

Norwegian People's Aid

A Study of the Mine Division from 1992 – 2002

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Preface

After several wars, internal and external, Cambodia was heavily infected by landmines, which continued to do damage long after the wars had ended. The Norwegian People's Aid (NPA) engaged in humanitarian work related to landmines in Cambodia, and soon became involved in politics concerning landmines. Their cooperation with, a co-dependence on the Norwegian government enabled the NPA to initiate a national ban on landmines. After the national ban the NPA and the Norwegian government contributed to an international ban on landmines. At the same time the NPA continued their humanitarian work in Cambodia, together with the national institution, the Cambodia Mine Action Centre, and developed standards to perform demining more effectively.

The NPA, assisted by financial and political support from the Norwegian government, had a big influence on the international ban on landmines, called the Ottawa Convention. A cooperation between middle-powers, like Norway, and the International Campaign to Ban Landmine, including the NPA, drove the process forward. The Convention from 1997 was unique since the negotiations were held outside the UN system. The Convention was ratified on record time, and was effective as of March 1 1999. The NPA continued to implement the Convention in the following years.

Acknowledgments

The motivation for this thesis starts back in 2011 while studying International Law & Organizations in the US. During degree in Norway I wanted to write my Bachelor thesis about a specific convention. By coincidence the choice fell on the unique case of the Mine Ban Treaty. Though probably not representative for most international convention, the Treaty represented something interesting in how Non-Governmental Organizations influenced the Convention. Upon completing the Bachelor, I wanted to find out more about this particular Convention.

The process of concluding this thesis has been difficult and at times felt like on an emotional rollercoaster. It is clear to me that this process would not have been possible for without those around me. First and foremost, big thanks to my supervisor Hilde Henriksen Waage. She has been fantastic throughout the process in providing direction and advice along the way. She even managed to give me clear answers and guidance on emails scribbled down in a mist of confusion. Thanks to the seminar group for feedback, especially to Geir who helped me back onto the right path.

A great thanks goes to Norwegian People's Aid, especially Steinar Essen, Per Nergaard and Siri Kvenild, for respectively giving me carte blanche, for patiently answering all my questions, and for providing me with relevant material from the archive. Thanks to the representatives of the organization in Cambodia for welcoming me to the country and driving me back and forth to their projects. While I only got a glimpse into the lives of those affected by landmines and all that comes with it, I did get a sound impression of the resilience present among the victims. It was a humbling experience and Cambodia is simply a unique place. I would also like to express my appreciations to those who took time to be interviewed.

My deepest gratitude goes to my better half, Marte. You have been the lifebuoy keeping my head above water. By doing everything at home, comforting me, by proofreading, and by always staying positive, you have from now on earned the title SuperWoman! Thank you, I now look forward to repaying the favor.

A special thanks to my mother, father, and my second mother for contributing in so many ways. Apart from supporting me financially, your advice and moral support before and during this process have helped me immensely.

Finally, thanks to all my friends for their patience with my absence. I now look forward to the reentering my social life and spend time with each and every one of you. Special thanks to Linn who provided excellent feedback.

List of Abbreviations

CCW – Convention on Conventional Weapons

CD – Conference on Disarmament

CMAA - Mine Action and Victim Assistance Authority

CMAC – Cambodian Mine Action Centre

DU1 - Demining Unit 1

GICHD - Geneva International Centre for Humanitarian Demining

HALO - Hazardous Areas Life Support Organisation

ICBL – International Campaign to Ban Landmines

ICRC - The International Committee of the Red Cross

MFA – Ministry of Foreign Affairs

NATO - The North Atlantic Treaty Association

NORAD - Norwegian Agency for Development Cooperation

NPA - Norwegian People's Aid

TIA - Task Impact Assessment

UN – United Nations

UNDP - United Nations Development Program

UNHCR - United Nations' High Commissioner for Refugees

UNTAC - United Nations Transitional Authority on Cambodia

USA/US – United States of America

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Chapter 1

Land mines are the perfect soldiers: they never sleep, and they never die. However, they also don't know which side they're on, or when the war is over.

-Touj Souerly¹

1 Introduction

Landmines were used on a great scale during the twentieth century and were considered by many governments as an important weapon. Millions of landmines were scattered across the globe, but 1997 marked a turning point as landmines were banned internationally by the Ottawa Convention.² The treaty was achieved through an extraordinary partnership the world had not seen before: I.e. Non-governmental Organizations (NGO) working closely side by side governments of small and medium sized states. The end of the Cold War and the emergence of globalization opened new doors, and the NGOs were invited into 'the halls of governments'.

The Norwegian People's Aid (NPA), a humanitarian NGO in the civil society in Norway, was involved in the process of banning landmines. The civil society in Norway is a collective description of not only NGOs, but all kinds of groups of professionals, trade unions, religious groups, and many more.³ Professor of History Terje Tvedt has claimed that 'a normal

¹ Wade C Roberts, *Landmines in Cambodia: Past, Present, and Future* (Amherst, N.Y.: Cambria Press, 2011), 27.

² The full name is Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

³ Helge 1943- Pharo and Monika Pohle Fraser, *The Aid Rush: Aid Regimes in Northern Europe during the Cold War* (Oslo: Unipub, 2008), 71; Margaret P Karns and Karen A Mingst, *International Organizations: The Politics and Processes of Global Governance* (Boulder, Colo.: Lynne Rienner Publishers, 2010), 223.

definition of civil society in Norway would be those groups, networks and relations that are not controlled by the government.⁴ However, the divide between the state and the NGOs in Norway became harder to identify as the Cold War came to an end and the 1990's progressed. The role of the NPA changed with their involvement in the issue of landmines. Influence over weapons had previously been reserved for states, but this changed as the NPA and the government of Norway began working together against landmines.⁵ A close relationship between the government of Norway and the NPA developed throughout the 1990's. The notion that NGOs and the civil society were purely separate from the government of Norway was no longer true.⁶

The NPA first became involved with landmines in 1992. Without any prior experience on mine clearing, the NPA sent experts on explosives to Cambodia. The project in Cambodia led to the biggest expansion in the history of the organization. The NPA became active in issues related to landmines at both a domestic and an international level. The NPA worked on a practical, political and technical level, and became one of the largest and most influential NGOs worldwide on landmines. The first project in Cambodia grew to comprise of more than 30 countries around the world. Today, the NPA's work on landmines take up 25 per cent of the total budget of the organization, and more than 1,2 million explosives have been destroyed, and an area consisting of 14.000 football fields have been cleared since 1992.⁷

How did the NPA develop from being non-existent in the landmine sector in 1992 to becoming one of the largest parties in one decade? What was the role of the NPA in the process before and after the signing of the Ottawa Convention in 1997? How was the relationship between the NPA and the Norwegian government, how did it change during the period, and why did the Norwegian government engage in such a relationship with the NPA?

1.1 Norwegian People's Aid

The Norwegian People's Aid was formally constituted 7 December 1939. The NPA was a continuation of other organizations; internationally known as *Spaniakomiteen* and

⁴ Terje 1951- Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt: Den Norske Modellen* (Oslo: Gyldendal akademisk, 2009), 113–14.

⁵ Karns and Mingst, *International Organizations*, 335.

⁶ Matthew Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan* (London; New York; New York: I.B. Tauris ; Distributed in the U.S. and Canada exclusively by Palgrave Macmillan, 2010), 34.

⁷ Thor Viksveen, *Folk Forandrer Verden, 75 Year Anniversary of Norwegian People's Aid, Forthcoming December 2014*, , 50,51,55.

Finlandshjelpen; and nationally by health-preventive work through *Arbeidersaniteten*. The function of the NPA was to work for the Norwegian and European labor movements in their fight against fascism and nazism in 1930's Europe. Their work was closed down by the German invasion in 1940, and the NPA reestablished itself in Sweden before moving back to Norway after the war.⁸

The NPA played an active role in the rebuilding of Norway after the war, by contributing mainly with humanitarian aid within Norway. Up until the 1970's, the international efforts of the NPA were limited to wars and natural disasters. In 1976, the NPA established their international department as a result of the Vietnam War and a revolt against the Norwegian government's foreign policy. The department had its roots in the labor movement and was viewed as an important addition to the Red Cross and the Church Aid, whom respectively represented the middle classes, or the *bourgeois*, and the Christians in the Norwegian society. The NPA expanded its international capacity in great volume towards countries in the south in the 1970's and 1980's. In the 1990's, the NPA grew rapidly in its international capability, while strengthening its domestic position at the same time.⁹

The NPA is funded by various donors, but the Norwegian Government is the main donor. Norway, through the Ministry of Foreign Affairs (MFA) has financially contributed to approximately 60 per cent of all of the NPA's mine related activities.¹⁰ The fraction of the total development aid given directly to NGOs by the Norwegian government in the 1980's and 1990's reflects the growth of the NPA in the same period: In 1981, the NGOs' share of Norwegian development aid was approximately five per cent. In 1991 it was over seventeen per cent.¹¹ This new policy of the Norwegian government was due to the perception that private organizations had a number of advantages compared to the government; the NGOs were more flexible, effective, and they stimulated a public commitment which the government was unable to achieve.¹²

The foundation of the NPA's work is long-term development through cooperation. The removal of landmines and other explosive remnants of war are a part of this policy. The

⁸ Ibid., 12; History of the NPA.

⁹ NPA, www.npaid.org; Viksveen, *Folk Forandrer Verden, 75 Year Anniversary of Norwegian People's Aid, Forthcoming December 2014*, 7,45.

¹⁰ "11 Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning," September 30, 2014.

¹¹ Liland, Frode 2003, *Norsk utviklingshjelps historie 3, 1989-2002: På bred front*, Fagbokforlaget, 237

¹² Tamnes, Rolf 1997, *Norsk utenrikspolitikk historie, bind 6: Oljealder 1965-1995*, 388

unexploded ordnances are of great danger to civilians and to all development in a contaminated area; refugees cannot return home, fertile soil remains unused after the conflict, and all elements of society is affected by it. To promote long-term, lasting development, the NPA focuses on enabling local authority, while at the same time using political advocacy to influence decision-makers, abroad and at home.¹³

In 1992 the NPA undertook the complicated mission of removing war-ridden and mine-infected Cambodia for landmines. Cambodia had been exposed to landmines and other explosives through the Vietnam War, the civil war which ended with the Khmer Rouge genocide and the war with Vietnam in the 1980's.

1. 2 Theoretical Perspectives

The cooperation between NGOs and Norwegian government saw an increase during the 1970's and 1980's. The NGOs became an even more important partner for the Norwegian government in their efforts to conduct development aid when the White Paper No.11 of 1989¹⁴ further outlined the use of NGOs to promote human rights, disarmament and international law. In the White Paper No.11, the NGOs were described as a good alternative to the traditional state-to-state aid. With the end of the Cold War in 1991, the policy of the White Paper No.11 became more significant and NGOs prospered in Norway. The threat of the bipolar system was gone, and with high oil revenues, Norway could afford to focus more on foreign policy directed at humanitarian aid rather than the traditional security concerns of the Cold War.¹⁵ Some labeled this relationship as a part of the so-called Norwegian model, however, this was not exclusively exercised by Norway.¹⁶

The increase of the NGOs' involvement in governmental affairs was an international trend. There were four reasons for this trend: Firstly, the world became more interdependent as a result of globalization. Governments could no longer solve all problems with only state-to-state communication, and became more dependent on finding solutions through other means. Cooperation with NGOs was one of these means. Through collecting information, mobilizing key constituencies, and focusing their strengths on particular goals, NGOs acquired the ability to cooperate with governments. Secondly, the number of global conferences and non-state

¹³ NPA, www.npaid.org.

¹⁴ *White Paper No. 11. Om Utviklingstrekk I Det Internasjonale Samfunn Og Virkninger for Norsk Utenrikspolitik*, 1989.

¹⁵ Pharo and Fraser, *The Aid Rush*, 73, 84; Selbervik, *Power of the Purse?*, 420–421.

¹⁶ Pharo and Fraser, *The Aid Rush*, 84.

actors had risen noticeably since the United Nations (UN) had started financing conferences where NGOs were invited in the 1970's. Thirdly, the communication revolution where fax, internet and e-mail were introduced played a vital role as to how NGOs operated. NGOs became more effective in reaching out to their targets, and as a result, governments lost their monopoly on the collection and management of large amounts of information. Fourthly, the end of the Cold War caused a spread in democratic political systems and norms. NGOs prospered through this process as 'grassroot' movements became more politically involved.¹⁷

Subsequently the landmine process represented something new domestically and internationally. NGOs were allowed to influence and even attend diplomatic discussions. However the structure of international relations did not change, states were still in charge. States adapted to the new realities after the Cold War by using an already existing structure in new ways. Instead of treating NGOs as adversaries, NGOs were now able to work with some governments.¹⁸ A new form of international diplomacy developed as a result of these changes, and can be illustrated in table 1:

Table 1: New form of international diplomacy

Old Diplomacy	New Diplomacy
Professional	Amateur
Secret	Open
Undemocratic	Democratic
The few large states	The many small states
Bilateral	Multilateral
Positional	Principled

Global civil society, with the International Campaign to Ban Landmines (ICBL), was applauded as a main component of the landmine process. Though it was true that the ICBL was an important contributor, Daniela Tepe, a lecturer at King's College London, argues in her book *The Myth about Global Civil Society* that the global campaign was a result of domestic campaigns, and that one must first look at national premises in order to understand how the process on landmines succeeded globally.¹⁹

¹⁷ Karns and Mingst, *International Organizations*, 226–28.
¹⁸ Nikolai Jul Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines (BA, University of Oslo, 2011), 14.
¹⁹ Daniela Tepe, *The Myth about Global Civil Society: Domestic Politics to Ban Landmines* (Basingstoke: Palgrave Macmillan, 2012).

