

## **The Landmines Campaign: A Lesson in Advocacy for our Times**

Eric Sidoti  
March 2006

### **INTRODUCTION**

On Wednesday 26 May 1993 a curious meeting took place in the Level 14 cafeteria of the NSW Supreme Court building. Chatting over their bangers and mash, Supreme Court lasagne and mineral waters that day were Patricia Pak Poy and a handful of seasoned human rights campaigners from the Human Rights Council of Australia (HRCA).

Patricia came to that meeting with a purpose in mind and a determination not to leave disappointed. Her message, though delivered in characteristically gentle and measured tones, was simple: the use of landmines is immoral, their continuing proliferation a scandal, and the lack of any concerted Australian effort to tackle the issue a disgrace.

Patricia had already been agitating for action on landmines. The Australian Network to ban landmines, though itself a very small group at this time, had been among the first to connect with the International Campaign to Ban Landmines (ICBL) that had been established in 1991. Several Australian non-government organisations (NGOs), primarily those affiliated to international organisations, had also adopted policies supporting a ban.

The Australian Government, for its part, had since 1989 contributed to mine clearance in Afghanistan under a UN program and had also supported the Cambodian Mine Action Centre. By May 1991 even this modest support appeared increasingly tenuous. Still, the then Foreign Minister, Gareth Evans, had recognised the need for ‘strengthening or extending the existing treaty proscriptions’ dealing with the use of landmines.<sup>i</sup> In his ‘Blue Book’, published around this time in 1993, he had pointed to the need for a review of the 1980 Inhumane Weapons Convention especially its Protocol II which covered landmines, booby traps and similar devices.<sup>ii</sup>

The problem was that landmines were a low-order issue for Government and non-Government agencies alike. The existing effort was confined to support for a small number of country-specific projects and the fine words in Board papers and annual reports were lost amidst a thousand conflicting demands.

Patricia’s purpose that day in 1993 was to secure the Human Rights Council’s support in putting landmines on the national agenda. The rest you might say is history but the question remains: what made *this* campaign such a success?

The intent of this essay is to delve into that history, albeit briefly, in search of some answers.

### **THE INTERNATIONAL CAMPAIGN**

The campaign to ban landmines has been a genuinely international campaign in which the activities of the respective national networks have always been designed in conformity with the agreed international strategy. It is evident even in the nomenclature of the 'International Campaign to Ban Landmines: Australian *Network Inc*'. Consequently it is difficult, perhaps impossible, to consider the Australian effort in isolation from the International Campaign.

### **A campaign for its Time**

The impetus for the landmines campaign came from NGOs whose field experience brought them face-to-face with the human cost of landmines. These NGOs included development, humanitarian and human rights organisations. Significantly, the International Committee of the Red Cross (ICRC) was also active at the outset in response to the pleas from Red Cross Red Crescent medical personnel working in mine-infested countries such as Cambodia, Afghanistan and Angola.

ICBL founding coordinator and current Campaign Ambassador, Jody Williams, has acknowledged with some grace that the move to ban landmines had a longer genesis than most people recognise. As far back as the 1970s, the ICRC, the UN and some governments – she cites Sweden and Mexico- had been proposing a ban in the context of disarmament debates as far back as the 1970s.<sup>iii</sup>

Williams concurs with campaign commentators that the campaign flourished in 'what now seems almost like a dream moment in the period following the end of the Cold War when anything seemed possible'.<sup>iv</sup> The thinking here goes that the demise of the power blocs that characterised the Cold War created the space in which sympathetic Governments could act across the strict boundaries of their ideological allies and their UN Groupings.

This is true. Yet care is needed in drawing lessons from this.

From the darkness of the terror-dominated new millennium these may seem like halcyon days of rare opportunity. What contemporary campaigners should appreciate though is that astute analysis of the external environment is an indispensable element of success. Judgements will always need to be made on timing, capacity, likely allies. What the landmines campaign demonstrates is that these need to be informed judgements. Internationally and in Australia, part of the landmines campaign leadership's astuteness lay in accessing a broad range of people (diplomats, academics and military experts among them) whose knowledge and skills proved immensely valuable in making such judgements.

### **The Campaign Package**

'Ban Mines! Clear mines! Help the survivors!'

