there was the Co-ordination Committee on Multilateral Export Controls (COCOM). COCOM was used by major Western industrial powers to impose restrictions on the trade and transfer of weapons and militarily useful technology to the Soviet bloc (Hartung, 2000:2). On the other side, the Soviets made arms available through the Warsaw Pact (Keller & Nolan, 1998:114).

In pursuit of allies each of these superpowers supplied arms to countries that supported their ideals. Allies in areas such as the Middle East, South Asia and East Asia were considered very important (Klare, 1996:857). The superpowers also competed to gain influence in so-called Third World countries by supplying them with arms and taking sides in regional conflicts brewing there. This created local arms races "with each side in these rivalries turning to their superpower patrons for arms of increasing lethality and sophistication" (Klare, 1996:858). This competition between the superpowers governed the composition and flow of arms during the Cold War period.

mass destruction and have since been banned.

Throughout the 1980s the major allies of the superpowers worked to and managed to achieve a foothold in the global arms market. Mostly driven by economic motives, nations like the UK, France and West Germany and China were becoming major players in their own right. During this era newer and smaller arms exporters such as Brazil, Bulgaria, Egypt, Israel, North Korea, South Korea, Spain and Yugoslavia emerged as well. Their motives for developing their arms industries for domestic and international purposes were varied. Some did this to reduce their military reliance on the superpowers; others saw the economic benefits (Keller & Nolan, 1998:114).

Klare (1996:858) argues that together these patterns and trends of arms trade can be considered the Cold War paradigm of global arms trafficking. He summarises this paradigm as follows:

- (1) the overwhelming dominance of the superpowers (and their respective allies) over the global arms flow;
- (2) the primacy of ideological and geopolitical factors determining the recipients of arms;
- (3) the emergence and acceleration of regional arms rivalries in key Third World areas;
- and (4) a preference on the part of leading recipients, for transfers of sophisticated front-line combat systems.

Since the end of the Cold War there has been something of a decline in the global arms trade and this paradigm has largely dissipated. However, new trends are emerging.

According to Klare (1996), the paradigm in the post-Cold War era is not yet fully delineated but essential features have become evident. These features show that the arms trade has not simply changed into a smaller version of its old self but rather changed into something totally different. These features include:

- (1) The unrivalled dominance of the USA in the global arms traffic;
- (2) the primacy of economic (as against ideological and geopolitical) motives for arms exports;
- (3) the emergence of new arms rivalries in East Asia (*and now many other regions*) and the expansion of existing markets in a number of other areas;
- (4) a focus on internal (as against external) defence in the selection of arms by many states;
- (5) the growing salience in the arms trade of sectarian militias, insurgent groups, black-market dealers and other non state actors (Klare, 1996:859)³.

³ Italics added

Klare derived these paradigms by studying the statistics on arms trafficking in the Cold War era and the post-Cold War era available to him at the time. He wrote his article in 1996 and in the last five years there have been some changes. However, today the basic features of his post-Cold War paradigm still hold true. I found his paradigms to be good summaries of the basic trends in the global arms market of the past and the present. There are many flaws and limitations when it comes to arms trade statistics. Because of a variety of problems, there are deficiencies in the available data. But many sources of information are very useful, like the data from the UN Arms Register, sources that rely on publicly available data, such as the Stockholm International Peace Research Institute (SIPRI), the International Institute for Strategic Studies (IISS) and so forth⁴. Despite methodological and data-gathering problems with respect to trade in conventional weaponry, the key sources are in agreement, so that analysts find the same basic trends (Hartung, 2000).

The trends are: 1) the USA can be considered the key supplier in the global arms trade, sometimes controlling up to 50 % of the total global trade in any given year; 2) there are sometimes surprises such as when a few big contracts change the rankings; 3) the five permanent members of the UN Security Council, the US, France, the UK, Russia and China, controlled the trade in conventional weapons throughout the 1990s and continue to do so. They controlled up to 80% of the dollar volume of global trade in conventional weaponry; 4) Germany sometimes managed to land within the top five, and niche suppliers like Israel and Italy also play an important role supplying specific countries or conflict zones (Hartung, 2000:5).

The same trends were reported by Steyn in 2000. He reported that the USA was still the biggest arms exporter, with more than a third of the total global market share. Developed countries are responsible for almost two thirds of arms sales. The same trends are also reported by SIPRI (<http://editors.sipri.org/pubs/yb00/annexe.htm>). As stated above, Klare also mentioned the emergence of new arms rivalries. A number of bipolar hostilities can be mentioned to substantiate that point. In recent years regional tensions have mounted and have prompted bipolar antagonisms and renewed arms races. Consider the tensions between Greece and Turkey; India and Pakistan; Iran and

⁴ The Stockholm International Research Institute (SIPRI) was established in 1966. Its purpose is “to conduct scientific research on questions of conflict and cooperation of importance for international peace and security with the aim of contributing to an understanding of the conditions for peaceful solution of international conflicts and for a stable peace” (<http://www.sipri.se/org/history.html>). SIPRI

Iraq; North and South Korea; Taiwan and China; Syria and Israel (Levine & Smith, 1997:342). One can add Israel and Pakistan; the conflicts in the Balkans, East Timor and various hostilities in Africa. The last two features stated by Klare hold true as well. This is the situation we are dealing with today.

4.3 Arguments for and against global arms trade

The strongest argument governments make for keeping up arms industries and importing arms is that they have a sovereign right to protect their territory and national security. NGOs, especially those in developing countries, argue that human security issues such as jobs, housing, health, education, clean water, freedom from fear of crime and so forth must take priority over military security, because human security issues pose a greater risk to the stability and security of countries. Spending already scarce funds on weapons procurement diverts scarce resources from socio-economic projects where they are sorely needed. The Council of Defence Alternatives (CDA) in South Africa evaluated the country's security environment and concluded that the socio-economic consequences of poverty are a greater threat to South Africa than the threat of foreign armies.

NGOs in developed countries argue that their governments should not export arms to developing countries precisely for the above reasons. They also argue that governments in developed countries should not export arms to countries that are already conflict ridden as well as countries governed by oppressive regimes. Governments in developed countries in turn argue that they might as well export arms to such countries, because if they do not, someone else will. So they might as well enrich their own arms industries, which provide many jobs for their own citizens.

Governments put forward the argument that the arms industry is needed for national security and because it provides jobs, and usually approve when arms industries adopt export-orientated strategies. These industries argue that they have to export to remain viable and want to extend free trade practices to their industries. NGOs argue that such strategies go against national security and that the arms industry should not be regarded as any other industry, because this will be the equivalent of commercialising death.

has over the years managed to build up a reputation of competence, professional skills, impartial

Kellar and Nolan (1998,120) argue in this way when they say that arguments in favour of free trade simply cannot be extended to trade in military technology and advance weapons. It goes against the very reasons why national arms industries exist. They argue that “Preserving the illusion that these companies exist for nations is both misleading and dangerous” because “ It erodes the central mechanisms that safeguard both national and international security” (Kellar & Nolan, 1998:122). This is a very strong argument against global arms trade. Kellar and Nolan (1998:113) go even further to say that the globalisation of arms is threatening the existing and emerging framework of agreements on weapons of mass destruction and that it therefore is a direct impediment to the achievement of peace and international stability and security.

Some governments argue that exporting arms is good economics and importing arms can also be beneficial to the economy of a country. Here they refer to offset arrangements that are sometimes included in weapons procurement packages. Such offset arrangements are included in the South African government’s current procurement package. NGOs argue that such offsets rarely benefit the recipient country and that this is usually just used as an excuse by governments to spend large amounts of money on weapons. Dr Neil Cooper of the University of Plymouth in England argues that “ the only real function that offsets perform for the recipient countries is to provide political legitimisation for large outlays required for military equipment, by allowing government to point to the apparent, but ultimately non-existent, economic benefits that can be derived from offsets” (Cooper, 1998).⁵ These are some of the arguments most frequently used by governments and NGOs for and against international arms trade.