The White Paper No.11 was an extension of a Norwegian policy to perform aid, and this policy led to what some people refer to as the Norwegian model. However, Professor of History Helge Pharo at the University of Oslo holds that the Norwegian model was not a Norwegian concept; rather he describes Norway as being more inclusive of NGOs in the period after 1990, more so than other comparable countries.²⁰ Although the model was not really a Norwegian concept, the model is referred to as the ‘so-called Norwegian model’. Because of the degree of NGO inclusion in Norway and the overlooking of national premises in the landmine process, the NPA and Norway represent a good example of illustration as to how domestic campaigns influenced the international landmine process. The so-called Norwegian model was almost finished during the latter years of the Cold War. NGO involvement in governmental tasks was more substantial in Norway and the proportion of the Norwegian Gross National Product devoted to development aid was bigger than other Western countries. The Norwegian model was constructed so NGOs, research institutions and the Ministry of Foreign Affairs could cooperate with issues where assistance was needed.²¹ According to Labor politician, Jan Egeland, Norway had ‘untapped moral potential.’²² In his book from 1988, *Impotent Superpower-Potent Small State*, he gave the Norwegian model an academic character. In 1990, he was appointed State Secretary of the Ministry of Foreign Affairs at which point he implemented his belief in the potential of Norway becoming a humanitarian super power.²³

1.3 Sources and Methodology

This analysis is based on an empirical and historical study of the Norwegian People’s Aid’s landmine initiative from 1992 to 2002. The study will contribute to setting NPA’s efforts into a broader context of Norwegian development aid. Chapter 2 gives an insight into the history of landmines as weapons including efforts to mitigate its use, and a period in Cambodia where political actions describe the use and the consequences of the weapon. Chapter 3 describes the beginning of the NPA landmine project in Cambodia from 1992 through to the Norwegian ban on landmines in June of 1996. Chapter four analyses the efforts of the NPA in the time leading up to the signing of the international ban on landmines in December 1997. Chapter 5

²⁰ Pharo and Fraser, *The Aid Rush*, 84,85,89.

²¹ *Ibid.*, 85,89.

²² Selbervik, *Power of the Purse?*, 421.

²³ Jan Egeland, *Impotent Superpower-Potent Small State: Potentials and Limitations of Human Rights Objectives in the Foreign Policies of the United States and Norwa* (Norwegian University Press, 1988).

analyses the efforts of the NPAs to implement the treaty. Chapter 6 is conclusion and remarks on further study.

So far there has been little research on the NPA's role in mine related issues. Different authors have dealt with certain aspects of the work performed by the NPA, but no prior material exists that examines all the same aspects of the NPA as this thesis intends to. Unlike more established development sectors within foreign aid, there has not been much research on subjects related to landmines. This is perhaps due to the fact that mine action, as the sector is called, is relatively new and is still in its early stages of research.²⁴

The study relies partly on primary sources from various archives. The archive at the NPA was visited first to get an overview of relevant topics within mine action. The archive provided relevant and important information, especially on the start of the project in Cambodia. However, the archive at the NPA was to some extent systematic, yet there was little consistency in which documents, memos, internal and external communication that had been archived. After conversations with some of the NPA representatives, it was made clear that the beginning of the mine division the archive was deprioritized and was therefore incomplete.

The Ministry of Foreign Affairs (MFA) downgraded documents from the time period as a result of my application. To my knowledge, no material was excluded despite the relative new age of the internal and external documents on the subject. The archive at the MFA provided information on their stance on landmines and their relationship with the NPA. The archive at the Ministry of Defense was considered not be as relevant as the archive of the MFA. The archive might have provided documents related to the Ministry of Defenses' stance on landmines and the communication with the MFA. However, the MFA archive did not withhold any communication with the Ministry of Defence, hence it gave some insights into the correspondence between the two ministries. The Labor Union archive was also considered to be less relevant. The relationship between the NPA and the Labor party in Norway was relevant for the thesis, but the information needed was acquired from interviews and secondary sources.

²⁴ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 2.

Interviews were conducted with both present and former representatives of the NPA, politicians close to the process and local Cambodians. The interviews worked as a relevant supplement to other material collected. For instance, the interviews supplemented the archive at the NPA and provided additional information on Norway's standpoint on landmines. For the interviews, preparation of the questions was important. Chapter 5 in the book by Gustav Haraldsen *Spørreskjemametodikk* was helpful in the process of forming neutral, non-leading questions.²⁵ The processing of the information was vital to distinguish the normative answers from the descriptive. Yet, the normative perceptions provided valuable material to analyze the relationship between the NPA and the Norwegian government, and the so-called Norwegian model.²⁶

A field excursion to Cambodia provided valuable insight into how the NPA operated and implemented their projects. The field-trip included visits to a mine field, the local demining unit centre, a landmine victim recovery centre, villages that the NPA helped rebuild, Cambodia Mine Action and Victim Assistance Authority (CMAA), and mine detection dog facility. Interviews were conducted with technical advisors and senior representatives of the NPA in Cambodia, local village chiefs and landmine victims. There was no sort of archive in Cambodia that could be utilized. In addition, the language barrier was a constant challenge. In addition to the language barriers, time was an issue. The time that had lapsed from the beginning of the NPA project in 1992 meant that some key personnel had either been changed or that the memory of some incidents was not conclusive. The information that was provided from some individuals was sometimes of a secondhand character. Because of this, it was difficult to determine the validity of the data collected in Cambodia. Despite of this, the information from Cambodia was still of great value since it aided in placing documents recovered from the archives into context.²⁷

The information gathered from interviews was sometimes a problem because conflicting statements on dates and facts occurred. However, this was to be expected because of the time that had elapsed since the period in question. Statements were therefore weighted and individuals closest to the landmine process were considered as more reliable in these cases.²⁸

²⁵ Gustav 1952- Haraldsen, *Spørreskjemametodikk: Etter Kokebokmetoden* (Oslo: Pensumtjeneste, 2010); Knut Kjeldstadli, *Fortida Er Ikke Hva Den En Gang Var*, 2nd edition (Oslo: Universitetsforl., 1999), 193–95.

²⁶ Kjeldstadli, *Fortida Er Ikke Hva Den En Gang Var*, 173, 194.

²⁷ *Ibid.*, 193.

²⁸ *Ibid.*, 180–81.

Mine action is a general description of all landmine related issues. Mine action is a new term and was accepted by the UN in 1998. It became known within the field of study at the end of the 1980's, following the Soviet-Afghan war, where the consequences of landmines for the civilian population were uncovered. When discussing landmines the thesis uses variations of the work which it entails interchangeably, they include: mine risk education; humanitarian demining; victim assistance; stockpile destruction; and advocacy against the use of anti-personnel landmines.²⁹ Humanitarian demining, humanitarian mine action, demining, clearing mines will all assist in describing events, however they mean more or less the same. There are two other variants that differentiate from humanitarian mine action, the former more than the latter: Military demining is conducted in cases that are related to clearing a path through a dangerous area, for example, in a combat situation. Not all mines are cleared and it is not for humanitarian purposes, and is thus not relevant to this thesis.³⁰ Commercial demining is conducted by for-profit operators and will be discussed in Chapter 5. They perform more or less the same tasks as NGOs, like the NPA, but they are commercial by nature.

Mine action covers more than just mines. It describes all explosive remnants of war; however, this thesis focuses mainly on landmines. The correct terminology is anti-personnel mines, but for reasons of simplicity, landmine will be used as the common term throughout the thesis. The reason that original sources sometimes differentiates between the two was that anti-personnel mines were the only type of mines that was banned in the Convention.³¹ Anti-tank mines were not included. This has little or no influence on the thesis; therefore, landmines will be used when describing mines in all relations.³²

1.4 Literature

Literature on the history of Norwegian development aid provided important analysis on the history of both the Norwegian development aid and the growth of Norwegian NGOs. Literature from both historical- and social sciences has been used to accompany the archival study.

²⁹ NORAD, *Evaluation of the Humanitarian Mine Action Activities of Norwegian People's Aid* (Oslo: Norwegian Agency for Development Cooperation,), 8–9.

³⁰ *Ibid.*, 9.

³¹ *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*, , http://www.un.org/Depts/mine/UNDocs/ban_trty.htm.

³² NORAD, *Evaluation of the Humanitarian Mine Action Activities of Norwegian People's Aid*, 8–9.

Several contributions from Norwegian historians were important to putting mine action into a historical context. Despite the fact that Mine action was different from all other aid the Norwegian government financed, the history on Norwegian foreign policy and development aid provided background relevant in understanding the efforts of the NPA and their role.

Vendepunkter i norsk utenrikspolitikk edited by Even Lange, Helge Pharo and Øyvind Østerud gave a historic account of the Norwegian policy after the Cold War and assisted in providing an understanding of the circumstances Norway was faced with.³³

Norway's Foreign Relations – A History by Olav Riste provided further insight into the development of Norway's foreign relations.³⁴

Oljealder – 1965-1995 by Rolf Tamnes gave an in-depth historical account of the Norwegian development aid, and how NGOs were increasingly more included in Norwegian policy.³⁵

The Aid Rush Volume 1 edited by Helge Ø. Pharo and Monika Pohle Fraser gave a useful description on the expansion of Norwegian development aid and the entry of NGOs during the Cold War.³⁶

Utviklingshjelp, utenrikspolitikk og makt: Den norske modellen written by Terje Tvedt provided valuable perspectives on the nature of the relationship between the Norwegian government and NGOs.³⁷

Foreign Aid and Landmine Clearance written by Dr. Matthew Bolton provided invaluable insight into the mine action projects of the NPA. The book compares two of the biggest contributors to mine action: Norwegian development aid and the USAID. It also describes the two variations of landmines clearing the. The book also described how the NPA performed in mine action compared to for-profit organizations.³⁸

³³ Even 1946- Lange, Helge 1943- Pharo, and Øyvind 1944- Østerud, *Vendepunkter I Norsk Utenrikspolitikk: Nye Internasjonale Vilkår Etter Den Kalde Krigen* ([Oslo]: Unipub, 2009).

³⁴ Olav 1933- Riste, *Norway's Foreign Relations: A History* (Oslo: Universitetsforl., 2001).

³⁵ Rolf Tamnes, *Oljealder: 1965-1995*, vol. B. 6 (Oslo: Universitetsforl., 1997).

³⁶ Pharo and Fraser, *The Aid Rush*.

³⁷ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*.

³⁸ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*.

En Framtid uten Frykt for Miner, edited by former NPA representative Christian Ruge, assembled main contributors, including two NPA representatives, to the landmines process ten years after the landmines ban treaty was signed in Ottawa. The book contributed to describing the relationship between the state and an NGO from a civil society standpoint.³⁹ Since those who contributed were close to the process, it was important to carefully consider their statements; meaning whether their comments were normative in nature, or if their perceptions were in any way coloured.⁴⁰

Feighetens Våpen by Simonsen, Bakkerud, and Thomassen provided an account of the contributions by the NPA and the Norwegian government in the process that led to the Norwegian ban on landmines and the international ban.⁴¹

Impotent Superpower – Potent Small State by former State Secretary at the MFA, Jan Egeland, was important because it provided insight into the philosophy behind the so-called Norwegian model and as to why the MFA contributed so much to NGOs in the 1990's, including the NPA.⁴²

Governing the Global Polity by Iver B. Neumann and Ole Jacob Sending gave insight into the *rationale* of the Norwegian government when cooperating with the NPA through the landmine case.⁴³

The Future of Humanitarian Mine Action edited by Kristian Berg Harpviken gave invaluable insight into the technical sides of mine action as well as specific contributions made by the NPA.⁴⁴

What If No One's Watching? by Mary Wareham gave insight into the history behind the Landmine Monitor and the effects thereof.⁴⁵

The Myth about Global Civil Society by Daniela Tepe contributed to the focus on the Norwegian campaign to ban landmines.⁴⁶

³⁹ Christian Ruge, *En Framtid Uten Frykt for Miner: 10 År Med Minekonvensjonen* (Oslo: Conflux, 2007).

⁴⁰ Kjeldstadli, *Fortida Er Ikke Hva Den En Gang Var*, 179–81.

⁴¹ Anne Hege 1965- Simonsen, Jon Bakkerud, and Carsten Thomassen, *Feighetens Våpen: Kampen Mot Minene* ([Oslo]: Cappelen, 1997).

⁴² Egeland, *Impotent Superpower-Potent Small State*.