The ICBL's slogan is characteristically pithy. It captures the guts of what this campaign has always been about.

**The ban** is essentially a question of standard-setting and, with adoption of the Mine Ban Treaty, compliance. **Mine clearance** recognises the danger to those, particularly

civilians, living and working in mined areas. **Rehabilitation** acknowledges the obligation to assist those who fall victim.

These three pillars of the international campaign reflect its historical origins more than a pre-conceived 'campaign package'. Yet the interplay of these three dimensions of the campaign proved to be very potent. It brought a diverse group of NGOs to the same table: human rights groups not only brought their advocacy experience and networks but legal expertise and an intimate knowledge of multilateral institutions and procedures; the humanitarian organisations brought a deeper understanding of the laws of conflict, the military and relevant operational experience; de-miners not only had an intimate knowledge of the weaponry but also of its alleged utility and impact; the development NGOs not only worked with the people affected but understood the economic and social impact of landmines on countries emerging from years of conflict.

This campaign was credible from the beginning because those involved really did know what they were talking about. Its credibility grew because of the quality of the research, legal crafting and substantial argument (humanitarian, legal and technical) that the ICBL produced in the years that followed.

The 'package' enabled the ICBL campaigners to speak to a broad spectrum of people in terms they could understand and in ways with which they could identify: landmines are destroying *these* lives and *these* communities *now* and more like them every day; suddenly an International Treaty is as easy to understand as turning off a tap.

### **The Campaign Structure**

The landmines campaign was distinctive for its lean organisational structure. At the international level the ICBL relied on a core of no more than two dozen full-time activists and an operating budget of US\$1-2 million per year at its peak.<sup>v</sup>

This was possible due to the 'networked' organisational model. The ICBL though itself small had access to a larger very professional pool of people by virtue of its coalition partners. Similarly, while the direct budget was very modest the campaign more broadly deployed significantly greater resources (though uncalculated) through its component bodies.

The campaign structure accentuated the strategic emphasis on coalition building and leverage. By virtue of organisational members such as Human Rights Watch, support from international development networks such as Oxfam, and global humanitarian agencies such as the International Red Cross Red Crescent Movement, the landmines campaign not only accessed substantial human and financial resources but ensured its reach extended from the international stage to local communities.

This was structurally reinforced by the work of the national networks that were established as the ICBL's momentum grew. In October 1992, six NGOs, meeting in New York, agreed to coordinate their efforts. Within two years of its establishment, more than 350 organisations were supporting the international campaign; the second NGO conference (Geneva, May 1994), attracted 110 representatives from 75 organisations.

## **The Significance of Coalition Building beyond the NGO Community**

NGOs initiated the campaign. They determined that its objective was a comprehensive ban. They laid down the campaign's strategic underpinnings. They built public support from the ground up and maintained that support throughout. They deserve the credit for never wavering from the campaign's original intent.

Yet the Mine Ban Treaty would never have been realised without the collaboration of the so-called 'core group' group of eleven like-minded governments (Canada, Norway and Mexico among them) and the critical work of the ICRC and central UN agencies.

By 1994, the UN Department of Humanitarian Affairs was calling for a complete ban. In May that same year both UNICEF and the UN High Commissioner for Refugees were advocating for a total ban. In November 1995, the ICRC, for the first time since its public opposition to chemical weapons after WW I, launched a public campaign advocating a total ban.

The CCW Review Conference in October 1995 proved a watershed in several respects; not least of which was the coalescence between Government and non-Government pro-ban advocates. In January 1996, amidst the prolonged CCW negotiations the Canadian Government hosted a joint strategy meeting for NGOs, pro-ban governments and international agencies. From that point on the 11 small-medium States that comprised the 'core group' worked together informally and by February 1997 they not only prepared joint strategies (with the ICBL) but coordinated their respective activities.<sup>vi</sup>

The momentum continued to build and ultimately, due to the combination of these efforts, proved unstoppable.

## **The Campaign's Style**

Consideration has been given to the *character* of the landmines campaign with respect to its multi-dimensional approach, coalition building, and flexible network-based structures. More difficult to describe, let alone assess, is its *style*.