4.4 Security Situation

4.4.1 International

With the end of the Cold War international security has become a bit more uncertain. The spread of democracy has made interstate conflict less frequent. Instead intra-state conflict has become a definite feature of this era. Ethnic and religious

information and reliable research.

conflicts have erupted all over the globe. Unpredictable non-state forces within countries such as insurgents, guerrilla armies and national as well as international terrorists have now become the enemy. Conventional warfare seems to have become a thing of the past. However, after September 11 this year, when the USA was devastated by terrorist attacks, the security environment has become even more uncertain. The world waited to see how the USA would respond. They declared war on terrorism and started in Afghanistan, where they believe their main suspect was hiding, but this is not a short-term mission. The war on terrorism will continue.

There has not been enough political and theoretical analysis on this state of affairs yet. The issue is very complex and I do not have enough knowledge to discuss it here. One would simply be speculating. I will not do so because it is not necessary for the purposes of this study. I am only going to share a few thoughts and arguments I have encountered.

The events of September 11 2001 may have led many governments to believe that now is the time to rearm. Some might believe that in this uncertain international environment it might be better to prepare for anything. On the other hand, many NGOs believe that now is precisely the time to stop the international arms trade and work on conventional disarmament and arms control measures.

Terry Crawford-Browne of Economist Allied for Arms Reduction (South Africa) argued that military preparedness has proved irrelevant against the sudden attacks of terrorists. He made the following statements even before September 11:

Some 90 percent of casualties of modern warfare are non-combatants, woman and children. Child soldiers are a recent phenomenon. A mere 20 kilograms of anthrax sprayed from a helicopter or a crop duster by a political malcontent could be sufficient to kill the whole population of metropolitan Cape Town, or three million people. Even the United States is unable to protect itself against the terrorist bombing of a building in Oklahoma City or a suicide attack against its warship in the port of Aden, Yemen

(<http://www.ecar.org/za/Papers/defencereview.htm> [30/08/2001]).

⁵ Cooper evaluated the South African procurement package and argues that there is not much reason to believe that South Africa would be able to combine rearmament and development when so many others have failed miserably. Especially not by depending on offset arrangements.

It is horrible but true that the USA could not protect itself when the World Trade Centre in New York and the Pentagon in Washington were attacked on September 11 2001. This does not mean that governments should not do anything to try and protect their national security, but rearming is not the answer either.

NGOs working on the issue of small arms have also argued that now is the time to stop the proliferation of these weapons. For instance, the International Network on Small Arms (IANSA) argues that small arms are undoubtedly the weapons of choice for terrorist groupings and rebel forces. Therefore the illicit trade in small arms should be eradicated and the legal trade in these weapons also needs to be curbed and regulated. What is to be done? Future research on international security may find some answers. The only thing I know for sure is that NGOs fighting against the proliferation of conventional weapons will not be swayed from their cause now. Whether they will get enough government support is uncertain.

4.4.2 South Africa

At the height of the Cold War, especially during the 1970s, arms imports increased faster in Africa than in any other region. By the end of the Cold War there had been a notable decline. However, this decline in defence spending was and still is disproportionate compared to spending in other sectors of the economy. That is because, although the post-Cold War era brought about many changes, it did not lead to a significant change in the interpretation of security threats in Africa. There were significant reductions in interstate conflicts, but continuing internal instability in many African states has perpetuated arms transfer and proliferation (Olonisakin, 1999:4-8).

As new intra-state armed conflicts broke out, those affected acquired more weapons. States near these hotspots also seek and acquire weapons, either to prevent the spillover of conflict to their territories or to take part in military intervention exercises in conflict-ridden neighbouring states. The rapid proliferation of small arms added fuel to the fire in many states and still does so, as these arms end up in the hands of normal civilians who then take sides in brewing conflicts. The security elite in many African states was and is focused on regime security and this has caused the continuation of arms accumulation and conflict (Olonisakin, 1999: 4-8).

South Africa is one of the few sub-Saharan African states that have a significant arms industry. Although South Africa is not a big arms exporter, it does export weapons, because as an arms-producing country, it has the same economic imperatives as other arms-producing countries⁶ (Olonisakin, 1999: 15). Originally the South African arms industry was dominated by Armscor, which is owned by the state. In 1992 Denel was established as the manufacturing arm of Armscor. Armscor now deals just with procurement. Denel is 100 percent state-owned. There are some private defence companies, but the South African arms industry is very concentrated, with four companies, including Armscor and Denel, obtaining 80 percent of all defence contracts. Most of the defence companies in South Africa see exports as the key to their survival. However, since the early 1990s exports have declined (Goga, 2001). When it comes to imports, it seems a different story.

During the Cold War era and a few years afterwards, South Africa along with Nigeria had the largest defence budget in sub-Saharan Africa. South Africa's defence spending did go down drastically since it became a democracy in 1994 (Olonisakin, 1999:9). Goga (1999) argues that South Africa underwent a period of societal demilitarisation from 1994 to 1997, with financial priorities at the national level focused on social welfare, housing and education. However, since 1997 there have been indications of a financial shift towards rearmament. In the late 1990s Southern Africa experienced increased regional tensions, as Namibia and Zimbabwe decided to join the war in the Democratic Republic of the Congo, the failure of the Angolan peace accord, South Africa's disastrous invasion of Lesotho and the land conflict in Zimbabwe. These situations can be said to have contributed the perception of a less secure Southern Africa. Whether or not these situations are the reason for it the South African government's decision to sign a very expensive arms deal in 1999 does show a financial shift towards rearmament (Goga, 1999.1).

The government announced in September 1999 that they want to acquire about R32 billion worth of military equipment that would include submarines, fighter aircraft, helicopters and other equipment. Later different estimates showed that the cost of the procurement package would be higher than R32 billion.. The weapons that will be acquired fall into the category of major conventional weapons. According to

⁶ South Africa could not import or export weapons for some time after the UN Security Council imposed an arms embargo on apartheid South Africa in 1977. This embargo was lifted in 1994. At the

the government, this package deal would include offset agreements that would lead to significant foreign investment and employment opportunities in South Africa. It has been announced by the government that the benefit to the South African economy is estimated at R110 billion and 64 000 jobs (Parliamentary Bureau, 2000). Many doubt whether such benefits will materialise.

This is the largest arms deal in South Africa's arms procurement history so far. The decision to buy these arms has its origins in the White Paper on National Defence that was approved by parliament 1996 after a Defence Review. It outlined a new force design for the SA National Defence Force (SANDF). It was argued that the SANDF readiness to deal with future security challenges is affected because of outdated and inadequate military equipment. Apparently this equipment could not be updated because of budget cuts the previous few years.

Since the South African government signed this deal, the procurement package has been the cause of enormous public controversies concerning issues such as whether or not this equipment is needed while there are many welfare projects where such funds are urgently needed; the rising costs of the package itself; lack of transparency; allegations of corruption and of cover-ups by investigators, amongst others. South African NGOs have been opposed to the procurement package since the government's intentions became known to them. The Coalition for Defence Coalition (CDA), which represents a host of different NGOs, tried very hard to get the government to cancel this deal.

They argued that scarce resources would be wasted and that offset promises would never be realised. When allegations of corruption surfaced, they became even more adamant to put a stop to the proposed procurement of weapons. Allegations have been investigated, leading to some government officials and defence contractors being taken to court. Investigations are still going on. The latest results of investigations did not go down well with opposition parties. Some results have been questioned. Still government will not stop this deal. ECAAR (SA), which is part of the CDA, has presented various research papers, proposals and allegations to the government. They used Cooper's arguments to dissuade government from believing in offsets. The arms

time South Africa also became the first country to relinquish its nuclear weapons (Crawford-Browne, 2000)

deal soon became a public spectacle and NGOs used the media to their utmost advantage⁷.

Most of the arms in the procurement packages come from Europe. The CDA argues that the package makes a mockery of the EU Code of Conduct. Criterion 8 of the EU Code requires that the socio-economic situation of recipient countries should be considered. South African NGOs remain active on the arms deal issue. ECAAR has launched a High Court Application that is aimed at scrapping the arms deal on the basis that loan agreements with foreign governments and banks were signed without legal or institutional powers. NGOs argue that not only must the government stop spending money on acquiring weapons, but it must also stop putting money into the arms industry. They argue that these companies – especially the state-owned one – are not even economically viable and that economic viability and jobs are the reasons states usually give when they do not want to convert arms industries⁸. The fight goes on.