⁴³ Iver B. Neumann and Ole Jacob Sending, *Governing the Global Polity: Practice, Mentality, Rationality* (University of Michigan Press, 2010).

⁴⁴ The Future of Humanitarian Mine Action | Edited by Kristian Berg Harpviken, *Macmillan*, accessed March 28, 2014, <http://us.macmillan.com/thefutureofhumanitarianmineaction/KristianHarpviken>.

⁴⁵ Mary Wareham, *What If No One's Watching?: Landmine Monitor: 1999-2005* (Fafu, 2006).

⁴⁶ Tepe, *The Myth about Global Civil Society*.

Chapter 2

Mines are amongst the best artificial obstacles – they are portable, installed relatively easily and constitute a hazard to the enemy.

- US Army Field Manual, 1966

2 The History of Landmines

The idea of landmines, or concealed weapons underground, was first conceived about 2.500 years ago. The concept of underground weapons had many stages and was utilized by, among others, Caesar of the Roman Empire, who used deadly sticks that were concealed in the ground and emerged upon contact.⁴⁷ Mines which consisted of explosives, more specifically gunpowder, appeared in the thirteenth century with the first documented use being in China, who used it as protection against Mongol insurgencies. However, it was not until the Civil War in America that the evolution of landmines progressed to a level of expansive use. A southern state brigadier, Gabriel Raines, developed landmines for defense purposes. During the Civil War about 2.000 of his mines were distributed, and 5 of them were discovered in the ground as late as 1960. They were considered to be still active and relatively dangerous.⁴⁸

In the period before the First World War the British found inspiration in Raines' mines and further developed them to defend positions with tripwires in several wars fought on the African continent. During the First World War, many other European states developed their own sophisticated mines, the ones from Germany being most advanced. By the end of the war, both Germany and Britain had developed mines that used sulfur mustard instead of explosives. It was, however, not until the interwar period and the Second World War that

⁴⁷ Mike Croll, *The History of Landmines* (Barnsley U.K.: Pen and Sword, 1998), 3.

⁴⁸ Ruge, *En Framtid Uten Frykt for Miner*, 76–7.

landmines had its real breakthrough.⁴⁹ In the fight over North Africa during WWII, Germany's Erwin Rommel, the 'Desert Fox', Great Britain's Field Marshall Bernard Law Montgomery, and US's George Patton utilized landmines to defend against each other. Together with the heavy use of landmines at the frontlines in Eastern Europe it created the first crisis of landmines. Over 300 million landmines were spread across Europe and North Africa as a result of these advances within warfare. In addition to mines, Europe was contaminated with millions of tons of unexploded ordnances which are still found today, 70 years later. After the war the world witnessed the, to this date, largest campaign to clear landmines and unexploded ordnances. As opposed to modern landmine clearing, the campaign was mainly directed towards Europe, criticizing them for leaving Africa to deal with their landmines on their own. However, even after the consequences of mines were discovered in this massive campaign, no efforts were made to regulate the use of them. After the First World War the Geneva Protocol banned gas and bacterial weapon and the US labelled them as indiscriminate weapons, yet, landmines continued to be viewed and used as a legitimate weapon by governments. The International Committee of the Red Cross (ICRC) tried to start a discussion on the consequences of landmines in 1956, only to fall on deaf ears.⁵⁰

The proxy wars during the Cold War between the USA and the Soviet Union created a situation in which landmines became the number one weapon of choice in development countries. Landmines were a cheap commodity that both superpowers could use as military assistance to developing countries in order to get the upper hand in the ideological struggle. Since the landmines were always active, they were effective in their defense against sudden attacks on infrastructure, like bridges, dams, ports, airfields and roads. Other weapons, like aircraft, artillery and tanks were a rare commodity among development nations: heavy military equipment was difficult to maintain, required a high level of training, and was expensive. Landmines, on the other hand, were cheap, required little training, and needed no maintenance. The mines originated from countries that had used landmines for a long time, and who had developed a systematic approach to deploying the mines: Soldiers were trained in the use and most importantly, in how to record minefields. In developing countries, like

⁴⁹ Ibid., 77–8.

⁵⁰ Matthew Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan* (London; New York; New York: I.B. Tauris ; Distributed in the U.S. and Canada exclusively by Palgrave Macmillan, 2010), 13–5.

Cambodia, they were not accustomed to such techniques and therefore the deployment of mines was not systematic, nor recorded.⁵¹

2.1 Landmines in Cambodia and Efforts to Mitigate its Use

The years after the Second World War, the landmines technologies were developed and were thought to be an effective tool to injure and delay any advances by soldiers. Cambodia was one of the countries who got hit the hardest by being entangled into the Cold War. Cambodia was situated next to Vietnam, and because of the Vietnam War, the North-Vietnamese went across the border to Cambodia to hide personnel and equipment. The Ho Chi Minh Trail, as it became known as, was an effort to escape American bombing. As a response to the Ho Chi Minh Trail the US started a secret operation called Daniel Boone in the early 1960s which deployed the first landmines in Cambodia. The operation conducted 1.835 missions involving reconnaissance and mine-laying incursions into Cambodian territory in order to limit the North Vietnamese.⁵²

In March 1969, President Richard Nixon expanded the operation on the Ho Chi Minh Trail, and the Americans started carpet-bombing Cambodia, using cluster munitions, landmines as well as more conventional bombs, to drive their opponents, the Viet Cong back into Vietnam. During the operation, called Menu, ‘breakfast, lunch and dinner’ was served as over 3.600 B-52 raids were conducted. A part from the estimated 150.000 civilians who were killed, the bombings had implications on the politics in Cambodia. The intent of the bombings was to drive the North-Vietnamese back into Vietnam, but it resulted in driving them farther into Cambodia, giving an upsurge for communism in Cambodia. The Communist Party in Cambodia used the bombings as recruitment propoganda which spurred internal conflict.⁵³ In an effort to rectify the situation in Cambodia, the President of Cambodia, Shianouk was deposed in a coup in January of 1970. The coup was performed by his party allies, however, it did not solve any problems. By 1972, approximately 2 million Cambodians were homeless and the country was engaged in a civil war. The Cambodian government was fighting Pol Pot and his Khmer Rouge and only controlled one-quarter of the country. The ruling government

⁵¹ Croll, *The History of Landmines*, 138–39.

⁵² Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 13; David P. Chandler, *A History of Cambodia* (Boulder, Colo.: Westview Press, 2000), 200.

⁵³ Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79* (New Haven: Yale University Press, 1996), 18–19; Paul 1964 Davies and Nic Dunlop, *War of the Mines: Cambodia, Landmines and the Impoverishment of a Nation* (London: Pluto Press, 1994), 5; David L. Anderson, *The Columbia History of the Vietnam War* (New York: Columbia University Press, 2011), 368.

was dependent on American support through their bombardments of the enemy, however, this only led to more support for the communists and their leader Pol Pot.⁵⁴ The Director of Operations at the CIA stated in May 1973 that their bombardments did not have the effect they wanted:

They are using damage caused by B-52 strikes as the main theme of their propaganda...This approach has resulted in the successful recruitment of a number of young men ...[sic] Residents ... say that *the propaganda has been effective* [sic] with refugees and in areas ... which have been subjected to B-52 strikes.⁵⁵

Thus, the US bombardment, that included the use of landmines contributed significantly to the rise of Pol Pot and the Khmer Rouge. At the Paris Peace Accord in 1973, it became clear that the US would pull out of the Vietnam War and would subsequently stop their direct involvement in aiding the Cambodian government in their fight against the communists. Without US support, the Cambodian government became dependent on the use of landmines. Since 1973, landmines were used extensively to protect key-installations and strategic points, such as bridges. The Khmer Rouge had at that point in time taken control over large parts of the country, especially in the north. In the north the Khmer Rouge had installed 'liberated zones' in agricultural areas which were protected by landmines and booby-traps. Neither these areas nor the ones where the government of Cambodia deployed mines were ever systematically cleared.⁵⁶

In 1973, the domestic discontent in Sweden caused by the use of landmines and cluster munitions during the Vietnam War led the Swedish government to launch an effort, in cooperation with the International Committee of the Red Cross, to examine the effects of the landmines. The effort resulted in an idea to restrict of the use of these weapons and gathered 18 states, including Norway. In the end, the effort got effectively suppressed by the NATO (The North Atlantic Treaty Association). By the time of the conferences at which they gathered to discuss additional protocols for the Geneva Conventions in 1976 and 1977, the Swedish initiative had been pulled to pieces. The new prohibitions on mines and cluster munitions ended up using ineffective phrases, such as the weapons should not cause 'unnecessary suffering.' At the meetings, only countries who considered military and security concerns were present. As one of the worst landmine infected countries in the world,

⁵⁴ Chandler, *A History of Cambodia*, 196; Davies and Dunlop, *War of the Mines*, 5–6; Kenton J. Clymer, *Troubled Relations: The United States and Cambodia since 1870* (DeKalb: Northern Illinois university press, 2007), 115.

⁵⁵ Kiernan, *The Pol Pot Regime*, 22.

⁵⁶ Davies and Dunlop, *War of the Mines*, 6, 11-12.

Cambodia had been invited to share their knowledge on how landmines affected the country, however, they did not attend. Cambodia and many countries with the same landmine problem were afraid to express this because it would expose what means worked the best, or worst, to their adversaries. Thus, the legitimacy of the use of landmines was only decided by those who had an interest in the continuation of the use.⁵⁷

2.1.1 *The Killing Fields*

The Khmer Rouge and Pol Pot seized power in Cambodia from 1975 to 1979 and named the state Democratic Kampuchea. During this period almost 2 million, or 1 out of 5, people died directly or indirectly by the policies and actions of the Khmer Rouge. Landmines were used extensively during what was a genocide that is commonly known as ‘the Killing Fields.’ Despite the fact that the Vietnam War had ended, border confrontations between the Khmer Rouge and Vietnam started only a month after the Khmer Rouge seized power. The Khmer Rouge identified Vietnam as their number one enemy and landmines were again used to protect crossing points and military installations along the eastern border. The Thai border was also mined as the Khmer Rouge sought to close off Cambodia to its neighbours. In addition to keeping their neighbours out, the landmines ‘was the perfect ally’ for the Khmer Rouge as it insured that few dared to leave.⁵⁸ Those who tried did so with erratic results, as one survivor described:

We walked cautiously around a bend and came upon the site of a mine explosion. It was a blood-splattered scene, an arm hanging, from a tree branch, part of a leg caught in the bamboo. Ten or more dead lay by the side of the path, and many more were wounded... It was a terrible way to die, or to be maimed, after living through the Khmer Rouge and coming so close to freedom. The mines appeared on either side of the path, sometimes in the middle... From the detonator buttons, trip lines made of nearly invisible white nylon thread led to tying-off points such as trees or rocks nearby ... All we knew was that we had to keep our eyes on the trail, searching for white threads.⁵⁹

Landmines were thus not only a military instrument for the Khmer Rouge, but also used mines as a means ‘of terror for social and economic control over the civilian population.’⁶⁰

The battles between the Khmer Rouge and the Vietnamese continued, and in 1978 Vietnam appealed to the UN to create a demilitarized zone at the border between the countries. The effort was unsuccessful and the Vietnamese decided to take matters into their own hands. On

⁵⁷ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 19–20.

⁵⁸ Chandler, *A History of Cambodia*, 212; Davies and Dunlop, *War of the Mines*, 12.

⁵⁹ Davies and Dunlop, *War of the Mines*, 12.

⁶⁰ *Ibid.*, 13.

2 December, Vietnam created a force of 120.000, mainly made up of defected Khmer Rouge personnel. The National Salvation Front, as it was called, invaded Cambodia on Christmas Day 1978. Pol Pot requested military assistance from their Chinese allies to help in the fight against the Vietnamese. The proxy wars of the Cold War continued but the Chinese did not want to take the risk, and the request was turned down. Because the Khmer Rouge forces were located in the eastern and southwestern parts of the country, the Vietnamese attacks in the northeast met little resistance. As a result, the Vietnamese changed their strategy from occupying the eastern half of Cambodia to capturing the capital, Phnom Penh, instead. On 7 January 1979, the capital Phnom Penh fell to Vietnamese forces and most of the Khmer Rouge forces did not last beyond the month. The new government called itself the People's Republic of Kampuchea, while the remaining parts of the Khmer Rouge fled to the Thai-Cambodian border. Cambodia had once again fallen because they, in the end, did not get assistance from their allies.⁶¹

2.2 Conference on Disarmament & the Convention on Conventional Weapons

Even after the infamous events of the Killing Fields in Cambodia there were no signs that the international community would try to regulate landmines. A struggle existed as to how international law should govern weapons such as landmines. Middle powers, such as Norway, wanted international law to prioritize the concerns of victims over military concerns, while the realist oriented powers argued that weapons should not be bound by humanitarian law, merely the use of them. In 1980, the Convention on Conventional Weapons (CCW) had in Protocol II tried to consolidate how 'mines, booby-traps and other devices' should be used, however, it ended up reflecting the attitudes of the greater powers and security concerns rather than those of humanitarian. The text was filled with 'loopholes' and was 'inadequate in protecting civilians.'⁶²

Robert Muller, the founder of an organization called Vietnam Veterans of America Foundation, travelled to Cambodia in 1984. There he witnessed the impact of the Khmer Rouge and landmines. He went to Cambodia to make proteases for mine victims, but soon realized that his efforts would not make a big difference. He would later be one of the

⁶¹ Ibid., 7; Chandler, *A History of Cambodia*, 223–25.