The campaign leadership has been tough and determined. They proved themselves willing and capable of holding the line under very significant pressure. They have been confrontational when necessary but not adversarial – there has been little or no inflammatory rhetoric, accusations nor abuse hurled at opponents.

The campaign (including members of the core group of governments) drew clear lines around those who were inside the total-ban-tent and those who weren't but entry remained open to anyone, Government or NGO, who was prepared to accept the conditions of entry. This was no warm and fuzzy inclusiveness but it was inclusive nonetheless.

The campaign has been sophisticated and complex. It definitely cannot be reduced to a few individuals. It has involved war veterans, senior military officers, and battle-

hardened politicians of all persuasions. Yet, both internationally and in Australia, the campaign is embodied by two women: Jody Williams at the ICBL and Patricia Pak Poy of the Australian Network; the former received the Nobel Peace Prize and the latter has been the recipient of a swag of national awards, including the RSL Peace Prize from Australia's powerful veterans' organisation.

It is hard to verify but harder still not to think that this campaign would have been very different if key positions such as these were held by men.

These may well be matters deserving further reflection than is possible here.

## **AUSTRALIA AND THE INTERNATIONAL CAMPAIGN**

It's a pretty safe bet that were you to ask any Australian today about their Government's role in outlawing landmines, they would proudly tell you that we were leaders in the international push for a total ban.

Well, not really.

### **The Australian Government's Evolving Position**

Australia's record during the course of the campaign under three successive Prime Ministers (Hawke, Keating and Howard) and two Foreign Ministers (Evans and Downer) reveals a consistent pattern. Australia genuinely shared an abhorrence at the impact of landmines on civilians, supported more stringent controls on landmines within the disarmament context (albeit recognising the humanitarian argument) and was prepared to provide modest funding for de-mining. Australia's position was never daring and was for most of the critical years leading up to the Treaty qualified by its allegiance to the United States.

Australia backed the Conference on Disarmament, rather than the Ottawa process, as the preferred forum for landmines action. It was only on 15 April 1996, following a change of Government and prior to the final session of the Inhumane Weapons Review Conference, that Australia announced that it would be shifting its support from seeking more stringent controls (as articulated by Gareth Evans in 1991) to a global ban on the use, transfer, production and stockpiling of anti-personnel landmines. At this point the Government also announced its unilateral but qualified moratorium (subject to a 'substantial deterioration in our strategic circumstances') on the use of landmines by Australian forces and its participation in the Ottawa conference.<sup>vii</sup>

Even then, at the Oslo Conference in September 1997 where the Treaty text was finally agreed, Australia was one of a small number of States continuing to support specific US amendments limiting the draft treaty's provisions. It was subsequent to the Oslo conference, that Australia announced its intention to be among the initial signatories the Mine Ban Treaty.

Australia could be said to have finally shifted to its unqualified support for a total ban when the hard yards had been won and the United States' position became untenable.

## **The Australian Network**

Throughout this entire period the Australian Network remained firmly aligned with the ICBL objectives of a total ban and the strategy for achieving that.

The Australian Network was one of eight national networks that launched domestic campaigns in 1993. In the years that followed the Network employed a full-time coordinator with a modest operating Budget but harnessed the support of diverse partners ranging from national affiliates of large international networks, such as Oxfam and Caritas, to small religious and community groups. The Network was also able to rely on parallel advocacy of Australian Red Cross and Australian-based UN affiliates.

## **The public nature of the campaign**

Much of the commentary on the landmines campaign has focused on the dynamics of the international negotiations leading to the Mine Ban Treaty. To do so risks overshadowing the significance of the public nature of the landmines campaign.

Don Hubert, in his case study of the landmines campaign,<sup>viii</sup> does suggest that ‘the greatest strength of the campaign...lay in the dozens of well-coordinated country campaigns’. He highlights the consistency in the models of these country campaigns and the close links to the ICBL.

The success of the Australian Network was evident in two, related achievements: firstly, the level of public support; and, secondly, the strengthening of the Australian Government’s position over time even in the wake of a change of Government in March 1996.