4.5 Arms control and disarmament

There are a variety of arms control and disarmament measures which have some effect on global arms trade. These measures come in the form of international or multilateral agreements, treaties and conventions, regional arrangements and unilateral measures. Most states have some kind of policy when it comes to the buying and the selling of conventional weapons. Some governments make it their policy not to sell or buy from countries with repressive regimes and bad human rights records. Some countries work with their neighbours within regional bodies to form standards for arms trade, for example, the EU Code of Conduct⁹. International arms control instruments usually concentrate on weapons of mass destruction, but the arms control instruments I am interested here are those dealing with conventional weapons. I will discuss some of the most important ones.

⁷ Arguments come from various sources, mostly newspapers and NGO papers, which are listed in the bibliography at the end of this paper.

⁸ Arguments stem from a variety of sources included in the bibliography.

⁹ The EU Code of Conduct was compiled because of pressure from European NGOs and members of the EU Parliament. It is a good regional instrument, although it has still too many weaknesses to be used as an effective international instrument for arms restraint. The South African Development Community has aligned itself with the EU Code (<http://www.oxfam.org.uk/policy/papers/smarms/Code/analysis.htm>).

4.5.1 *The CCW*

Since the Hague peace conferences of the early 20th century, major nations have sought to ban weapons that are regarded as unnecessarily damaging to humanity. For instance, the crossbow was declared illegal in medieval times, poison gas was declared illegal after World War I and since then serious attention has been given to so-called weapons of mass destruction, which include chemical, biological and nuclear weapons. These weapons have not been declared illegal, but significant progress was made in banning the manufacture, use and transfer of these weapons. Later weapons such as landmines and other types of booby traps were also found to cause unnecessary damage to humanity. In consequence the Convention on Certain Conventional Weapons, also called the Inhumane Weapons Convention, was signed on 10 April 1981 and came into effect on 2 December 1983. It imposes restrictions on the use of certain conventional weapons that are deemed to be excessively injurious or have indiscriminate effects (Ziring, Plano & Olton, 1995:231). Recently weapons such as blinding laser weapons were also added to this Convention.

The CCW has been acclaimed as a triumph because it refers to specific weapons and spells out restrictions for these weapons. In 1981 this certainly was a breakthrough, but times have changed and many believe that this Convention is not particularly effective in this era. The problem with this convention is that it addresses only certain conventional weapons and the restrictions on these weapons are ineffective or difficult to apply.¹⁰ This is reflected in the following statement: “However, the restrictions the Convention imposes, particularly those on mines, have proved manifestly ineffective” Other problems are that “it deals only with international, not civil, disputes. It contains no verification provisions, and violators face no sanctions” (Wurst, 1994:1).

Some of these problems were addressed in the first CCW Review conference, which was held in 1995 and 1996. For instance, the landmines protocol was extended to deal with internal as well as international conflicts. This is the only protocol with this extension (Matheson, 2000:1). The rest of the changes were incremental. As

¹⁰ This certainly is a problem for those NGOs and individuals who want an effective arms control measure that could deal with all kinds of conventional weapons.

described in Chapter 3, the changes to the landmines protocol was not very significant, to the disappointment of those who wanted to ban AP landmines¹¹.

Another CCW Review Conference was held on 11-21 December 2001. The purpose of this review was to address the many other problems that constrain the effectiveness of the Convention (<http://www.ccw-treaty.com>), Matheson (2000), who seems very impressed with the changes made in 1995 and 1996, states that “The 2001 review conference is unlikely to produce results as dramatic and far-reaching as the 1995-1996 review conference did.” The Convention still only addresses some conventional weapons. Many other conventional weapons are traded and used in conflicts and the NGOs described in this chapter are seeking to make a difference in this area. The CCW is certainly not the tool for this.

4.5.2 Missile Technology Control Regime (MTCR)

This multilateral arrangement restricts the export of delivery systems and related technology, that is, systems that are capable of carrying a 500 kg weapon system for at least 300 kilometres as well as systems intended for the delivery of weapons of mass destruction. The MTCR’s definition of missiles includes, ballistic missiles, space launch vehicles and sounding rockets, unmanned air vehicles, cruise missiles, drones and remotely piloted vehicles. MTCR is a voluntary arrangement between 27 countries. It consists of common export policies applied to a common list of controlled items. The arrangement originally covered only delivery systems capable of delivering nuclear weapons. It was extended to cover other kinds of missiles, as mentioned above. The weapons systems that are described here fit into the category of major weapon systems. This arrangement is effective for its purposes, but like the CCW it wants to control only a certain kind of conventional weapon. It at least narrows the field for NGOs fighting against the trade of conventional weapons.

¹¹ According to Matheson (2000), the changes to the CCW during the 1995-1996 Review process are significant, in spite of the adoption of the Ottawa convention, because they ensure some restraint on those who have not signed the Ottawa Convention and those that might never sign it. However, the Ottawa convention has already established an international norm which even non-signatories would be foolish to defy openly.

4.5.3 *The UN Arms Transfer Register*

The United Nations Register of Conventional Arms was established on 10 December 1991 by General Assembly Resolution 46/36 L (1991). It requires that UN members provide data on imports and exports of seven categories of major military equipment. These seven categories only include the largest weapons systems¹² (Shaw, 1998:1). All these weapons fall into the category of major weapons systems. This excludes dual-use equipment, small arms and light weaponry as well as military services. The register addresses all legal arms transactions made by members. These data are to be reported annually. This reporting is done on a voluntary basis. While the reporting is comprehensive, its success has been limited. In 1992, its first year of operation, 90 states submitted data to the register, but this figure declined to only 85 participants in 1994 – roughly half the UN membership (Shaw, 1998). Participation by countries in Africa and the Middle East is especially low (<http://www.dfait-maeci.gc.ca/foreignp/arms/convweap2-e.asp>).

The UN Register certainly does help to improve the transparency of the international trade of conventional weapons. This is the main reason for this register. As mentioned, there are problems with participation and consistency, and because of this there are also problems of data accuracy. There is also difficulty with the identification of the specific categories of weapons because, although the register encourages this, it is not necessary for participants to describe the type of equipment. Sometimes there are also a variety of other discrepancies in reports of exports and imports, because of the different definitions of the word “transfer” used by different states. Some suggestions for improving the effectiveness of the UN Arms Register is that new categories such as small and light weapons should be added or that data submissions of regional security organisations should also be considered (<http://www.dfait-maeci.gc.ca/foreignp/arms/convweap2-e.asp>). For its purposes this register is reasonably effective, but it does not impose any restrictions on the trade of arms between nations.

¹² In particular, it includes: battle tanks, armoured vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships and missile/missile launchers (www.un.org/Depts/dda/CAB/register.htm).

4.5.4 *The Wassenaar Arrangement*

With the end of the Cold War the members of the COCOM export control regime realised that the East-West focus of COCOM was no longer appropriate and was terminated. Although each of the states that belonged to COCOM had their own policies to regulate the export and import of conventional weapons, they did not have a mutual agreement for a few years (www.wassenaar.org). In 1991 after the Persian Gulf conflict the five permanent members of the UN Security Council agreed to consider the adoption of mutual restraints on the transfer of major conventional weapons especially to areas of conflict. This effort collapsed when China withdrew from negotiations because the US sold warplanes to Taiwan. For a while no progress was made on the issue. In 1995 the major players tried again and agreed to establish a “New Forum” where states would consult with one another on sensitive arms deals (Klare, 1998:874).

This “New Forum” was a temporary arrangement, which was finally confirmed and finalised at Wassenaar, Netherlands 29-30 March 1994. This Final Agreement was reached in 1996 and was called “The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods Technologies” (www.fas.org) It was approved by 33 countries and began operations in September 1996¹³. It became known as the first global multilateral arrangement on export controls for conventional weapons. The Arrangement is open to any state that complies with the agreed criteria.

The purpose of the arrangement is to contribute to regional and international security and stability by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies and preventing destabilising accumulations. The national policies of every member state must conform to the provisions of the Arrangement. Amendments were made in 2000, but these were only incremental changes. On paper this Arrangement sounds very good, but many scholars are critical of it because its specifications are not always adhered to by member states.

¹³ To date the countries that are part of the Wassenaar Arrangement are the following: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Japan, Luxembourg, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, Turkey, Ukraine, UK, USA.