⁶² *The Convention on Certain Conventional Weapons, Protocol II*, , [http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/7607D6493EAC5819C12571DE005BA57D/\\$file/PROTOCOL+II.pdf](http://www.unog.ch/80256EDD006B8954/(httpAssets)/7607D6493EAC5819C12571DE005BA57D/$file/PROTOCOL+II.pdf); Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 21.

founders of the International Campaign to Ban Landmines (more on the campaign in Chapter 3 & 4).⁶³

2.3 Civil War and Cambodian Subjection to Proxy WARS

The joys of liberation in Cambodia 1979 did not last long as the politics of the Cold War resulted in the creation of a new civil war, and with no effective legislation, the use of landmines continued.⁶⁴ 1979-1991 was the period when the majority of mines were deployed in Cambodia.⁶⁵ The new government in People's Republic of Cambodia was dependent on Vietnamese and Soviet support to avoid a foreign invasion by Thailand. During the 1980s over 300.000 refugees fled Cambodia to the Thai border, and the area functioned as a good 'recruitment center' to recruit new members to the resistance towards the Vietnamese occupation. In 1982, the UN recognized a coalition government in exile at the Thai-Cambodian border. The government in exile consisted of three factions all of whom wanted the Vietnamese out of Cambodia and to seize power in Phnom Penh. However, their loyalties did not go any further as they were also hostile towards each other. The US, China and Thailand all had interests related to the Cold War or regional concerns, making them in favor of the exiled leadership of the former Democratic Kampuchea. These fractions were fed, clothed and armed by Thailand and China and became a well-equipped military force by 1982. From then on the forces of the coalition were able to attack more effectively into the People's Republic of Kampuchea and occupied large areas. Up to 1985, the Vietnamese and Kampuchean forces drove the coalition back into Thailand through a series of offensives. To ensure the coalition forces did not reenter, tens of thousands were drafted to lay landmines along the border.⁶⁶ The minefield, called K5, went along the Thai-Cambodian border for over 1.000km and ended up consisting of 2-3 million mines.⁶⁷

The rest of the 1980s saw a military stalemate. But as a result of the fall of the eastern bloc in 1989, the Vietnamese lost its financial support from the Soviet Union. Their occupation

⁶³ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 21.

⁶⁴ Davies and Dunlop, *War of the Mines*, 7.

⁶⁵ Roberts, *Landmines in Cambodia*, 20.

⁶⁶ Chandler, *A History of Cambodia*, 227, 231-35.

⁶⁷ Country Profile of Cambodia, Landmine Monitor, 2008, http://www.the-monitor.org/index.php/publications/display?act=submit&pqs_year=2009&pqs_type=lm&pqs_report=cambodia; Shawn Roberts and Jody Williams, *After the Guns Fall Silent: The Enduring Legacy of Landmines* (Washington, D.C.: Vietnam Veterans of America Foundation, 1995), 122; Davies and Dunlop, *War of the Mines*, 14.

became too expensive to maintain and the People's Republic of Kampuchea was viewed as self-sufficient with an army consisting of 30.000 soldiers. Thus, in September 1989 Vietnam withdrew their forces of 26.000 from Cambodia, and consequently, the war intensified as the coalition forces reentered Cambodia. The following two years saw a sharp increase in the use of mines from both sides of the conflict.⁶⁸ How many mines were present in the ground at this point was difficult to establish as minelaying in Cambodia was never done in a systematic way. However, there was an estimate of between 4-10 million mines.⁶⁹ The unsystematic use of mines was documented by Peter Newman of Hazardous Areas Life Support Organisation (HALO). He states:

Let me give you a classic ... Back in about 1980 the Vietnamese laid a minefield. The ground there is very soft and over the next few years the mines sunk and disappeared. And a few years later when new commanders arrived, he demanded a new minefield thinking there weren't any mines there. So they laid a minefield. And then when the Vietnamese withdrew, the CPAF laid a new minefield, since the previous mines had sunk again. So, there's now three minefields, one on top of the other, all in that one little area. And now they've built a village on top of it..

Peter Newman of the Halo Trust.⁷⁰

2.3.1 *The Problem*

One landmine could cost as little as US \$3, while demining that same mine could cost from \$300 to \$500. That number does not take into account the economic costs for society, like the loss of fertile land, nor does it take the human costs into account, like the loss of life, mutilation caused by mines and the psycho-social effect it had on the population knowing that there are mines in the ground. Therefore, the landmines are inhibitive of the socio-economic development of society until they are cleared. Worldwide there was an estimate that 110 million mines remained in the ground. It is difficult to determine a clear number of casualties by landmines since there probably were many which never were registered. In Cambodia there were, between 1979 and 2009, 63.402 casualties: 19.476 killed and 43.927 injured, a vast majority of them were civilians.⁷¹

Demining was a military activity until 1990. When the Russians withdrew from Afghanistan in 1989, the UN estimated that there were 10 million mines in the ground, and no one knew where. Consequently, the UN started the first humanitarian demining project in 1990. With no

⁶⁸ Davies and Dunlop, *War of the Mines*, 9; Chandler, *A History of Cambodia*, 235–36.

⁶⁹ Davies and Dunlop, *War of the Mines*, 11.

⁷⁰ *Ibid.*, 15.

⁷¹ Karns and Mingst, *International Organizations*, 335; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 2–3; *The Future of Humanitarian Mine Action* | Edited by Kristian Berg Harpviken, 134.

prior experience in demining no rules existed on how to execute the demining for humanitarian purposes. Therefore, the operators had to develop the rules as they went along. Another problem was to establish who were responsible for clearing the mines. In Cambodia, for instance, all parties involved in the actual fighting had utilized mines to a great extent. Since the Vietnamese had utilized mines during the occupation, it was argued that they should contribute to the demining in Cambodia. On the other hand, some meant that this was an international responsibility: because the Soviet Union, the USA and China gave mines to the parties in proxy wars related to their interests during the Cold War.⁷²

2.5 United Nations Transitional Authority in Cambodia

Two years after Vietnam withdrew from Cambodia, all parties met in Paris on 23 October 1991 for the Paris Peace Accord. The negotiations ended with the signature of the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict. It officially marked the end of the war between Cambodia and Vietnam. Through the UN resolution 718, the peace-agreement provided for the establishment of a United Nations Transnational Authority in Cambodia (UNTAC), which governed until the free and democratic election was held 1993.⁷³ In resolution 717 it was further decided that under the authority of the Security Council, a United Nations Advance Mission in Cambodia

⁷² Ruge, *En Framtid Uten Frykt for Miner*, 84–85, 89; Roberts and Williams, *After the Guns Fall Silent*, 121–22.

⁷³ UN Resolution A718(17).

Chapter 3

A partnership evolves

It is the random nature of large-scale mine dissemination that makes mines so damaging to rural communities, but certain groups and individuals within those communities are critically vulnerable.

McGrath, 1994⁷⁴

3 The Origin of the NPA's Aid Mine Action Program and Norwegian aid policy

In October 1991 the NPA sent a representative to Cambodia to establish contact with the Cambodian authorities, existing organizations, and to identify where an NPA Mine Action programme should be established. It was reported back to NPA headquarters in Oslo that there was no shortage of work related to mines. However, there was a shortage of clean drinking water, and health care services were despairingly underdeveloped.⁷⁵ What met the representative was a country with over 35.000 amputees. The monthly increase in the number of amputees, estimates ranging from 300–700, due to mine injuries had left one out of every 236 Cambodians without one or more limbs. By comparison there were, at the same moment in time, 60.000 amputees in Vietnam out of a population of 75 million – thus leaving one out of every 1250 handicapped by landmines and explosives left behind from the wars.⁷⁶ The wars had also forced hundreds of thousands of citizens to flee, and the UN summoned to help refugees back to their homes. Cambodia's infrastructure was in terrible condition after decades of war and conflict, thus constituting an immense problem for the repatriation of the refugees both within and without Cambodian borders; if there were no secure roads or

⁷⁴ Roberts and Williams, *After the Guns Fall Silent*, 127.

⁷⁵ NPA, 1992, 42-KAM-06, Internal Memo, 9 December 1991,

⁷⁶ Human Rights Watch and Physicians for Human Rights, *The Cowards' War: Landmines in Cambodia* (United States of America, 1991), 1,36.

effective channels of transportation, repatriation would not be possible, and the number of landmine victims would increase tremendously. The refugees would be prone to use other routes and forms of transportation than the UN had planned, where one could not secure the inexistence of landmines.⁷⁷

According to the UN, mines would threaten the security of all inhabitants of Cambodia for years to come, and this was the most immediate problem that had to be addressed.⁷⁸ Mine related issues became the NPA's new focus area, and Cambodia was the first country they established landmine projects. The NPA became the most successful demining organization in Cambodia, including United Nations Development Program (UNDP). At the same time, the NPA grew more than any other NGO in Norway. At the end of the millennium the NPA received the most funds for international aid out of all organizations in Norway.⁷⁹ How did the NPA arrive at this position? How did NPA's Mine Action in Cambodia develop from 1992 to 1996? During the same period, Norway changed their stance on landmines. To what degree did the NPA influence the process of banning landmines in Norway? And, to what extent did the Norwegian government contribute to the development of the NPA?

3.1 The Situation in Cambodia When the NPA Entered

After decades of conflict the Paris Peace Agreement was signed on 21 October 1991. The agreement stipulated that the United Nation's Transitional Authority in Cambodia (UNTAC) was to be put into effect under authorization by the Secretary General in February 1992.⁸⁰ The UN resolution 745 gave the UNTAC a mandate to govern all sides of Cambodia's governmental affairs. The intent was to prepare Cambodia for the period after the mandate expired in October 1993. The transitional phase was an unprecedented administrative role, and the peace-keeping mission became the most expensive in the history of the UN. The UN mission hard criticism for their efforts, and Historian David Chandler described the project as utopian. The UNTAC was criticized by NGOs for their management and in the aftermath the spending of \$2 billion on inflated salaries to UN personnel was revealed and condemned. On the other hand, he also emphasized the more positive results of the project, namely free press, the successful repatriation of more than 300.000 refugees from Thailand, the scheduled

⁷⁷ Interview with Mr. Hao, the NPA Country Director, Phnom Penh, Cambodia, September 23, 2013.

⁷⁸ MFA, 76.8.122, 18, UNTAC, 01.06.1992, 10.

⁷⁹ Ayrine Uk and Pascal Simon, *Assessment of Norwegian People's Aid Technical Assistance to CMAC 1996-2003* (GICHD, March 2004), 40; Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 67.

⁸⁰ In October 1991, the Security Council established an advance mission, the United Nations Advance Mission in Cambodia (UNAMIC), to assist the Cambodian parties in maintaining the ceasefire.

election which would take place in July 1993, but more importantly in this context, that human rights organizations gained access to the country and flourished.⁸¹

The NPA had embarked on a project of enormous scale and the tasks were probably too much for any organization to encounter without meeting some problems along the way. It included the enormous task of repatriating nearly 700.000, externally and internally displaced refugees.⁸² But before repatriating, a mine surveying and eradication program had to be established to prevent a new disaster. If the repatriation was to start spontaneously, or the demining to be hastily and cheaply executed, the health care system would be unable to deal with the amount of injuries sustained by mines.⁸³ The UN appealed to donors to meet these urgent needs by channeling funds through either UN agencies or NGOs.⁸⁴ The Norwegian government pledged an initial NOK 50 million to humanitarian aid and channeled the money through UN organizations, as well as Norwegian NGOs.⁸⁵ Cambodia had very little trained personnel; therefore, Cambodians were in need of immediate training and advisory services in all fields. Although Cambodia had a shortage of qualified personnel, it was recommended that efforts should be led and conducted by Cambodians themselves while receiving advice and assistance by international experts.⁸⁶

3.2 Norwegian Development Aid

Throughout the post-war period, Norway had been increasingly active in international humanitarian affairs, and the efforts in Cambodia would be an extension of this period.

In the wake of the dissolution of colonies worldwide, Norway furthered its engagement in development aid in the late 1960s. Development aid became an important part of Norwegian foreign policy. The birth of the so-called *Norwegian Model*, according to Professor in History Terje Tvedt, was on the 17 August 1962.⁸⁷ The Norwegian Development Aid made its first guidelines for supporting the private organizations in their humanitarian work. To facilitate all the resources that went into aid, the Norwegian Agency for Development Cooperation (NORAD) was established in 1968 as a sub-division under the Ministry of Foreign Affairs (MFA). The MFA kept its own development section alongside the establishment of NORAD.

⁸¹ Chandler, *A History of Cambodia*, 240; UN Security Council Resolution 745 (1992).

⁸² MFA, 76.8.122, 18, UNTAC, 01.06.1992, 5.

⁸³ Human Rights Watch and Physicians for Human Rights, *The Cowards' War*, 2.