The Australian campaign was very personal. Its communications consistently highlighted the people whose lives landmines destroyed; those aid workers and medical personnel working with them; and just as importantly the military personnel and engineers whose compassion was as evident as their courage and skills in the seemingly endless task of de-mining. Its networking relied heavily on building personal (not just organisational) relationships. Its public support was nurtured through touring photo exhibitions, film screenings in community halls and schools, local fundraisers and talks. These efforts created the ‘committed core’.<sup>ix</sup>

They were also significant in clearly establishing the primacy of landmines as a humanitarian rather than as a disarmament or security issue. The weight of this argument was as important domestically as internationally in overwhelming attempts by some in defence circles to confine debate to limiting rather than banning landmines on the basis that landmines fulfilled a legitimate military function.

A significant difference with the international campaign effort lay in the Australian Network’s reliance upon volunteers who were involved at every level from the national committee to running the individual state branches. The latter have been, and continue to be, important hubs for building community support. By 1997, support for the Network and its commitment to a total ban was such that a petition with 219,000

signatures was a tabled in the Australian Parliament urging the Government to sign the new Treaty.

The Australian Network's success in making landmines a public issue was a necessary complement to its direct advocacy.

*I was at the RSL National Conference this year when Sister Patricia Pak Poy received the main yearly award of that organisation. It is a very telling public image of the group to give someone this award for her activities in regard to campaigning in this country before parliamentary committees and the general public to try to accomplish changes to landmine practices. Sister Pak Poy is the coordinator of the Australian branch of the International Campaign to Ban Landmines and is within the Australian Landmines Network. At the conference, I made the point that this was a very telling indication of the power of the general population to overcome politicians, bureaucrats and those who would seek to monopolise views on this matter.*

Laurie Ferguson MP, 26.11.1998

As indicated above, it was apparent early in the campaign that the Australian Government's sympathy for limiting the impact of landmines on civilians was not sufficient to overcome other considerations.

In this light, the Australian Network's achievement in shoring up public recognition of landmines as a humanitarian issue would prove to be all the more important.

*I would like to thank Sister Patricia Pak Poy, Australia's co-ordinator for the International Campaign to Ban Landmines, whose tireless campaigning and encyclopaedic knowledge on the subject of landmines have been absolutely central to Australia becoming a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction.*

Senator Calvert, 10.12.1998

Critical to the ultimate success of the campaign nationally was the determination of the Australian campaign leadership to fully engage with the Australian Government notwithstanding their initial differences. This engagement went much further than dialogue: the Network was, for example, at the table at all major deliberations courtesy of its inclusion in official Australian delegations. For this the Australian Government does deserve real credit: the door to the Australian Network NGOs remained open and there was a willingness to listen and to debate the merits of the respective cases.

By 2000, the Australian Foreign Minister, Alexander Downer, was telling Parliament that in a meeting on 21 February that year with representatives of the Australian Network, he had agreed that representatives of the ICBL and the Department of Foreign Affairs and Trade should discuss means for the Government and NGOs to take on an advocacy role in encouraging regional countries to accede to the Mine Ban Convention.<sup>x</sup>

The Australian Network's role has been of international significance in fulfilling its commitments under the ICBL strategy. Hubert acknowledges this explicitly:

Members of the coalition were instrumental in laying the groundwork for shifts in policy in significant countries such as the UK and France, and later Japan and Australia. The campaign was also extraordinarily effective in locking in wavering

support from countries committed to the Ottawa Process. Concessions may well have been made during the Oslo negotiations without the aggressive campaigning of the NGOs.<sup>xi</sup>

Having made the move Australia has backed its decision: being among the first signatories to the new Convention (1997); ratifying it (1998); giving it effect in domestic legislation (Dec. 1998); destroying Australia's stockpiles of 130,000 anti-personnel mines (1999); continuing to support de-mining and assistance to mine victims (\$110m 1995-2005; a further \$75m committed for 2005-2010); remaining an active participant in the relevant Treaty processes (including accepting Presidency of the meeting of State Parties, 2006).

The Australian Network has remained a keen prompter, reporter and supporter as appropriate at every stage.

## GENERAL LESSONS<sup>xii</sup>

The success of the campaign to ban landmines is well recognised. Indeed, its achievements to date far exceed the expectations of many, both among observers and a number of participants in the campaign itself. Yet opinions vary as to the reasons for its success and the extent to which lessons can usefully be drawn for application to other campaigns.