For instance, Keller and Nolan (1998:123) are very critical. They argue that Wassenaar is no more than a forum for exchanging information for weapons sales. According to Keller & Nolan (1998:123), the Wassenaar Arrangement “has received scant attention from the policy community and ridicule from the arms lobby, and it is presently languishing with no high-level involvement” and “Wassenaar does not have the ‘teeth’ to control arms exports”. I think Wassenaar is a good effort and a step in the right direction, because it at least provides a regular forum where states can discuss concepts of transparency and restraint and where they can consult with each other on important weapon transactions. This is acknowledged by Hartung (2000). He considers the arrangement a definite sign of progress, even though he says “Since the Wassenaar arrangement is a voluntary consensus building effort rather than a binding agreement, its value waxes and wanes based on the quality of the interactions among the key parties to the arrangement” (Hartung, 2000:6). It is progress but I must agree that it sometime does not seem very effective judging from arms deals made by some of its members in the last few years and also because it does not prohibit the export of any type – not one – of conventional weapons. Keller and Nolan (1998:124) also argue that Wassenaar can only have some effect on the state of the global arms trade if it at least identifies a set of specific technologies and particular weapons that must not be proliferated.

4.6 NGOs against the arms trade

4.6.1 International and regional

- **Economists Allied for Arms Reduction (ECAAR)**

Origin, purpose and goal

ECAAR is an international NGO established in 1988 in New York. ECAAR’s directors are well known and respected economists. The organisation is accredited to the UN and has affiliates in twelve countries (Crawford-Browne, 2001)¹⁴. In their statement of purpose ECAAR state that their

¹⁴ ECAAR has affiliates in the following countries: USA, Australia, Canada, Chile, France, India, Israel, Japan, Netherlands, Russia, South Africa and UK.

broad objective is “to promote objective economic analysis and appropriate action on global issues relating to peace, security and the world economy” (www.ecaar.org/purpose.htm).

The reason they want to do this is that “ We note the high cost of war to the lives of those involved, directly and indirectly, and the increasing risk that the present military-dependent, competitive global security system will fuel uncontrollable conflicts between and within states. We support and work for policies and institutions so that changes within states can be achieved through peaceful democratic processes and so that international disputes can be managed without war. We support the creation of systems by which international disputes can be solved through negotiation, arbitration and judicial proceedings through and enhanced United Nations and other multinational institutions that will also address common global environmental needs while avoiding waste and enhancing international security.” (www.ecaar.org/purpose.htm).

Links and working relationships with other NGOs

ECAAR is currently busy in a very active and widespread campaign against arms trade amongst nations. They target governments in developing countries who import weapons despite urgent socio-economic priorities as well as the developed countries that sell these arms. ECAAR’s twelve affiliates are each busy with their own national strategies and activities. In working against the arms trade ECAAR participates in a wide range of activities ranging from research, lobbying and protesting against government, advocacy, etc.

Current activities and achievements

ECAAR participates in a wide range of activities to achieve their goal. These activities vary with different national campaigns. I have already mentioned some of the activities of the ECAAR (South Africa).

- **European Network Against Arms Trade (ENAAT)**

Origin, purpose and goal

ENAAT was formed 1984 and it now provides a forum for a wide variety of NGOs working against arms production and export. ENAAT member organisations are structured and organised differently and they vary in the

action they take, but they all have the same broad goal in common. This goal is "...stopping arms production in Europe and of stopping arms export in general" (www.fred.dk/peace/enaat.htm)

Links and working relationships with other NGOs

The UK-based Campaign Against the Arms Trade (CAAT) is part of ENAAT or rather they have a working relationship. CAAT has a longer history than ENAAT. However, they liaise with and take part in ENAAT's international strategy. The Quaker Council for European Affairs (QCEA), which brings matters of concern to Quakers in Europe to European institutions, also forms part of ENAAT. Quakers in France are especially active in the arms trade campaign. ENAAT also plays a useful role as part of the International Action Network on Small Arms (IANSA).

Current activities and achievements

ENAAT is engaged in a variety of activities such as spreading their views on the arms trade via the Internet and the media; they monitor arms exports, protests at arms bazaars, pressure governments and so forth. They also lobby government bodies and try to participate in the policy formation at such bodies. For instance, since 1999 they have focused their efforts on the Arms Transfers Working Group of the European parliament. This group analyses and discusses arms at the level of the European Union (EU). They work to influence legislation at this level. NGOs are allowed to attend the sessions of the group. It is actually open to any kind of organisation that wants to improve regulation of the arms trade. The Transfer Working Group is very active and was at work on the EU's strategy on defence-related industries. In 1998 the group was also involved in the formation of the EU Code of Conduct on Arms Exports, which was adopted in June 1999 (Gee, 1999). ENAAT campaigns against the arms trade and is currently still very active.

• Campaign Against Arms Trade (CAAT)

Origin, purpose and goal

CAAT was formed in 1974 by group of peace organisations and others in the UK. These organisations came together because they were concerned about the growth in the arms trade after the Middle East war of 1973. This group of organisations is very diverse but focused on their common goal. This

broad coalition of NGOs is committed to the following objectives: “ –an end to international arms trade and the UK’s role in it as one of the world’s leading arms exporters; -the re-orientation of the economy from military to civil production.” To do this they state that “ CAAT makes no essential political or moral distinction between arms suppliers, being opposed to all arms exports. Neither does it prescribe any one specific means for reducing and eventually eliminating arms exports” (www.than.onthepc..co.uk/intro/aboutcaat.html).

Links and working relationships with other NGOs

As mentioned above, CAAT has a working relationship with ENAAT.

Current activities and achievements

CAAT takes part and organises protests against major arms corporations and arms exhibitions in UK and Europe; they do research on defence related matters; they gather information on global arms exports and the UK’s part in this; they pressure the government and run an effective activist campaign against the arms trade in the media and via the Internet. For instance, in 1998 they focused their efforts on the number one arms exporter in Europe, British Aerospace AGM. (Gideon, 1998). They are very active where it comes to public protest against such organisations. They make good use of the media to ensure that the public at large are concerned and remain concerned about the arms trade.

CAAT also tries to arrange regular meetings with important political parties in the UK to try and get their support for the cause. They are also very active in lobbying government departments that have an interest in arms exports such as the Department of Trade and Industry, the Ministry of Defence, the Foreign and Commonwealth Office and the Department of International Development. They regularly submit reports stating their view and suggestions to these departments. For instance, in 1998 CAAT was against the planned export of arms to South Africa. They tried to persuade the Department of International Development to cancel the huge export deal with South Africa. Stressing South Africa’s level of social and economic development, they argued that such a deal would aggravate the poverty of most South Africans. They did not achieve much success there (Faitham, 1999).

- **Coalition to Oppose the Arms Trade (COAT)**

Origin, purpose and goal

COAT was formed in 1988 in Canada and it consists of a number of activist organisations that oppose Canada's role in the international arms trade. Their goal is to curb international arms trade, especially Canada's role in it, especially where it concerns the sale of arms to oppressive governments known for human rights abuses. COAT also has other goals such as nuclear weapons conversion and even advocating non-violent play, where they work to organise opposition to war toys and violent games while promoting cooperative children's activities.

Links and working relationships with other NGOs

They have no formal working relationship with any other major NGO or NGO network. They do, however, have links with Arms Transfer Working Group (USA), Peacewire, Peace Action, SPIRI and others. They also have contact with NGOs in countries where Canada exports arms. They solicit letters from NGOs in these countries and spread them in Canada as part of their advocacy campaign and over the Internet to share information and to connect with these NGOs and others.

Current activities and achievements

COAT has contributed to exposing and opposing many export events held in Canada. Through research and information gathering they have made a meaningful contribution to the understanding and discussion of defence-related issues. They have put pressure on their government for its role in the international arms trade and have gathered support and built up pressure for the conversion of Canada's arms industry. They have organised conferences on conversion and have helped to raise awareness of the arms trade and its effect on Canada and other countries. To raise awareness they have used the media as well as their own magazine called *Press for Conversion*

(http://www.ncf.ca/coat/about_coat_main.htm).

- **People and Planet Against the Arms Trade**

Origin, purpose and goal

People and Planet Against the Arms Trade was originally called Third World First and was formed in 1969. It is based in Britain. Its goal is to stop the

international trade in arms, but the main objective is stop Britain from selling weapons to repressive regimes.

Links and activities

People and Planet have no formal links with organisations outside the UK. In the UK they conduct a very active and continuous campaign.