⁸⁴ MFA, 76.8.122, 18, UNTAC, 01.06.1992, ii.

⁸⁵ MFA, 76.8.122, 17, MFA Contribution to Cambodia, 24 March 1992

⁸⁶ MFA, 76.8.122, 18, UNTAC, 01.06.1992, 56.

⁸⁷ The Norwegian Model will be discussed in more detail later.

In 1975 it was decided that the Norwegian Parliament would no longer decide over which aid projects Norway should embark on, but rather just decide on the framework of Norwegian aid. The responsibility was passed on to the MFA and NORAD.⁸⁸

3.2.1 *In the midst of de-icing a Cold War*

Throughout the 1970s Norway consolidated its position as an aid contributor on the international arena as an influential actor. An increasing part of Norway's development aid was channelled through private organizations. The knowledge and experience within these organizations established them as an important actor in Norwegian development aid, both in the decision process as well as the execution of the policy.⁸⁹ The increase in Norwegian development aid had a direct impact on NGOs and their relationship with the government, making the relationship between the government and the organizations stronger. It experienced public support and the political will grew further as a result of this.⁹⁰ The NPA was, however, sceptical towards cooperating with the state, a scepticism that was mutually perceived by some politicians in the Norwegian government, because the two parties, who were normally adversaries in the political landscape, were now cooperating more closely.⁹¹

3.3 Individuals Matter

Jan Egeland, the State Secretary at the MFA from 1990-1997, wrote *Impotent Superpower – Potent Small State* in 1988.⁹² In the book he argued that Norway had the capabilities of becoming a humanitarian super power. Being a small country was not in itself a criterion for being a successful human rights campaigner, but he argued that Norway had a lot less inherent obstacles compared to a great power. For instance, Norway had no historic or contemporary image burdens, such as colonialism, interventionism or imperialism, and Norway had a good track record for respecting human rights domestically. According to Egeland, these reasons and the fact that there was less of a chance of inter-agency disagreements in Norway than in for instance the US, Norway was able to undertake long-term human rights campaigns successfully. The period of Egeland's time in office correlates with the start of the landmine initiative of the NPA, and he can therefore be viewed as an

⁸⁸ Tamnes, *Oljealder*, B. 6:385–87.

⁸⁹ *Ibid.*, B. 6:392.

⁹⁰ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*.

⁹¹ Tamnes, *Oljealder*, B. 6:3871; Ruge, *En Framtid Uten Frykt for Miner*.

⁹² Egeland, *Impotent Superpower-Potent Small State*.

important figure for NPA emergence on landmine arena. Egeland further argued that Norway lacked a current *institutional memory* to conduct an effective and successful aid policy, but that this could be resolved through the building of domestic expertise. The NPA became one of the organizations that assisted in building institutional memory related to development aid in Norway.⁹³

3.4 Norwegian Aid Policy

The so-called Norwegian model developed throughout the years. In 1963, there were seven organizations that were engaged with the government and received a total of NOK 3.7 million in development aid. In 1975 there were 20 organizations; in 1981, 54; in 1986, 84; and in 1991, right before the NPA entered Cambodia, the NPA comprised of 98 organizations receiving all together NOK 1.1 billion. The dramatic increase must be seen in relation to an international policy initiated by Great Britain and the USA, whereas the OECD countries were encouraged to invest more in development aid.⁹⁴ The 1980s became known as the decade of NGOs.⁹⁵ In 1982, Norway reached its target of contributing one per cent of Gross Domestic Product in aid. Norway thereby, became the first country to reach this international goal, also making them the top contributor per capita worldwide.⁹⁶ The White Paper 36 (1984-85) was a breakthrough for NGOs in Norway, and the organizations were given a central role in development aid due to their relevant knowledge. The government gave them increased support and trust, However, these efforts did not automatically provide positive results. In the late 1980's, due to inconsistent results, Norway assessed its efforts, and demanded more responsibility from receiving countries. However, the assessment of the development aid did not result in a change in scheme, it was rather a correction towards the continuation of the Norwegian Model; NGOs were increasingly being involved in how the government derived their aid policy.⁹⁷ The increase of development aid was not unique to Norway, and the model in which resources were channeled through NGOs should not be considered a Norwegian phenomenon. It was an unconscious choice from the government and

⁹³ Ibid., 185–87; Tamnes, *Oljealder*, B. 6:386. Institutional memory: When knowledge is kept within the organization, and not dependent on with singular personnel's relationship/engagement to/in the organization.

⁹⁴ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 57–59.

⁹⁵ Tamnes, *Oljealder*, B. 6:387.

⁹⁶ Ibid., B. 6:392.

⁹⁷ Ibid., B. 6:385.

the private sector, yet, it should not be understated that the relationship developed into a strong partnership.⁹⁸

The Norwegian model gave both the government and NGOs new opportunities. However, the development of the model was something of a coincidence. The model was not a result of a conscious initiative or concept from neither government nor organization, but rather a result of a ‘convenience marriage’.⁹⁹ Terje Tvedt states the opposite, he emphasizes that the Norwegian Model has not developed itself by chance but that instead, the model developed through a systematic approach: governmental decision-making, finances, and different kinds of reward-mechanisms, and a leading communication strategy within the government helped develop the model.¹⁰⁰

It is not of relevance to this thesis to determine whether or not the model is Norwegian. However, it is worth mentioning that there is more emphasis on the relationship between the government of Norway and NGOs in Norway, compared to Denmark, Sweden, Great Britain and all other OECD countries.¹⁰¹ Therefore, one could say that the model is represented to a greater extent in Norway than in other countries.

The NGOs had several advantages that resulted in the expansion of the funding from the Norwegian government. The MFA was a small ministry and lacked the flexibility regarding personnel. The NGOs could more easily deploy personnel and were geographically flexible. Also, it may be a factor that the local perception was that a representative from a humanitarian organization was more effective, than that one of a government. By being effective, grass root- and poverty oriented, they could engage the public. For politicians, the importance of public opinion can be directly linked to the continued growth of the NGOs. Nevertheless, the NGOs had much more access to target areas, and their ability to assist in the construction of civil society in the receiving countries was an important factor as to why the Norwegian model contributed to the growth of NGOs in Norway.¹⁰²

In 1989, the Foreign Minister Thorvald Stoltenberg outlined the future of Norway’s foreign policy. In the White Paper No.11, the Norwegian NGOs were specified as a good channel to

⁹⁸ Lange, Pharo, and Østerud, *Vendepunkter I Norsk Utenrikspolitikk*, 11.

⁹⁹ Ibid.

¹⁰⁰ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 123.

¹⁰¹ Ibid., 57.

¹⁰² Tamnes, *Oljealder*, B. 6:388; Interview with Bjørn Tore Godal, former Minister of Foreign Affairs, 08/27.14.

perform development aid.¹⁰³ During the 1990s the leadership of the foreign policy started talking about contracting NGOs to carry out Norwegian foreign policy assignments in other countries. At the beginning of the 1990s over half of all development aid resources went to NGOs, more specifically five of them, also called ‘the big five’; Church Aid, Norwegian Red Cross, Norwegian Refugee Council, Save the Children and Norwegian People’s Aid. At this point, the NPA was still small organization compared to the others. But, their size and position in Norwegian civil society changed throughout the 1990s and continued into the new millennium.¹⁰⁴

3.5 The Origin of Norwegian People’s Aid Mine Action

In 1990 the United Nations’ High Commissioner for Refugees (UNHCR), Mr. Sadako Ogata, met with the state secretary of the Ministry of Foreign Affairs, Jan Egeland, to ask Norway to assist the UN in Cambodia. Norway had an aspiration to become more operational and to assist to a greater extent. Despite demining being military in nature, Mr. Egeland acknowledged that the military would not be the right party to solve the situation in an already war-torn country. Also, the MFA did not have the personnel to perform such tasks. Therefore, he turned to the humanitarian organizations in Norway. ‘The big five’, including Norwegian People’s Aid, were invited to attend a meeting to discuss the situation in Cambodia.¹⁰⁵

On 25 September 1991, Jan Egeland held a meeting with ‘the big five’, and offered them NOK 50 million earmarked for Cambodia. Egeland already knew some of the effects of landmines after the Soviet-Afghan war. The Norwegian Afghanistan Committee together with the two surgeons, Mads Gilbert and Hans Husum, had collected valuable information on the consequences of landmines and conveyed this to Egeland.¹⁰⁶ At the meeting it was decided to perform a fact finding mission. A team of four was sent to Cambodia, including a representative of the NPA. The team reported back to Egeland that the need for mine clearing was imperative. Their message was clearly affected by what they had experienced. For instance, the NPA representative was taken to a site where 6000 people were supposed to be

¹⁰³ *White Paper No. 11. Om Utviklingstrekk I Det Internasjonale Samfunn Og Virkninger for Norsk Utenrikspolitikk.*

¹⁰⁴ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 75.

¹⁰⁵ NPA, 1992, 42-KAM-06, NPA Memo from Meeting at Norwegian Refugee Council, 5 February 1992, ; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 37.

¹⁰⁶ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 35; NPA, 1992, 42-KAM-06, NPA Memo from Meeting at Norwegian Refugee Council, 5 February 1992.

repatriated. He took a couple of steps into the site only to be pulled back by his shirt with a clear message: you cannot walk here because of mines.¹⁰⁷

There were several issues to be resolved in Cambodia, mine-clearing was just one of them. All the organizations were offered the opportunity to become the designated demining organization. Jan Egeland had contacted the NPA to underline that this was their chance to become a large and influential actor. As the smallest organizations abroad and with a limited portfolio, he expressed that this was an opportunity for them to build and expand their areas of expertise and interest. However, Save the Children Norway was offered the project first because they were already present in Cambodia with other projects, but they declined. The MFA sought out the NPA as the most likely candidate to start a new division within mine action and cooperate with ex-military. The NPA's relatively limited international portfolio was thus a decisive factor for their candidacy, supported by the fact that none of the other organizations wanted the burden of being overwhelmed by a project in unknown territory and field of expertise.¹⁰⁸

The NPA accepted the project knowing that it would expand their organizations, and at the same time not harm existing projects. But it was not without an internal struggle: the organizations consisted of leftists, some of whom were pacifists and rejected the notion of military service, and they did not appreciate that ex-military personnel would become a part of the organization. Despite this, the leadership of the NPA saw the potential the project brought: with the close connection with Jan Egeland at the MFA, the NPA would have a direct line to an extensive state funding.¹⁰⁹ The NPA decided to act on Egeland's offer. Without any prior knowledge of landmines, the NPA was dependent on cooperating with the MFA and the Ministry of Defense in order to facilitate the resources in a constructive way. Norwegian ex-military with knowledge of landmines were recruited. Among those was Svein Henriksen: a young Norwegian officer who had been deployed in Afghanistan in the aftermath of the war there. After witnessing a landmine take a young boy's legs he returned to Norway. Back home he struggled with the idea to transfer the knowledge of how to use landmines to other soldiers. After eight months in the military he began working for the NPA in 1994. The new mine division got established as a side branch to the rest of the organization.

¹⁰⁷ Appell, *20 År Med Minerydding*, Nr. 3 (Oslo: Norsk Folkehjelp, 2012), 25.

¹⁰⁸ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*; Jan Egeland, Interview, December 2, 2014; "NPA, 1992, 42-KAM-06, NPA Memo from Meeting at Norwegian Refugee Council, 5 February 1992."

¹⁰⁹ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 38; Appell, *20 År Med Minerydding*, 25.

A partnership between the government and NGOs surrounding security issues was highly unusual, and no humanitarian demining agency had existed up to this point. There were only British military, private and commercial actors.¹¹⁰ Therefore, the entrance of the NPA on to the scene of demining was pioneering, both for Norway and the NPA.

Meanwhile in Cambodia, the Hazardous Areas Life Support Organization (HALO) had been on a fact-finding mission on order from the UNHCR.¹¹¹ Their findings were crucial for getting information about the scope of the mine problem in Cambodia. Firstly, HALO recommended that skilled personnel were required to deal with the inherent dangers of moving around in mined areas. Secondly, the report stated that the demining of Cambodia would be a long-term project and consequently Cambodians might die while the clearance was on-going. Therefore, the need for a concentrated mine clearance effort was crucial and would certainly be so for five years, depending on Western funding.¹¹² This turned out to be an inaccurate estimate, as both HALO and the NPA are still present in Cambodia.

HALO's background in Cambodia with the fact-finding mission gave them a big advantage over other interested operators. They were highly interested in controlling all mine related work in Cambodia. However, they were only interested in a role as an operator to physically clear mines themselves, and not to facilitate training programs or to build other local capacity, such as planning and management in local authorities.¹¹³

The NPA's general policy on international aid was to build long-term solutions by empowering local authorities. The NPA envisioned that by building local capacity, Cambodians would at some point be able to deal with landmines themselves. In the first application the NPA sent to the MFA they estimated the project to be concluded within five years. This was also affirmed by the UN.¹¹⁴ Clearing mines and rebuilding the country went hand in hand at that point in Cambodia. The methodology of the NPA correlated more with the long-term perspectives of UNTAC guidelines, than those of HALO. It seems that since the NPA and HALO had different methodologies they did not encounter any conflicts of interests

¹¹⁰ Jan Egeland, Interview; NPA, 1992, 42-KAM-06, NPA Memo from Meeting at Norwegian Refugee Council, 5 February 1992.