### Reasons for Its Success

A number of the ingredients for the campaign's success are evident in the history outlined above.

The principal advocates were **highly credible** and this credibility was built into both the campaign's materials and methodology.

The campaign's structure supported a **coordinated central strategy** backed by an extensive **international network**. There was an unusual balance in the discipline required in giving effect to an agreed strategy –with the constituent parts of the international campaign understanding their respective roles and contributions- and the organic nature of network formation and function. The network itself reached right into **communities**.

ICBL was confident and mature enough to **build its coalition** across the government-NGO divide. Its ability to do so was, at least in part, a reflection of a **campaign style** that gave priority to achieving the campaign's **stated aims**; the doors were always kept open to participation in this **common cause**.

There are several additional factors worth attending to.

**Clarity of purpose** is the cardinal rule of any campaign. This international campaign not only demonstrates why it is critical but also just how difficult it can be to hold the line.

The ICBL set its sights early, set them high and never relented. Its objective was simply put:

*an international ban on the use, production, stockpiling, and transfer of antipersonnel landmines, and for increased international resources for humanitarian mine clearance and mine victim assistance program.*

Looking at the campaign's development over the years 1991- 1998, it would seem that these clear and unequivocal goals enabled the campaign leadership to make the hard decisions that had to be taken at critical times.

The determination to accept a total ban and nothing less is evident, for example, in the strategic decision to maintain the line and develop a process (the 'Ottawa process') open only to those Governments accepting this position. The Ottawa process eschewed standard consensus-based international practice and adopted procedures dependent on majority decision.

The point here is that these decisions flow directly from adherence to the campaign's stated purpose.

The international campaign also has something to tell contemporary advocates about being willing to **engage in the political process**.

It seems strangely necessary to remind ourselves that human rights and humanitarian advocacy is an essentially political undertaking. At the heart of all such activity is a desire not just to influence but actually to shape and to change the behaviour of those exercising power; be they governments, their agents, their opponents or –increasingly- economic actors such as the major corporations.

Advocates need make no apologies for being political. However, there are considerable pressures to pretend otherwise. In Australia the sustained public devaluing of 'politics' is such that any NGO labelled as 'political' risks the implication of impure motives and of acting in its own rather than the public interest. Too many NGOs internalise these attitudes by cultivating a disdain for 'politics' (and those organisations that besmirch themselves by being overtly political) or by creating an artifice of being 'non-political'.

By contrast, the landmines campaign recognised the need to fully engage in the political processes that would ultimately determine whether landmines would be banned and, if so, on what terms.

Engagement in the political process has been very demanding. For the campaign leadership (internationally and domestically) it necessitated an intimate understanding of the positions being adopted by key players (governments, multilateral institutions, and non-government partners) as well changes in their respective positions over time. It required a familiarity with the procedures governing decision-making and the options available. Most importantly, though, it demanded a willingness and a capacity to make the difficult *political* calls.

During the course of 1996, for example, there was growing pressure even among sympathetic governments to address the landmines issue in the context of the

scheduled 1997 UN Conference on Disarmament (CD). Australia was among those arguing that landmines was a disarmament issue and the CD was the appropriate venue and likely to produce the more favourable outcomes.

The ICBL strategists, in conjunction with key Government partners such as the Canadians, continued to promote a ban on landmines as primarily a humanitarian, rather than a disarmament or security, issue. They determined that the best prospects for success (and that meant a total ban) lay in a separate process and on this basis refused to concede to the push to have it dealt with at the Conference on Disarmament.

There were immediate implications for the Australian Network requiring it to keep the doors open on its maturing relationship with the Australian Government while, at the same time, pushing for a shift in its position to support a total ban and the Ottawa process.

*For many years now I have used a criterion for the effectiveness of the constant meetings we are asked to attend: what difference does this meeting make for the poor and vulnerable people in our world? So I have walked away from some, absented myself from others, tried to influence the agenda of others and even stayed with some where I felt the ambiguity but saw the possibilities. I put my membership on the Australian delegation at the Review Conference on the Convention of Certain Weapons and the Protocol on Landmines in this last category.*

Patricia Pak Poy, Australian Network Coordinator,  
ABC Radio 1997

Given a preparedness to engage politically, the landmines campaign experience suggests further that **'NGOs need to be on the inside too'**.<sup>xiii</sup> ICBL, as did a number of the national networks, sought to a seat at the table inside the negotiating rooms. The ICBL was generally able to do so in its own right. The Australian Network had a dual role: firstly, in key discussions within Australia concerning developments internationally and this Government's position; secondly, in international fora as an invited member of the Australian Government delegation. The caveat remains, as the quote above implies, that this still requires a conscious determination of the value of such participation rather than an assumption that it is worthwhile.