• Peace Action

Origin, purpose and goal

Peace Action was founded in 1957 in the United States. Peace Action together with its sister organisation, Peace Action Education Fund (PAEF) and the Student Peace Action Network (SPAN), work to promote global nuclear disarmament, cut military spending and end the international arms trade. Peace Action has a membership of 55 000 persons, with 27 state affiliates and more than 100 chapters in the US (www.webcom.com/peaceact/about.html).

Links and working relationships with other NGOs

Peace Action's international office works to connect and maintain connections between grassroots and international organisations that work for peace. Thus they have contact and working relationships with a variety of other NGOs. They are also part of the US Arms Transfer Working Group.

Current activities and achievements

Peace Action takes part in a wide range of activities to further their cause. They keep close tabs on the activities of all their affiliates to coordinate their strategy. For instance, they host regional meetings and a congress every year to train activists and to decide their future policy. They publish a quarterly newsletter spreading information on the arms trade and the stance of different members of the US Congress on the issue. In their efforts to keep up public awareness they also spread factsheets, pamphlets and the like. They also monitor and participate in UN forums dealing with disarmament.

- **.Arms Transfer Working Group (US)**

- British American Security Information Council**

- Centre for International Policy**

- Council For A Liveable World**

- Council on Economic Priorities**

- Education for Peace in Iraq Center**

- Federation of American Scientists**

- Arms Sales Monitoring Project**

- Friends Committee on National Legislation**

- Fund for Peace**

- Institute for Policy Studies**

- Peace and Security Programme**

- Peace Action**

- Saferworld**

- Veterans for Peace**

- Arms Trade Resource Centre**

- Washington Kurdish Institute**

The Arms Transfers working group is based in the US and consist of an alliance of over 30 arms control, human rights, peace and religious organisations working against conventional arms proliferation. The list of organisations above contaiones some the biggest members of this alliance (www.fas.org/asmp/campaigns/control/ngoletter.htm).

- **The UK Working Group on Arms**

- Amnesty International**

- Christian Aid**

- International Alert**

- Oxfam**

- Saferworld**

- British-American Security Information Council (BASIC)**

The above-mentioned organisations are some of the important organisations that form part of this working group. They work on issues of disarmament and are against the international arms trade, especially the illicit trade of light weapons

and small arms. I mention this alliance and the one before this (the US working group) just to show how many influential NGOs and other organisations – some of them not even disarmament orientated – are connected and working against the international arms trade.

- **End the Arms Race**

Origin, purpose and goal

End the Arms Race is based in Canada. It was founded in 1982 in British Columbia to enable citizens to speak out against the threat of nuclear weapons. They are best known for arranging the Walk for Peace in Vancouver every year. The last Walk for Peace was held in 1993. End the Arms Race now is focused on lobbying and education on matters of disarmament. They state their purpose as “Ending the arms race, followed by eventual elimination of all nuclear weapons. Diverting money from wasteful military spending to the funding of human needs. End the Arms Race seeks to develop the broadest possible public support for these objectives, and encourages the Federal Government to adopt policies consistent with these goals” (<http://www.peacewire.org/about/content.html>).

They want to achieve this by bringing about policies of the Canadian government that will “Cut wasteful military spending, making it possible to fund real human needs through social programmes. Stop promoting Canada’s arms industry. This is the first step in curtailing the growing international arms trade. Begin converting Canada’s military economy into a socially relevant economy. Support the World Court project in its efforts to make nuclear weapons illegal. Support a Comprehensive Nuclear Test Ban Treaty as an essential step in the struggle against the continued modernization and proliferation of nuclear weapons” (<http://www.peacewire.org>).

Links and working relationship with other NGOs

End the Arms Race is part of Peacewire. Peacewire was launched in 1995 to produce useful and empowering information on peace and disarmament¹⁵. Peacewire is the working relationship between End the Arms Race and Public Education for Peace Society.

Current Activities and Achievements

End the Arms Race researches and distributes information on Canada's arms industry to inform the media, the public and politicians. They also spread leaflets, booklets and posters to inform the general public about peace campaigns and disarmament to get their support and to get them involved. End the Arms Race is also very affective at lobbying government at all levels in trying to influence policy. They have arranged several symposiums on disarmament issues and are always represented at international peace and disarmament events such as the Hague Peace Conferences, making sure to spread information to put pressure on governments (<http://www.peacewire.org>).

- **Norwegian Initiative on Small Arms Transfers**

Origin, purpose and goal

NISAT was formed in 1997 by four Norwegian organisations, including the Red Cross as well as major research and foreign policy institutions. Their goal is "to combine the resources and networks of its partner organisations to help block the spread of small arms to areas where they are likely to produce conflict, violence and human rights abuses." [NISAT Pamphlet]

Links and working relationships with other NGOs

NISAT is an active part of the International Action Network on Small Arms (IANSA).

Current activities and achievements

NISAT is very active in their home country and as part of IANSA also internationally. They are represented at international peace and disarmament conferences. They took part in the struggle to get the small arms issue on the international security agenda. NISAT was part of the planning for and participated at the UN Conference on Illicit Trade in Small Arms and Light Weapons in All Its Aspects.¹⁶

¹⁵ The idea to form this cooperation effort arose in August 1995 during the 50th anniversary of the atomic bombing of Hiroshima and Nagasaki.

¹⁶ NGOs were very disappointed at the plenary sessions for the UN conference on Illicit Trade, when it became clear that only illicit trade in small arms and light weapons would be addressed and not the legal trade in these weapons, as well (Conrad, 2000).

- **The International Action Network on Small Arms (IANSA)**

Origin, purpose and goal

IANSA was launched in 1999. This international network consists of over 340 organisations from 71 different countries. They work together to curb the proliferation and misuse of small arms and light weapons. Their objectives are to reduce the demand and stem the supply of these weapons. This network coordinates the activities of a wide range of organisations such as development, human rights, religious, public health, gun control and humanitarian organisations. The network is currently still attracting more and more organisations. IANSA provide the framework within which these organisations can support and learn from each other (<http://www.iansa.org>).

Links and working relationships with other NGOs

This network comes the closest to the new breed of NGO (a large, global network of diverse organisations focused on a single issue) that I was describing in Chapter 3. The ICBL discussed in the second chapter also falls within this category. In addition to the multidisciplinary coalition of organisations under the IANSA umbrella, the network also associates and works with many other organisations working on conventional arms proliferation and other disarmament issues.

Current activities and achievements

IANSA use the diverse strengths of the hundreds of organisations that form part of this network to its advantage. In doing so they take a wide range of actions to achieve their goal: lobbying, advocacy, emotional appeals in the media, mobilising public opinion, using spiritual groups to evoke compassion, research and information gathering, arranging international NGO conferences on the issue. Some of their conferences have received significant attention from different governments and international organisations¹⁷. They also monitor international instruments such as the UN Program of Action¹⁸.

¹⁷ For instance, IANSA's conference in Brussels in October 2001 was attended by the President of the UN Conference, Ambassador Camilo Reyes, and other representatives of the UN, members of the EU parliament and other European institutions, representatives of the Belgian government as well as a host of other NGOs that do not form part of the network (Wery, 2001:5).

¹⁸ The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held at UN Headquarters from July 9-20, 2001. Global civil society was highly visible at the conference. 119 NGOs/NGO networks registered to attend. Over 40 NGOs were given an opportunity

IANSAs made a great contribution to the campaign against small arms and light weaponry. They played an important role at the UN Conference on Small Arms and continue to play an important role in the global movement to curb arms trade.

- **Some other organisations working against conventional weapon proliferation**

Arms Conversion Project (UK)

BASIC

Economic Conversion Project (USA)

Federation of American Scientists (FAS) –Arms Sales Monitoring Project

Global Action to Prevent War

International Campaign to Ban Landmines

Project Ploughshares (Canada, Sweden, USA)

SPIRI Small Arms Project

4.6.2 South Africa

- **Coalition for Defence Alternatives (CDA)**
Economist Allied for Arms Reduction (ECAAR)
South African Council of Churches¹⁹

to address the conference. The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its aspects was the outcome of this conference. IANSAs, like some other NGOs, was at first a bit disappointed because many issues they believed to be important were not included. However, they acknowledge the fact that the conference definitely raised global awareness on the small arms issue and it also helped to build partnerships between NGOs and government delegations. Also the Programme of Action is a legal document and IANSAs and other NGOs can help to ensure that states stick to the commitments they made in this document. Batchelor (2001:6) states that the Program of Action contributed greatly to the international campaign against the proliferation of small arms because "It provides governments, regional organisations and civil society with a sufficiently broad mandate to engage in a variety of initiatives to deal with the many dimensions of the small arms issue" He adds, "The Fact that the Conference was able to agree on a Programme of Action by consensus means that the small arms issue is now firmly on the international agenda, and that there is a formal process to take the issue forward, both inside and outside the United Nations".