¹¹¹ Halo Trust is a British private non-profit demining company.

¹¹² NPA, 42-KAM-06, Halo Trust Factfinding Report on Cambodia, 2, 28.

¹¹³ NPA, 1992, 42-KAM-06, Internal Memo, 9 December 1991.

¹¹⁴ MFA, Jnr. 00397, IV, United Nations Development Programme, Project Document., November 1, 1993.

in Cambodia. Because the NPA focused more on building local capacity, their entrance to the demining sector in Cambodia did not interfere with the existing operator HALO.¹¹⁵

The project got underway on 1 July 1992, with approximately NOK 6.1 million from the MFA to the NPA.¹¹⁶ At the same time, the guidelines of NORAD became more specific about how and where NGOs were supposed to work. The primary goal was to strengthen local organizations and target groups in recipient countries. However, the NGOs were not allowed to act contradictory to Norwegian foreign and development policy.¹¹⁷ Meanwhile, the new guidelines also instructed NGOs to describe how their goals were aligned with the ones of the government.¹¹⁸ The NPA's policy correlates to a large extent with the ones of NORAD, stating that they support local authorities and building local capacity.¹¹⁹ However, the new guidelines poses a question whether organizations could risk being neutral towards the government. This will be discussed later.

As a humanitarian organization, the NPA neither had the equipment nor the qualified personnel to conduct a mission like this. To solve the lack of technical qualification, the NPA and the MoD entered an agreement where MoD would provide technical equipment like mine detectors, as well as qualified personnel in the form of ex-military personnel.¹²⁰ By offering mine clearance experts for the training of local deminers, the NPA followed its policy and original intent to offer to build local capacity. Meanwhile, UNTAC ran into some trouble and therefore wanted to use the NPA experts in a supervisory, survey- and planning role instead. UNTAC's plan was not successful in the beginning and as a result, when 580 local deminers were finished with their training through the UN, they were unemployed due to the lack of qualified supervisors. As a result, the NPA had to divert its original plan and was delegated by the UN to function as supervisors for some of the unemployed deminers, while also surveying possible mined areas and planning further mine clearance activities.¹²¹

¹¹⁵ Ibid.; NPA, [Www.npaid.org](http://www.npaid.org).

¹¹⁶ MFA, 76.8.122, 17, NPA to MFA, 01 July 1992.

¹¹⁷ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 78.

¹¹⁸ Ibid., 114.

¹¹⁹ NPA, [Www.npaid.org](http://www.npaid.org).

¹²⁰ NPA, 1992, 42-KAM-06, Cooperation Agreement with the Norwegian Ministry of Defence, 26 May 1992.

¹²¹ NPA, 1992, 42-KAM.02.4, Activity, Monthly Raports, Date Unknown 1992, 3,4.

The NPA team, consisting of nine personnel, entered Phnom Penh on 29 July 1992 and the unit became operational within one week.¹²² The NPA entered a month-by-month agreement with the UNDP, to take operational control over a demining platoon.¹²³ The coordination and prioritization of the demining team were handled by the Cambodia Mine Action Centre (CMAC).¹²⁴ CMAC was the official demining authority in Cambodia established by the UNTAC. The NPA surveyed possibly mined areas, planned further mine clearance operations and supervised the work of the demining unit, while reporting findings and results to UN agencies and CMAC.¹²⁵

In the beginning of the NPA's assignment, the demining unit was delegated to the main transport artery in Cambodia, Mainroad No. 5, running from the Thai border to Phnom Penh. This was, and still is, the most important road of transportation in Cambodia. The rehabilitation of the road and the bridges had been severely hindered by mines, and because demining this road was important for the repatriation of Cambodian refugees, the NPA assignments were primarily related to this road in the beginning. After a while the Norwegian team split in two; one part continued the reconnaissance along the road and bridges, whilst the other went to Siem Reap to retain a supervisory role of a demining platoon in late August of 1992.¹²⁶ A representative of the NPA, Håvard Bach, describes the working conditions inside Khmer Rouge territory with government soldiers who were retrained to be deminers:

The agreement with the Khmer Rouge was that they could demine on the territory of the guerrilla forces as well, but the tension is high. The situation becomes too much for one of the Khmer Rouge soldiers. He suddenly pulls out a grenade and threatens one of the governmental soldiers with it. During a few very long seconds the situation can go either way, it could end up in a bloodbath. But the government soldier remains calm, and a friend of the Khmer Rouge soldier makes him somewhat composed. No bloodbath on this occasion. The demining can continue.¹²⁷

The excursions into Khmer Rouge territory was associated with being escorted through the jungle, often for days, by armed soldiers. In retrospect, Bach acknowledged that they were fortunate to escape any harm, especially considering all the safety precautions that mine action consists of today.¹²⁸ From September 1992 until December 1993, the NPA had cleared

¹²² NPA, 1992, 42-KAM-02, Memo Demining Team, 25 August 1992, This is to be considered as extremely quick.

¹²³ NPA, 1992, 42-KAM-04, Agreements, Contracts, Insurance, Agreement between NPA and UNDP, 24 August 1992. A platoon consists of 30 deminers.

¹²⁴ NPA, 1992, 42-KAM-03.6, Agreements, Contracts, Insurances, NPA Application for Funds to Do Mine Clearing in Cambodia, 1 June 1992,

¹²⁵ NPA, 1992, 42-KAM-02, Mine Concept, Date Unknown 1992, 5, Norwegian People's Aid.

¹²⁶ NPA, 1992, 42-KAM-02, Memo Demining Team, 25 August 1992.

¹²⁷ Appell, *20 År Med Minerydding*, 26.

¹²⁸ Ibid., 27.

roughly 460km² while destroying approximately 1700 explosives in the provinces of Bantey Meanchey and Battambang.¹²⁹ Despite not operating in the capacity they intended, UNDP sent a letter to the Norwegian Minister of Foreign Affairs, Thorvald Stoltenberg, expressing gratitude for the NPA's contribution in Cambodia in the short amount of time they had been there.¹³⁰

Early on, the NPA had decided to influence political processes in mine related issues, while at the same time being a field operator.¹³¹ The situation in Cambodia was somewhat chaotic, and the NPA started engaging in policy related to mine action early on. The NPA wanted to transfer the responsibility of supervision to the deminers so that they could effectively train the local forces. However, this was not permitted under UNTAC regulations. Therefore, the NPA worked for and continuously stressed that the focus should be on the final objective; to help the recipients of the assistance to help themselves, thus training supervisors to lead their own projects.¹³²

3.6 NPA Mine Action After the Dissolution of UNTAC

A successful election of a democratic government in Cambodia in July 1993 marked the end of UNTAC. In October the same year, the NPA accepted a request from CMAC to take responsibility for the management of the CMAC's regional office in Sisophon, Demining Unit 1 (DU1). DU1 was the regional headquarter for demining activities in the north-west region. The NPA continued its work within the greater organizational context of CMAC, enabling them to more freely advocate the policy of mine clearance. The NPA's demining platoons, three at the time, were integrated into the CMAC structure which came to involve a total of 734 people, including 11 expatriate staff from the NPA.¹³³

The UN received criticism for the operation in Cambodia. During the operation, the Peacekeeping Department and Department for Humanitarian Affairs within the UN argued over resources, mandate and responsibilities in the operations. The internal struggle led to an

¹²⁹ NPA, 42-KAM-05.1, 1994,93,97, MFA, Coopers & Lybrand, Evaluation of NPA's Mine Clearance in Cambodia, 20 March 1996, 9,14. Destroyed: 1.069 anti-personnel mines, 16 anti-tank mines and 586 Explosive remnants of war (ERW)

¹³⁰ MFA, 76.8.122, 18, UNDP to Thorvald Stoltenberg, 8 April 1993.

¹³¹ Ruge, *En Framtid Uten Frykt for Miner*, 108.

¹³² NPA, 1992, 42-KAM.02.4, Activity, Monthly Raports, Date Unknown 1992, 6.

¹³³ NPA, 42-KAM-05.1, 1994,93,97, MFA, Coopers & Lybrand, Evaluation of NPA's Mine Clearance in Cambodia, 20 March 1996, 14. The transfer became official in December. NPA, 42-KAM-02.4, 1995, ANNUAL REPORT, 15 December 1995, 3.

unfortunate combination of peacekeeping operations and the desire to establish a sustainable nationalized Mine Action organization. Ultimately, it resulted in long delays and unnecessary costs in the effort to build a functioning nationalized organization. Another result was that no long-term demining strategy had been developed; meaning that much of the mine clearing had been done under NGO management. This included the NPA as well.¹³⁴ The UN was later sharply criticized in internal reports, which stated that if the goal was to establish an independent national demining organization, they should have built a civil infrastructure from the beginning.¹³⁵

When the UN left in late 1993 there were no plans in place for continued UN assistance, and this almost led to the collapse of CMAC. Since the establishment of CMAC in June 1992, the NPA had become more and more involved in the organization. However, without any real strategy, CMAC remained underdeveloped under the UN mandate. When the UN support for CMAC disappeared, the NPA, along with a few other NGOs and crucial individuals, was key to the continued existence of CMAC.¹³⁶ The frustration with the UN was genuine from the NGO's standpoint; so much that they refused to cooperate further with the UN. The NPA was the lone exception. The NPA strongly believed that the UN, despite all its shortcomings in being slow and lacking in efficiency, had to play a central and coordinating role.¹³⁷ In the period from January to March 1994, CMAC and the NPA cleared approx. 170km² in the Banteay Meanchey province. This was 80 per cent of the total mine clearance in Cambodia at the time.¹³⁸ By this point in time, HALO's estimate of completing Cambodian demining within five years had been drastically readjusted. Estimates stated that every Cambodian had to devote each and every penny in the economy for the next 5–7 years to completely eradicate mines from the country.¹³⁹

The UN created a trust fund later in 1994 to help the rebuilding of Cambodia. The financial freedom created more stability and efficiency in terms of planning, surveying, the prioritizing

¹³⁴ The other organizations were Mines Advisory Group and HALO Trust. One NPA representative compared the demining at this time as the Wild West. Interview with Jan Erik Støa, NPA Programme Manager in Phnom Penh, Cambodia, September 28, 2013.

¹³⁵ Ruge, *En Framtid Uten Frykt for Miner*, 92.

¹³⁶ Brian W. Tomlin, Maxwell A Cameron, and Robert J. Lawson, *To Walk without Fear: The Global Movement to Ban Landmines* (Toronto: Oxford University Press, 1998), 319–20.

¹³⁷ Ruge, *En Framtid Uten Frykt for Miner*, 92.

¹³⁸ NPA, 42-KAM-05.1, 1994,93,97, MFA, Coopers & Lybrand, Evaluation of NPA's Mine Clearance in Cambodia, 20 March 1996, 14.

¹³⁹ MFA, Jnr. 00397, IV, United Nations Development Programme, Project Document, November 1, 1993, 11.

of land for clearing, and training programs.¹⁴⁰ With this new stability, the NPA handed back the control of demining operations to CMAC. The NPA continued to support CMAC with technical assistance and training in all mine related areas.¹⁴¹ The role the NPA played during this period seems to have been vital, both for the survival of-, and for the further development of CMAC.

In the midst of the dissolution of UNTAC, there was also still a lot of tension in the country because Khmer Rouge continued making insurgencies into Cambodia, now with even higher frequency. In April of 1994, the NPA and CMAC withdrew from the north-west region as the Khmer Rouge offensive approached Battambang and the security situation became increasingly uncertain. These kinds of security threats continued throughout 1994, particularly in the north-west. This meant that the NPA and CMAC had to make daily considerations with regards to security, which in turn slowed down their work.¹⁴² Because of these ongoing conflicts and the fact that the central government was weak, almost to the extent of being non-existent, new strategies to clear mines were developed by trying and failing. The results of the NPA were impressive.¹⁴³

Basically all Cambodian institutions were in a fragile state, and CMAC survived with the assistance of the NPA. But the presence of NGOs in Cambodia, given the circumstances, was inherently undemocratic. The Cambodian institution CMAC lacked state control. In a sense, the NPA became the in-effect manager of the institution, despite not being elected or bound by any social contract with the population. In such a scenario, NGOs face the risk of being accused of so-called ‘neo-colonial behaviour’. Parallels could be made between the rhetoric of imperialism’s ‘the White Man’s Burden’ and the humanitarian mine efforts of the NPA.¹⁴⁴ Another criticism argued that NGOs had the tendency to act paternalistically; that they were so convinced of the ‘rightness’ of their cause that they adopted a patronizing attitude towards the local culture, authority and society.¹⁴⁵ A senior CMAC official described the relationship with the NPA at that time as good, but also confirmed disagreement. He emphasized that in

¹⁴⁰ Tomlin, Cameron, and Lawson, *To Walk without Fear*, 320.