Recent developments indicate that Governments have also cottoned on and there are increasingly determined efforts by a number to restrict NGO access. This is one of those procedural battles NGOs need to understand and to win. They will again need the support of sympathetic Governments to do so.

A further and final lesson worth noting is the ICBL's inherent conviction that it could **shape the campaign environment**. This doesn't appear to have been explicitly articulated but is evident in the pro-active approach adopted.

*'I have accepted that a campaign to ban anti-personnel landmines, or any weapon so familiar to the militaries of the world, may take along time, but because of the urgency of the landmines problem for the people, we cannot afford to take a long time.'*

Patricia Pak Poy, ABC Radio National 2/03/1997

There are a number of examples: believing the CD negotiations a dead-end, they worked with the 'core group' to establish a new process; when international protocols emphasized universal acceptance and consensus, they pushed for higher standards and a commitment from the willing; when diplomatic custom was relaxed about the timetable for negotiating agreements, they created a sense of urgency

It is not unusual for international treaties to be negotiated over decades and longer still to reach the prescribed number of ratifying States required for an agreement to enter into force. The Mine Ban Treaty, negotiated outside any existing UN process, received the required 40 ratifying States in September 1998, twenty-three months after the first Ottawa Conference.

## CONCLUSION

On Tuesday 23 November 1993, in Parliament House Canberra, the Human Rights Council of Australia with Community Aid Abroad, convened a one-day conference headed 'Landmines: a Human Rights Crisis'.

The Australian Foreign Minister, Gareth Evans, concluded his opening address that day by saying: '...it is eminently right, proper and timely...to focus world attention on the effects that landmines can have on civilians. It is incumbent on all civilised peoples and nations to seek to eliminate their indiscriminate use.'

Six hours later, the NGOs present committed sufficient funds (\$8500) to kick start the Australian campaign to ban landmines.

Reflecting on the challenges and achievements of this mighty campaign to eliminate landmines from the lexicon of war, it is right, proper and timely to remind ourselves once again that, in the words of the old union hymn, step by step the longest march can be won.

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<sup>i</sup> Gareth Evans, *Stopping Mining the Civilians: too much to ask?*, address, Canberra, 23 Nov. 1993

<sup>ii</sup> Gareth Evans, *Cooperating for Peace: The Global Agenda for the 1990s and Beyond*, Sydney, Allen and Unwin, 1993

<sup>iii</sup> Jody Williams, *The Role of Civil Society in Disarmament Issues: Realism vs Idealism*, joint conference address, Beijing April 2002.

<sup>iv</sup> *Ibid.*

<sup>v</sup> Hubert, *op. cit.*

<sup>vi</sup> See Hubert, *ibid.*

<sup>vii</sup> Alexander Downer, Foreign Minister, and Ian McLachlan, Defence Minister, *Australia pledges support for a global ban on anti-personnel landmines*, joint statement, Canberra, 15 April 1996.

<sup>viii</sup> Don Hubert, *The Landmine Ban: a Case Study in Humanitarian Advocacy*, The Thomas Watson Jr Institute for International Studies, Providence RI, Occasional Paper 42, 2000.

<sup>ix</sup> In contrast to contemporary wisdom, the Australian campaign was generally low-tech. New technologies were utilised but even today the ICBL and Australian Network websites are rudimentary. There has been relatively little reliance on email and other electronic communications.

<sup>x</sup> Downer, *Questions on Notice (no 1245)*, Hansard, 10 April 2000

<sup>xi</sup> Hubert, *op. cit.* p.35

<sup>xii</sup> This section draws research and commentary by S. Neil MacFarlane, Don Hubert and Jody Williams.

<sup>xiii</sup> Williams, *op. cit.*