¹⁹ The South African Council of Churches stance since 1990 has been to call for the total prohibition of exports of weapons from South Africa. They also call for the conversion of Armscor and Denel and that technology should be used for peaceful purposes. According to the Council of Churches, "post-apartheid South Africa should be committed to the promotion of human rights and peaceful resolution of conflicts, and the subsidies paid to maintain an economically unviable armaments industry divert public resources away from socio-economic upliftment" (<http://www.ecaar.org/za/Papers/denel.htm>).

The Quaker Peace Centre

The Catholic Justice and Peace Commission

Community Dispute Resolution Trust

Origin, purpose and goal

The CDA consists of a diverse group of NGOs and individuals that work to provide a critical response to defence and military issues. The members of the CDA Executive Committee are: The South African Council of Churches, the Catholic Justice and Peace Commission, Community Dispute Resolution Trust, Economist Allied for Arms Reduction (SA) and the Quaker Peace Centre. They share the belief that the greatest and immediate threat to South Africa is poverty and not military attack: "...the future of South Africa as a united and prosperous nation depends on its ability to feed, educate, employ, shelter and empower our people - not on the size of its military, the sophistication of its weapons or the strength of its arms industry" (www.sacct.org.za/cdabrief.html).

The CDA want to make sure that the government spends scarce funds on job creation, housing, education, health services and so forth rather than on the arms industry and weapons procurement. Their objectives are "to promote and influence public policy on militarism, national defence, the arms trade, the peaceful resolution of conflict and associated matters." That is why "It therefore calls for rapid downsizing of the military, much greater reduction in defence spending, a withdrawal from the arms trade, as well as open accountability to Parliament, and the public in general" (www.sacct.org.za/cdabrief.html).

This section will discuss only some of the most important CDA members, starting with ECAAR (SA). ECAAR (SA) is part of the ECAAR international. I have already described ECAAR's goals and principles. ECAAR (SA) stands for the same goals and principles. Naturally not all ECAAR's various national campaigns are the same; activities and objectives differ in different countries though they do coordinate them internationally. I have already described some of the actions ECAAR (SA) took to oppose the government's arms procurement deal in the section dealing with the South African security environment. ECAAR (SA) coordinate their actions with those of the CDA and its goals, but also liases with ECAAR international.

The Quaker Peace Centre originated out of the Religious Society of Friends (Quakers), which is an international phenomenon that has existed since 1652. Quakers are spread all around the world, promoting peace by objecting to serving in armies, offering relief to both sides in war times, being active in many activities promoting peace and justice. The Quaker Peace Centre was formed in 1988 during a Quaker monthly meeting for people affected by forced removals during apartheid in the Western Cape. The Centre is now staffed by 35 people working on five peace programmes. In addition, they also support campaigns against the arms trade. The Centre is also represented at the CDA and shares its goals (www.pims.org.za/FirearmsBill/Quaker.htm).

Links and working relationships with other NGOs

As already mentioned, one of the members of the CDA, ECAA (SA), is an affiliate of ECAAR international. The CDA have no other formal working relationships with other NGOs.

Current activities and achievements

The CDA also takes a wide range of actions to achieve their goals. Since the government announced that they intended to enter into a very expensive weapons deal, the CDA has been doing its utmost to stop them. They protested by sending information and petitions to certain members of parliament, submitting research reports to parliament, raising awareness through the media, etc. ECAAR is currently involved in a court case against the government in a last-ditch attempt to stop the acquisition of these weapons.

- **Others**

- **Gun Free South Africa²⁰**

- **The Ceasefire campaign²¹**

²⁰ Gun Free South Africa states, “GFSA is committed to making a material contribution to building a safe and secure nation, free from fear, by reducing the number of firearms in the society” To do so they focus on the supply of guns and their demand. This means that they are also against the trade in firearms. They try to achieve their goal by campaigning for legislative changes and stricter gun control, promoting and declaring gun-free zones, undertaking research on a variety of issues of concerning the effects of fire arms on society and so forth (<http://www.wits.ac.za/csvr/gunfree.htm>).

²¹ In 1999 Ceasefire organised a meeting with the South African government that drew more than 50 NGOs and religious groups that wanted to challenge the government’s proposed weapons procurement package. These NGOs launched a campaign to prevent the package from acquiring the necessary

4.7 The CD Again

The Conference on Disarmament (CD, considered by states as the “sole multilateral negotiating forum in the disarmament area.” (Rissanen, 2000:5). It has been struggling to adapt to the changing international context. Many states and the diplomats representing states at this forum are aware of its problems and there have been discussions on how the CD could be improved. Amongst others there are problems with procedures such as the consensus procedure, problems with the agenda, problems with transparency, problems with membership and so forth. Ambassador Draganov of Bulgaria, CD president in 2000, said that states cannot agree on what the problems are and how to fix them and that is why they tend to “pre-negotiate the conditions for our possible negotiations” (Rissanen, 2000:5). Such a process is ineffective and time consuming. Except for concluding the Chemical Weapons Convention (CWC) in 1993 and the Comprehensive Test Ban Treaty in 1996, the 1990s were marked by long-term deadlocks and thus little progress on other issues, especially during the latter part of the decade (Rissanen, 2000:6).

Currently the CD is struggling with three priority issues: first, as always with issues of nuclear disarmament; second, the prevention of an arms race in outer space (PAROS); and third, trying to impose a ban on the production of fissile materials through the Fissile Material Cut-Off Treaty (FMCT) (Rissanen, 2001). Negotiations on these treaties are deadlocked because of the many problems plaguing this disarmament forum. Ambassador Anne Anderson, representing Ireland at the CD in June 2001, spoke at one of the CD’s plenary sessions and said that the CD is at risk of becoming “an irrelevant sideshow” because of “increasingly unfavourable comparisons with successful examples of ad hoc negotiations elsewhere”²² (Rissanen, 2001:1). Anderson argued that this is the case because current CD structures are not adapted to the new security environment that is more fluid and less polar. She also argued that civil society should be allowed make a structured input to CD proceedings. She said that the CD should realise that this is a time when civil society is becoming increasingly involved in world affairs and the CD should therefore not “run against the tide” (Rissanen, 2001: 2-3).

budget approval. At the time the procurement package had already been approved by parliament (Sieff, 1999).

²² The Ottawa Process is an example of such ad hoc negotiations.

This is why I believe that the prospects for success of NGOs against the arms trade to further their case at this forum are not too good at this time. First of all civil society is still not allowed to participate in this forum. Ambassador Kariyawasam, who has been exploring ways to improve the CD's functioning, summarised his findings and said that the involvement of civil society has been discussed and no one objected outright, but he added that this cannot be interpreted as "ready acceptance of unqualified participation of the NGOs" (Rissanen, 2001:3) Secondly, conventional disarmament is not even on the CD's formal agenda. Ambassador Seibert of Germany, the Special Coordinator on the CD's Agenda, said that the agenda had "undergone a considerable loss of practical relevance" because the agenda had not really changed since transparency in armaments was added in 1992. He said that possible new items that can be added are conventional disarmament and regional disarmament. But, as with most of the other problems, there was not much agreement on this issue either (Rissanen, 2001: 8). Lastly, even if NGOs succeeded in getting conventional disarmament and thus the arms trade issue on the CD agenda, they would have a difficult time getting states to support and eventually agree on a measure to curb the arms trade, because there are still many other issues, as mentioned, that hamper the progress of any issue at the CD. Apart from problems with the participation of civil society and agenda problems, on more contentious problems such as the consensus rule, membership, the idea of a small group always monitoring the CD's effectiveness and functioning and so forth, there is also general disagreement (Rissanen, 2001:8). Is there an alternative for NGOs working on this cause?