¹⁴¹ GICHD, *Transitioning Mine Action Programmes to National Ownership* (Geneva: Geneva International Centre for Humanitarian Demining, March 2012), 34, <http://www.gichd.org/fileadmin/GICHD/topics/transition/Transition-Cambodia-CaseStudy-Mar2012.pdf>.

¹⁴² Lt. Col Serge Leveille, NPA, 42-KAM-05, 1994, NPA-CMAC, February 12, 1994, 1–3.

¹⁴³ Tomlin, Cameron, and Lawson, *To Walk without Fear*, 320.

¹⁴⁴ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 58.

¹⁴⁵ *Ibid.*, 56.

the beginning, the NPA wanted to divert CMAC into a model which they thought would work better. This created some tension, but most of all, it showed a difference in culture, he said.¹⁴⁶ When the NPA took more or less control over CMAC in 1993-94, they indeed did so outside the boundaries of democratic principles and overstepped the sovereignty of Cambodia. However, the NPA gave control back to CMAC after a relatively short period of time, and did so with CMAC being in better condition than before. The alternative to taking over the control was to let CMAC fall apart; a situation that would not have served the NPA, CMAC, nor the Cambodian people any purposes in the short- or the long run.

Humanitarian Mine Action was a new frontier for all organizations involved, as it was for the NPA. The NPA reported its efforts back to the MFA regularly, and because the NPA cooperated closely with CMAC, the organization relied on data from CMAC in order to produce sufficient reports. There was no previous culture for reporting within CMAC, and partly due to inability and reluctance from CMAC, this proved to be a difficult process for the NPA to implement.¹⁴⁷ In the reports from the NPA to the MFA, the focus was often on the amount of mines that had been cleared. However, this did not give a good indication of the effect of demining.¹⁴⁸ 90 per cent of the resources the NPA used on demining were spent on non-infected areas.¹⁴⁹ It was important for any demining operation to clear the area that needed it the most; however, this did not automatically mean areas that had a lot of mines. The reporting from the NPA to the MFA can therefore be described as somewhat inefficient in its focus on the amount of mines cleared. Humanitarian demining did not have any clear parameters at that time, and neither the NPA nor the MFA could have seen the real implications of this flawed focus. Terje Tvedt argues that there was a prevailing acceptance of the state was the dominant, and NGO was the subject in the never ending cycle of applications and reporting. The focus of the reporting would be important in any case, and despite the criticism, it would seem quite natural for a donor to ask for a report to determine whether or not the project could be labelled successful or not.¹⁵⁰

The reporting affected the NPA and CMAC's progress and their ability to operate as successful organizations. For the NPA, it was a source of reflecting on its own product. How could improve their work? Why does this not work as we expected? For CMAC, it was

¹⁴⁶ Interview with Som Vireak, CMAC Demining Unit 1 manager, Poit Pet, Cambodia, September 20, 2013.

¹⁴⁷ Ibid.

¹⁴⁸ Ruge, *En Framtid Uten Frykt for Miner*, 94.

¹⁴⁹ Ibid., 112.

¹⁵⁰ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*.

frustrating with instructions from the NPA on how to organize itself, but the instructions undoubtedly helped CMAC.¹⁵¹ CMAC became one of the leading governmental institutions on landmines in the world and institutions from other countries came to them to learn later on with the assistance of the NPA.¹⁵² The NPA involved themselves in CMAC because they realized that without national knowledge, there would be no national initiative to get rid of the mines. Together with close advisement from the NPA, new and rigid reporting structures were a prerequisite for creating a strong institution at CMAC and creating a national responsibility to clearing mines. Nevertheless, the NPA projects were made flexible by the MFA, by handing them long-term grants. The reports to the MFA were a problem, however, the a senior representative of the NPA did not find it problematic.¹⁵³

3.7 The Banning of Landmines in Norway

By 1994 the mine division at the NPA had expanded and consisted of projects in Mozambique and Angola, in addition to the one in Cambodia. The NPA continued to acquire knowledge about landmines and the consequences of them in their role as demining operator. The NPA representatives with military background did not have strong feelings about the legitimacy of landmines before they went to Cambodia. However, after witnessing the consequences of mines on the civilian population, they arrived back in Norway with a sense of responsibility to stop the use of landmines. What they witnessed was a global problem where landmines consequently killed or maimed 26.000 each year, 80 per cent of them civilians. Somewhere between 5 and 15 million mines were produced each year and 2 million of them were deployed. The NPA estimated that only 100.000 thousand mines were cleared during one year, thus making the impact of the NPA close to insignificant. This problem was identified because of the knowledge the NPA had acquired and reported, and during the fall of 1994 Svein Henriksen at the NPA and Kristian B. Harpviken with the Norwegian Afghanistan Committee, took the initiative to launch the Norwegian campaign to ban landmines.¹⁵⁴

¹⁵¹ Interview with Som Vireak, CMAC Demining Unit 1 manager, Poit Pet, Cambodia.

¹⁵² Ibid., 1; Interview with Mr. Hao, the NPA Country Director, Phnom Penh, Cambodia.

¹⁵³ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 84. There was a resounding problem and a paradox that countries with a landmine problem, like Cambodia, had a military that did not contribute to the clearing of mines. While receiving assistance on demining they had their own budgets on defence and military, often big budgets, Ruge, *En Framtid Uten Frykt for Miner*, 112. "Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning," August 26, 2014.

¹⁵⁴ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 21, 38–40; Appell, *20 År Med Minerydding*, 29. The Norwegian campaign included all of 'the big five' in Norwegian civil society.

The attitude towards a total ban on landmines took Jan Egeland by surprise. He had had encouraged the NPA in 1992 to start the mine division, but was criticized for not working on a total ban. He explains this in the following quotation:

This circle [around the NPA], which also consisted of the Norwegian Red Cross, their Geneva office, Norwegian Church Aid...began to argue in favor of a total ban. Suddenly, I was on the defensive. I had seen the need for this, I had put the NPA on the case, I had even provided the money, and then there they were! I remember sitting down to a TV program on mine, you know, rest a little on my laurels, and there was this person from the NPA being interviewed out in the field in Cambodia saying now the Norwegian state must wake up and see the enormous need etc.etc... I was called names, you know reactionary, all that, by the people who thought themselves as progressive activists. So I thought it was time to follow up on my previous good experiences and simply talk to them. This was when I initiated a series of meetings, but there I had to argue the case why a total ban was unrealistic. This I had not done before. I had been neither in favor [sic], nor against, because the idea of a total ban had not existed as such... So why, they said, why cannot we be the first ones to be in favor [sic] of a total ban? Well, I said, because Canada and Belgium are bordering other NATO allies only (and not Russia, as does Norway). In Norway, the MoD and the [MFA] department for security affairs were in the driver's seat, and to put it mildly, I had no power of instruction over them.¹⁵⁵

As a kick-off to the Norwegian campaign, a Christmas card was sent to the government calling for them to ban landmines. The NPA was the Trade Union's humanitarian organization, and although the NPA declare being politically independent, they had historically, through the labor movement, close ties to the Labor Party in Norway.¹⁵⁶ It was unusual for an NGO which had relatively close ties to the government to go against that very same government.¹⁵⁷ The post card was not well received by the government. Jan Egeland was put in a position where he had to publicly argue against a ban, calling it: unrealistic, too radical and utopian. In February 1995, the Foreign Minister Bjørn Tore Godal addressed the Norwegian Parliament stating that a ban would not gain enough support. He further said that pursuing a policy of a total ban would end up hurting other Norwegian initiatives internationally where lives were at stake.¹⁵⁸

The campaign tried to influence the government through different channels. Svein Henriksen was handed a report from the US Department of Defence which was called 'The Military Utility of Land Mines: Implications for Arms Control.'¹⁵⁹ The report was based on experiences from the Vietnam War and concluded that landmines exerted more harm than good for the soldiers who utilized them. The argument of being able to protect Norway

¹⁵⁵ Neumann and Sending, *Governing the Global Polity*, 126, 127.

¹⁵⁶ NPA, www.npaid.org.

¹⁵⁷ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 38–39.

¹⁵⁸ *Ibid.*, 40.

¹⁵⁹ *The Military Utility of Land Mines: Implications for Arms Control, Institute for Defense Analyses*, June 1994, <http://www.dtic.mil/dtic/tr/fulltext/u2/a283061.pdf>.

against Russia corresponded with this report, and became a good counterargument to turn the focus of the discussion on landmines towards the humanitarian consequences instead of the military needs.¹⁶⁰ The campaign, with Svein Henriksen of the NPA as the accepted leader, communicated their information to the Norwegian Parliament and quickly got support from parties throughout the opposition. At the same time the Church and the Labor Union in the campaign were mobilized, and over 100 voluntary organizations had by the beginning of 1995 shown their support for the cause. The support of the leader of the Trade Union was the most important and influential, and together with the support of prominent bishops of the Church, the media started to show an interest in the campaign which in turn lifted the campaign to the political stage.¹⁶¹

The NPA and the Norwegian campaign continued in their efforts but changed their strategy in order to influence the government: the aim of the campaign was to influence the Labor party. The historical connection of the NPA to the Labor movement became decisive. After a failed effort at the annual conference for the Labor Party in March 1995 at which Defence Minister Jørgen Kosmo shut the discussion on a ban down, the NPA turned to other fractions of the Party: the county committees of the Labor Party and the youth organization of the Party, the Workers' Youth League. The Workers' Youth League was in favor of the ban and lobbied on behalf of the Norwegian campaign in the Labor Party. Together with the youth organization, the county of Buskerud became the turning point for the campaign. Central figures in the Party like Torbjørn Jagland, and Sigve Brekkes from the Ministry of Defence were affiliated with Buskerud, and when Buskerud changed their stance and wanted to ban landmines, the rest of the counties fell as a result. On 15 May 1995 the government changed its party line and was now in favor of a total international ban on landmines. The law to ban landmines in Norway was passed unanimously on 15 June, making Norway the second country in the world to ban landmines after Belgium.¹⁶²

Jody Williams from the International Campaign to Ban Landmines (ICBL) presented the NPA with the report on landmines.¹⁶³ Jody Williams was the campaign manager of the international

¹⁶⁰ Appell, *20 År Med Minerydding*, 27.

¹⁶¹ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 41–42.

¹⁶² Jan Egeland, Interview; Interview with Bjørn Tore Godal, former Minister of Foreign Affairs; Interview with Cristian Ruge, a former NPAs employee, August 27, 2014; Appell, *20 År Med Minerydding*, 29; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 42–44.

¹⁶³ Email with Svein Henriksen, Former Policy Manager at the NPA and Landmine Advisor at the MFA, October 23, 2014.

campaign that had been active since 1991, and the NPA joined in 1995.¹⁶⁴ Until then, the international campaign had primarily existed in countries from the north. However, this changed in June 1995 as the ICBL arranged a big international conference on landmines in Cambodia. The conference in Phnom Penh was the first conference which was held in a mine-infested country, and more than 450 delegates from over 40 countries were present, including four representatives from the NPA.¹⁶⁵ During the conference, the ICBL used unconventional methods to get the attention of the delegates: Every 22 minute there was a loud bang across the room where the delegates were sitting. Each bang symbolized one new injury due to a landmine and had great effect on the delegates. A delegate from South Africa, Noel Stott, explained it was impossible to keep concentrated on the political aspect of the meetings because each explosion created an image of a child who was injured due to mines. The conference in Cambodia caused several other countries to start their own campaigns and subsequently join the ICBL: the landmines cause became global.¹⁶⁶

Back in Norway the State Secretary Jan Egeland and the Foreign Minister Bjørn Tore Godal began to realize ‘which way the wind was blowing’, but their hands were tied because of inter-governmental relations.¹⁶⁷ The Ministry of Defence held forth that landmines were still vital for Norway. Thus, the Labor Party stood firm despite support from parties of the opposition and other fractions of society: a total ban was not an option. The campaign established a secretariat with one full-time position at the NPA, but because of the government’s stance on the issue, the campaign did not receive any financial support for this position. The NPA solved this by camouflaging the secretariat as a ‘documentation centre’ and used funds from the government which were supposed to be used for informational purposes to finance the position.¹⁶⁸

3.7.1 *The question of Independence*

Norwegian development aid has from its commencement in 1962 had a paragraph of neutrality that all the organizations had to abide by. This entailed that projects must be of a character that did not promote a political or religious view. Though the paragraph was in effect through the 1970s and 1980s, it was never followed. In 1992, NORAD added to the

¹⁶⁴ Appell, *20 År Med Minerydding*, 23.

¹⁶⁵ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning, August 26, 2014; Tomlin, Cameron, and Lawson, *To Walk without Fear*, 30.

¹⁶⁶ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 30.

¹⁶⁷ *Ibid.*, 42.