4.8 Alternatives?

As mentioned above the CD is the sole disarmament forum where most states feel prepared to negotiate disarmament issues. NGOs can try to pressure governments in certain regions to form unilateral and bilateral agreements. NGOs can also try to make more progress at the UN or they can follow the unconventional route, as done by the NGOs in the previous chapter. As seen in Chapter 3, if NGOs are very effective in their campaigning and manage to convince enough governments to support their cause, a disarmament issue can be decided outside of the CD, with effective results. This is the type of ad hoc multilateral negotiations that Ambassador Anderson was

talking about in the section above. As seen in Chapter 1, we live in an era where global issues, which single states cannot deal with alone, arise that need timely responses. Such ad hoc processes are a very effective in this regard and can be considered processes of complex multilateralism. These processes are more fluid, just like the dynamic international security situation and the international system as a whole.

4.9 The campaign against international arms trade and the theory of new or complex multilateralism

This case can still be described as old multilateralism. Bottom-up forces are trying to make progress on their cause, but they are mostly doing so outside of the multilateral process. The arms trade is certainly more complex, with humanitarian, economic and security dimensions. Where the security dimension is concerned, most states seemed to be locked in the “high politics” mode, giving civil society little support and almost no access to policy formation. Except for some progress made at the UN on the issue of small arms, there is not much interaction between bottom-up and top-down forces at the multilateral level. Even at the UN where NGO participation is very high, multilateral negotiations even on the small arms issue is still mostly top down and can be considered as a definite example of the old multilateralism. Most pressure from NGOs is put on national governments and some progress has been made in different countries. It seems that in this case there is transformative potential, if governments and NGOs continues on this route.

4.10 Criteria for success applied

- ***A realistic goal or objective***

Trying to stop the international arms trade entirely seems a bit unrealistic to me. This is because the goal is too broad, it lacks focus and it makes it almost impossible to get government commitment. Many of the organisations I have discussed have this broad goal. It will definitely be very difficult to get governments to support such a goal. Some NGOs have more realistic short-term objectives, such as getting their own governments’ policy on weapons exports to change – even if just to set up regulations as to what countries arms

can be exported too and so forth. For instance, some of the NGOs want their governments to refrain from exporting arms to poor and conflict-ridden countries or countries that have repressive regimes and bad human rights records. Such goals are achievable. Many governments already have such policies in place. However, this does not make a significant impact on the extent of global arms trade.

Some organisations have many goals within the disarmament issue area, with stopping the arms trade as their main goal, which seems disorientated. Others work towards curbing the arms trade, which is also easier to achieve. They can seek to establish international instruments that will ensure transparency and will restrict the trade of certain conventional weapons such as the ones I have discussed. Ensuring that such instruments are more effective and enforceable is a good objective. In doing so, focussing on one category of conventional weapons, major weapons systems, dual-use technology or small and light weapons might also help to make the end goal of curbing arms trade easier to achieve. Some of the organisations that I have discussed focus on a particular category of weapons such as small arms and light weapons. For the rest of these NGOs, their goal or goals are definitely hampering progress.

- ***Issue area (type, number, salience, techniques used to frame the issue)***

The international arms trade issue is much more complex compared to the landmine issue in the previous chapter. This issue also does not have such dramatic emotional appeal. However, NGOs the discussed here have been very effective in putting governments in a bad light because of arm sales. Those in developing countries that argue that poverty is the greatest threat do so effectively, highlighting the serious socio-economic problems of such countries. NGOs in developing countries depict their governments as indirect murderers when they export arms to conflict-ridden countries with oppressive regimes and no human rights culture. With such arguments they get the support of the public.

The arms trade issue was not highly salient, especially as far as the daily lives of normal citizens in stable countries were concerned. However, the NGOs worked hard to spread information so that arms deals are now scrutinised by the media and the public. Yet no specific techniques are used to frame the issue. Although the issue itself is very complex, I don't think this is

the reason why these campaigns have not achieved great successes yet. The fact that many of these organisations focus on so many issues, in addition to the international arms trade, at the same time, does influence the rate of success. Those combining their efforts to focus on one issue are more successful. Again I mention those working on the issue of small arms and light weapons such as IANSA.

- ***Government and/or IGO commitment***

Most governments support the export of weapons to keep their arms industries viable. Governments also maintain that they have to have arms industries or sometimes import weapons to defend national security. This makes it very difficult for NGOs to get governments to commit to their cause or causes. It is very difficult to gather at least a few like-minded states that can promote the issue and get it on the international agenda. Where it comes to weapons, governments do not trust each other. This is one of the main reasons why this case cannot be considered as successful as the previous one.

This may be the era of complex multilateralism, where NGOs can make a difference, but they still need governments to achieve their goals. Those working on the issue of small arms have managed to get the commitment of a significant number of government on the issue of illicit trade of small arms at the UN. Although they were disappointed that governments did not want to include legal trade in small arms, they managed to put the issue on the international agenda. This will make their future endeavours easier because they have a platform and a reasonable support base to work from.

- ***Access to IGOs***

Some of the NGOs engaged with this issue are represented at the UN. At this forum they have managed to make some progress, as with the small arms issue. They can also participate in the discussion in other disarmament measures at this forum. The CD, the only formal multilateral disarmament body, does not really deal with conventional proliferation. This has not been established on their agenda yet. NGOs can do very little about this, because they do not have access to this forum. CD members are still negotiating the possibility and extent of possible civil society participation. Even if NGOs are granted access to this forum in the near future, achievement of their goals at

this forum still seems doubtful. The CD is hindered by many structural and procedural problems and has been deadlocked on high-priority issues for some time now. Alternatives to the CD also do not seem likely at this stage, because NGOs working against the arms trade cannot get enough government commitment and support that would make an alternative diplomatic process possible. This is another one of the greatest contributors to the lack of success and sufficient progress of these campaigns.

- ***Expertise (knowledge, information gathering, research, quality of networking and coalition building)***

Expertise varies, but is mostly very good. Many of these NGOs do excellent research, many of them have good legal staffs that enable them to take governments to court and so forth, and excellent economist and political analysts. I don't believe the level of expertise has anything to do with the lack of significant progress of these campaigns. The only problem they have, it seems, is to connect with and build coalitions with other organisations as well as coordinating goals and strategies. This may or not be a problem of expertise in coalition building and coordination. It may also be that some of these organisations prefer not to collaborate, but to work on their own terms. However, I do believe forming global networks, each focusing on a particular issue of conventional arms proliferation, might produce more results.

- ***Effective use of the media***

NGOs in the campaigns I have studied have used the media to their advantage. Using all kinds of media, they have raised awareness and put pressure on governments. The issue is not so emotive and much more complex with different perspectives even by the general public. For instance, citizens working in the arms industry depend on the arms trade for their living and might not be swayed by arguments against the arms trade. The way the NGOs use the media in this case is not the cause of slow progress.

- ***Effective use of information technology (Internet, communications technology, etc)***

NGOs use information technology to communicate and spread ideas, to educate the public and governments. They use communication technology to keep in touch and coordinate with coalition partners. For instance, many of

these campaigns are very dependent on e-mail. Some NGOs have very informative websites with updated information and direct links with other organisations working on this issue. However, there are some campaigns that do not have such effective websites. This might be a problem of funds or expertise. This factor is also not a reason why NGOs in this case have struggled to make significant achievements.

- ***Activity variance (fact finding, advocacy and education, lobbying governments and IGOs, consulting and other forms of participation at global conference and other international forums, research, monitoring, service delivery, etc.)***

I have already discussed the wide range of activities that most of these organisations utilise to achieve their goal or goals. This factor does not influence this campaign for the worse but for the better.

- ***Leadership***

One can see from examining these campaigns that some individuals stand out and do excellent work for these campaigns. Most of these campaigns consist of very hard-working and professional people. However, there are not many persons that have taken the initiative in bringing more of the NGOs together. Yet there is a definite lack of government commitment to the goal this movement (consisting of different campaigns), so there are no initiatives from government officials and diplomats. This factor has some effect on the lack of success of this campaign.

- ***Persuasive and Influential spokespeople***

There are not many celebrities and other well-known people linked to this campaign. This is another reason why the campaign cannot make real progress.

- ***Membership (numbers and geographical spread)***

There is a great multitude of organisations working on conventional proliferation and that wants to stop or curb the arms trade. Some of these organisations I have not discussed in this case study. Most of the NGOs have extensive membership. Some of them are concentrated in only one country, but have high membership figures there. Most of them have links with organisations in other countries. Some of these NGOs are international NGOs

with wide-spread membership all over the globe. Some NGOs are networks with small as well as very large international membership. This factor does not contribute the lack of success of this campaign.

- ***Funds (origin and amount)***

Some of the smaller NGOs might have problems with funds, but most of the NGOs I have discussed do not – not to the extent that funds influence their success. Thus this aspect is not a determining factor in the lack of success of this campaign.

4.11 Conclusion

This chapter studied organisations that are trying to stop or curb the international arms trade. To put this campaign into perspective I gave a background on the past and present trends in the international arms trade. Arguments for and against the arms trade was discussed as well as the international security situation and South African security issues that determine governments and NGOs arguments on the international arms trade. To highlight the need for more conventional arms control measures, I have evaluated such instruments that already exist. I have discussed many important NGOs working on this issue and evaluated them. The activities of some South African NGOs was also evaluated. The conclusion was that in terms of the criteria, the NGO campaigns that was studied in this case cannot be considered successful. Also, in the light of the theory, this case cannot be described as complex multilateralism. Though bottom-up forces are very active on the international level, they mostly act outside of multilateral frameworks. This may change but only time will tell. Alternatives to traditional multilateral forums do not seem plausible at the moment.

Chapter 1 operationalised success as the achievement of the goal. The most important reasons for the lack of success can be attributed to broad and unrealistic goals by some of these organisations as well as the fact that this a very complex conjunction of issue and some NGOs focus on many of these issues at the same time; lack of government support and commitment; and lack of access to important disarmament forums and lack of alternative forums. These campaigns are continuing and some progress has been made along the way. These campaigns have great potential and it will be worth it to keep on monitoring them.

Chapter 5

A Summary of the Findings

5.1 Conclusions

Today we live in a very complex and dynamic world. This paper explained how the international system has changed and how these changes have affected International Relations. Events such as the end of the Cold War and the rise of globalisation can be mentioned as triggers for such changes. The development of the Internet can also be connected to these changes. One of these changes is the proliferation of a wide range of non-state actors that want to take part in national and international policy processes. This phenomenon is considered the global civil society. Non-governmental Organisations (NGOs), which is the focus of this study, is a very dominant part of this global civil society.

Even with all these changes, state sovereignty remains the most important feature of the international system. However, this sovereignty was not left untouched. Changes in the international system have caused states to lose effective control in many areas. This has made it necessary for states to work together on more issues than ever before. They do so through multilateral processes at intergovernmental organisations, through regional integration and other forms of cooperation. This is called global governance.

The question posed in this paper is: why are certain NGO campaigns more successful than others? It was answered by setting up a list of criteria, which is believed to determine the success or failure of an NGO campaign. The criteria for success developed in this paper include: a realistic goal or objective, the issue area (type, number, salience and techniques used to frame the issue), government or IGO commitment, access to IGOs, different kinds of expertise, effective use of the media, effective use of information technology, activity variance, leadership, persuasive and influential spokespeople, membership and funds. To test the answer I used two NGO campaigns. The first campaign is the international campaign to ban landmines, the other is the group of NGOs working to prevent or at least minimise the arms trade between states. The first is a successful NGO campaign, the other is less successful. Thus, applying the criteria for

success to both cases could show if they do have an effect on the success or failure of an NGO campaign.

To place this study in a theoretical framework I discussed the evolution of International Relations Theory and chose to work with the theory of Complex Multilateralism. IR Theory has evolved to encompass current realities. Most theories are still very much focused on the state as the most important actor of international relations, leaving little room for global civil society. However, some theories do incorporate global civil society. The reason I chose this theory is because it best describes the current reality of NGOs' participation in global governance. Although the theory serves as theoretical framework in which this study is placed a connection was made between the theory and the criteria for success.

The influence of NGOs in the international arena has grown in recent years. This has made them the subject of many research studies. However, many aspects of NGOs and their role in global governance are still unknown. Much research has been done on NGOs working on issues such as human rights, development and the environment. These are the issue areas where NGOs had the greatest impact. Their influence in other areas has not been studied as much. Thus many questions remain. Issue areas such as security, which is dealt with in this paper, seem to be very new and difficult for NGOs. This is because it is in this area that NGOs can face the most resistance from states. However, this paper has shown that NGOs have now moved into this issue area and cannot be ignored by governments.

The research question, theoretical framework and the rationale for the research was discussed in the *Chapter 1*. Global governance and global civil society have become key concepts, among others, in International Relations discourse. In *Chapter 2* of this paper these concepts were discussed and related to in detail. I also explained and defined the success criteria that was applied to the case studies.

Chapter 3 studied the landmines campaign in detail and found that there were some unique circumstances that lead to the success of the campaign. The case fits perfectly into the theory of Complex Multilateralism. This does not mean that it was a once-off phenomenon, because many of the basic elements of the campaign can be repeated by other NGO campaigns. These elements are contained in the list of criteria for success that

was developed in this study. Almost all of the factors on this list had a determining effect on the success of this particular campaign.

The factors that made the greatest contribution to the success of the campaign are:

- 1.) The NGOs in this case had a realistic goal with specific ideas on what they wanted to achieve and how they should go about achieving it;
- 2.) The landmines issue, though in the beginning not particularly salient, is not too complex and the fact that so many NGOs worked as one on this single issue made the campaign very effective. They also framed the issue very effectively;
- 3.) The NGOs captured governments' attention and managed to get the support and commitment of a significant number of governments;
- 4.) NGOs had access to intergovernmental organisations, and were direct participants in the multilateral process that led to the achievement of their goal. Though this process was not handled by a formal intergovernmental body, it fulfilled a similar function for the NGOs. The process was the alternative to the existing and traditional multilateral bodies that could deal with the issue;
- 5.) In addition to their other expertise, the NGOs in this case were very effective in building and coordinating a global coalition of NGOs and so becoming a force that was not easy to ignore;
- 6.) Many individuals who were part of this campaign and even diplomats that supported the cause showed great leadership skills and took initiatives that ultimately led to the achievement of the goal;
- 7.) The campaign also involved many influential and very persuasive spokespeople.
- 8.) Other factors such as the effective use of the media, effective use of information and communication technology, activity variance and members as well as funds contributed to the success of this campaign.

Chapter 4 examined various campaigns against the international trade of arms between states. The NGOs in this case are very active on this issue, but they and the arms trade issue is still outside the multilateral arena. This case did not comply with many of the success criteria. Problems with the following factors could be considered the greatest contributors to the lack of success in this case:

- 1.) The goal of many of these NGOs is unrealistic and most of the NGOs did not really have a specific idea of how they want to achieve the goal. In addition, many of the NGOs also had other broad goals that they wanted to achieve at the same time;
- 2.) The arms trade issue is very complex and, more importantly, many of the NGOs tried to focus on too many issues at once;
- 3.) The campaign has not managed to get governments to support and commit to their cause;
- 4.) Though the NGOs had access to some intergovernmental organisations and multilateral forums, they did not have access to the body that is most important to their cause. There are no alternative multilateral forums that NGOs can use to further their cause;
- 5.) There are so many NGO's working on this case and not enough of them work together. This can be due to problems of coalition building and coordination or competition;
- 6.) There are not enough individuals who can take initiative and there is no leadership from individuals outside the NGO campaign;
- 7.) There are not enough influential spokespeople.
- 8.) Other factors such as expertise (except for coalition building), effective use of the media, effective use of information and communication technology, membership and funds made a positive contribution to this campaign.

In the first case almost all of the criteria made a significant contribution to the success of the NGO campaign. That case is considered very successful. In the second case very few of the criteria were met. The case lacked most of the success factors. The second case is considered less successful. I conclude that the criteria of success constructed in this paper do indicate a difference to the success or failure of an NGO campaign. These criteria can be considered basic indicators of success of NGO campaigns. Thus the answer to the research question is that some NGO campaigns are successful because they involve the basic elements for success and others fail because they do not.

I have explained that the findings of this study cannot be generalised to all other NGO campaigns, because they are based on two particular case studies. However, I do believe that the success criteria can be used as broad guidelines by other NGO campaigns. In the

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end I can only hope that this paper has contributed to a better understanding of the role of NGOs in global governance and has shed some light on the opportunities and challenges that face these non-state actors.

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