¹⁶⁸ *Ibid.*, 40–41.

guidelines by stating that their primary goal should be to enhance local organizations and target groups in the recipient countries. Meanwhile, the neutrality paragraph remained, creating an interesting paradox.¹⁶⁹ More importantly, the organizations were as of then not allowed to act contradictory to Norwegian foreign and development policy. The neutrality paragraph got removed later.¹⁷⁰ However, the new guidelines from NORAD instructed organizations to describe how their goals were adjacent with the ones of the government. Further, they needed to express how this would support the work of the government.¹⁷¹ The policy of the NPA correlated to a large extent with the ones of NORAD, by supporting local authorities and building local capacity (Chapter 1), it was not hard for the NPA to fit the bill in applying for funds to clear mines. However, the Norwegian campaign interfered with Norway's stance on a ban and therefore the Norwegian government ceased their financial support for the secretariat at the NPA. Despite that the NPA and the Norwegian campaign worked around this problem it poses questions as to whether organizations can be neutral or not, and whether they can risk going against governmental policy out of fear for the survival of the organization. The NPA decided to engage in mine action despite internal objection because the leadership within the organization saw the potential of mine action and what it could possibly do for the growth of the NPA.¹⁷² Possible implications of the independency are discussed further in chapter 4.

Another criticism of development aid, which has targeted Norway, as well other industrialized countries, argued that development aid was a way to reduce the flow of migrants from poor countries, such as Cambodia. Norway, among other nations, was and still is undergoing internal political struggles on the issue of immigration. Therefore, some argue that the development aid was in some way motivated by domestic politics, rather than out of a moral perspective.¹⁷³ Whether or not this holds truth, immigration concerns is an issue of concern for the government of Norway, and is in not related to the interests of the NPA. None of the findings has indicated that this was a policy in Norwegian development aid, or for the NPA for that matter.

¹⁶⁹ The Neutrality Paragraph was removed in 2001.

¹⁷⁰ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 78. The neutrality paragraph was removed in 2001.

¹⁷¹ *Ibid.*, 114.

¹⁷² Appell, *20 År Med Minerydding*, 25.

¹⁷³ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 58.

The Norwegian campaign and the NPA played a crucial role throughout the process in order to influence the government, and Bjørn Tore Godal acknowledged that the government of Norway would not have realized that a total ban was the right way to go if it had not been for the Norwegian campaign and the NPA. Instead of a total ban, they had viewed a confinement of landmines as the best option. However, this changed with the NPA's, as well as others, gradual increase in knowledge and their ability to educate the government on the subject.¹⁷⁴ Senior representatives from the Norwegian government have expressed on many occasions since, that the pressure from NGOs was a key factor in deciding to issue a national ban.¹⁷⁵

The Norwegian campaign's ability to turn the focus from military gains to the humanitarian consequences of landmines was crucial for its success. In order to turn the discussion into a topic of human security, a lot depended on the campaign's ability to mobilize the public opinion and voters in Norway. The project in Cambodia was vital as it gave the NPA the experience in an entirely new sector. The presentation of empirical evidence on the consequences of mines led to public support, and along with the quantification of evidence came political will. Egeland explained that Norway had a progressive standpoint from the beginning but fell behind the organizations along the way. It was Jan Egeland and the MFA who had sent Svein Henriksen to Afghanistan where he acquired the initial understanding of the consequences of mines. Back in Norway, Henriksen became engaged with the NPA with resources from the MFA. In retrospect, Jan Egeland and the MFA helped educate and finance their biggest opponent in the struggle for a ban on landmines. In the end, the Norwegian campaign and the Norwegian government had a mutual understanding that landmines constituted a global humanitarian crisis, and the parties had the same objective: to ban landmines, clear mined areas, and give assistance to the victims.¹⁷⁶

¹⁷⁴ Interview with Bjørn Tore Godal, former Minister of Foreign Affairs; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 44.

¹⁷⁵ Tomlin, Cameron, and Lawson, *To Walk without Fear*, 27.

¹⁷⁶ Ruge, *En Framtid Uten Frykt for Miner*, 164, 178; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 36.

Chapter 4

No exceptions, no reservations, no loopholes.

- Jodie [sic] Williams,
ICBL Coordinator¹⁷⁷

4 Leading up to the Ottawa Convention

After the Norwegian ban on landmines, the NPA and the Norwegian campaign started to cooperate with the MFA and Jan Egeland on how to execute the ban internationally. The International Campaign to Ban Landmines (ICBL) was given a boost when Norway decided to ban landmines domestically. This showed other countries that a ban was possible despite geographical concerns and allegiance, as was the situation for Norway. The Norwegian ban contributed to the expansion of the portfolio of the NPA and they became a member of the ICBL in the fall of 1995.¹⁷⁸

The previous international agreement on landmines was negotiated in the Conference on Disarmament (CD) in Vienna in 1980, and ended with the Convention on Conventional Weapons (CCW)(Chapter 2). The Protocol II in the convention deals specifically with the use of landmines and it prohibited the use against civilians. However, the Convention did not deal with the production, sale or possession of landmines. The Treaty became ineffective and represented a compromise between humanitarian and military needs. The ICBL described the treaty as ‘horribly weak’, and urged the governments to strengthen Protocol II at the CCW review conference in 1995.¹⁷⁹ However, these negotiations did not go well and ended in a deadlock, and when the states reconvened in January of 1996, the ICBL invited pro-ban states to a parallel session to discuss how to move forward. This session was held outside of the UN

¹⁷⁷ Croll, *The History of Landmines*, 161.

¹⁷⁸ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 44–45.

¹⁷⁹ Tomlin, Cameron, and Lawson, *To Walk without Fear*, 32; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 6.

structure and 150 NGOs and 80 states attended, including the Norwegian government.¹⁸⁰ After falling behind the domestic organizations, Norway was at this point in time in front of international events and Jan Egeland credited the NPA and the Norwegian campaign for this. The sessions continued with two more meetings during the spring. The review of Protocol II was finished in May, but was unable to deal with the mitigation of landmines. The new Protocol gave directions on the use of landmines in war-time, but failed to address their utility during peace-time, nor did it include any restrictions on the production of mines. The Foreign Minister of Norway, Bjørn Tore Godal, described the agreement in the Norwegian Parliament as disappointing.¹⁸¹

Despite the outcome of the review conference, the NGOs had, at that stage, formed a good relationship with a core group of governments. Among those were Canada, Norway, South Africa and Belgium. This group was strategically good: Two of the countries, Norway and Canada, were members of the North Atlantic Treaty Organization (NATO). One of the states was based in Europe, while the other was based in North-America – thus the cooperation in the matter had spread across the Atlantic Ocean. Canada and Norway would become instrumental in the process leading up to the convention. At the end of the session in May 1996, Canada invited all interested parties to a meeting in Ottawa, in October, to strategize the advancement of the cause.¹⁸² From the first meeting in Ottawa in October 1996 to the second meeting in Ottawa in December 1997, countries negotiated a unique international mine ban based outside the traditional UN system. The Ottawa process, as it became known as, was greatly influenced by NGOs, amongst those the NPA.

In August 1996, the permanent Norwegian mission to the UN gave a statement at the Security Council. Here they stated that ‘we should all recognize that the military utility of landmines is so far outweighed by their cost in humanitarian and socio-economic terms...the only sane, human response to the scourge of anti-personnel landmines is their total prohibition and elimination’.¹⁸³ The cost in humanitarian and socio-economic terms was provided in numbers to the government by the NPA, and this gave the government legitimacy in their

¹⁸⁰ II Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 7.

¹⁸¹ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 77; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines.

¹⁸² Tomlin, Cameron, and Lawson, *To Walk without Fear*, 32; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 6–7; Godal, Interview with former Minister of Foreign Affairs.

¹⁸³ MFA, I, 313.41, the MFA to the NATO Delegation, Norway’s Statement on Landmines at the Security Council, August 15, 1996.

argumentation internationally.¹⁸⁴ Furthermore, the judicial analysis by the NPA helped Norway to argue the ban in international fora.¹⁸⁵ Two representatives of the Norwegian government stated:

The NGOs were learning on the job. Since Protocol 2 they had been adjusting their language and their behaviour. In the early days, they were slogging around, but now they had shaped up, started to look out for what was effective, they appeared streamlined and diplomatic in their approach.¹⁸⁶

The traditional leftist activism was rapidly changing as the NPA and the Norwegian government cooperated more closely: the NPA communicated in a professional and diplomatic way. This gave them more responsibility to perform crucial governmental tasks, like preparing information on landmines for the government. According to Jan Egeland, 'it was vital for the MFA to professionalize the NGOs in the land mine [sic] case, yet retain their enthusiasm and draw on their expertise on the ground'.¹⁸⁷ The cooperation enhanced the NPA's political reach towards the Norwegian government, while the NPA's expertise enabled the Norwegian government to lobby for a ban internationally: they were opponents and collaborators at the same time. The MFA needed the expertise of the NPA since they did not themselves possess it, while the NPA pressured the government towards a tougher pro-ban approach, and at the same time assumed an active role for governmental commitments. Thereby, the NPA acted as both objects and subjects of the Norwegian government.¹⁸⁸

The conference in Ottawa in October 1996 became a massive success, both for Norway and for the ICBL. Before the conference it was considered a success if twenty states participated: 74 attended. The opening announcement from Canada's Foreign Minister, Lloyd Axworthy, stunned the international community by challenging them to negotiate a clear and simple treaty banning landmines and reconvene in Ottawa in December the following year. By the end of the conference, fifty states had pledged their support for a total ban, while twenty-four states had observer status. NGOs were represented during the negotiations which were far from the norm at these events. The Ottawa process, as it was to be known as, had started.¹⁸⁹

The states and the ICBL formed a partnership outside of the normal UN disarmament organ, the CCW in Vienna, and this was important for the success of the campaign. It allowed states

¹⁸⁴ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning.

¹⁸⁵ Ruge, *En Framtid Uten Frykt for Miner*, 179.

¹⁸⁶ Neumann and Sending, *Governing the Global Polity*, 130.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*, 127–28.

¹⁸⁹ Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 8.

like Norway and Canada to operate in cooperation with NGOs, which was highly uncommon, while at the same time leaving a consensus based decision-making process to a majority based process. By changing the negotiations into a majority vote, the negotiations avoided being blocked by veto of other powers. The process changed the rules in international relations. States that did not accept these terms, like the US, were side-lined and could not influence the process. Ironically, the UN Secretary General Boutros Boutros-Ghali supported the negotiations outside of the UN system.¹⁹⁰

In June 1997, all states and NGOs involved traveled to Brussels for the Brussels Declaration. There the governments committed themselves to working towards the final draft of the proposed law on landmines. This was a ‘make-or-break’ for the process.¹⁹¹ The session proceeded successfully with over one hundred states approving that they accepted a draft by the Austrian government. At the meeting, the NPA and ICBL worked closely for the first time, ~~and were~~ planning the next step in the process, the final meeting in Oslo before the proposed signing of the treaty in Ottawa.¹⁹²

Civil society had been instrumental in starting the Ottawa process through their influence on their domestic governments. Now the process was in its final stages, and for the Oslo negotiations to be successful, the process was dependent upon civil society to contribute with their knowledge and empirical data on landmines. The NPA had a leading role in the ICBL during the session in September. The Norwegian government had acknowledged their significance to the outcome of the process, and therefore the MFA financed the work of the NPA and ICBL during the meeting.¹⁹³

The NPA had invited the ICBL to the NPA’s headquarters from mid-august to prepare for the Oslo negotiations in September 1997. The NPA took reigns over the civil society efforts and became an integral part of the ICBL. They arranged for the venue at Youngstorget, where the ICBL meeting room was located directly opposite to the negotiations room. The only way in or out of the delegates’ room, was through the crowd of campaigners. This provided them with direct and invaluable access to the delegates of the eighty-nine governments that were

¹⁹⁰ Kenneth R. Rutherford, *Disarming States: The International Movement to Ban Landmines* (Santa Barbara, Calif.: Praeger, 2011), 14–15; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 11–12.

¹⁹¹ Tomlin, Cameron, and Lawson, *To Walk without Fear*, 41.

¹⁹² Ibid.; Interview with Mary Wareham former ICBL representative, August 27, 2014.

¹⁹³ MFA, I, 313.41, ICBL/NPA to the MFA, Report on the Norwegian Campaign’s Activities during the Mineconference in Oslo, January 5, 1998.

expected to the negotiations. Preparations like recruiting journalists for media outreach and creating a public-awareness scene outside the venue were just as important for the outcome. The campaign had previously changed the agenda on landmines: The changing from a military concern to a humanitarian concern had enormous effect on the driving-force of the campaign. The ICBL strategically used concise and direct information, with stories of landmine victims or images from grueling injuries to influence the governments, as the instance was in Cambodia back in 1995 (Chapter 3). The reality of mines was exhibited, and the focus on international law made sure that the governments could effectively take part in the process as lawmakers. The NPA was credited for their efforts by an ICBL campaigner, however, there were some frustration with the phenomenon of Norwegian work schedule in the summertime. A part from those NPA employees who worked on the campaign the rest of the NPA went home at 3 pm, and this was not something the international workers of the ICBL were used to.¹⁹⁴ Some unexpected events also influenced the convention; on the day the Oslo negotiations convened, the news of the death of Lady Diana arrived. Lady Diana had been a strong supporter of the landmine ban and had just returned from Bosnia; a heavily mine-affected country. She had been an important contributor to the international campaign, and vital for the success of the domestic campaign in England. Although her death was not used by the ICBL to get more attention, it did result in more media attention to the meeting in Oslo.¹⁹⁵

4.1 National Premises & Independence

The ICBL pressured the international community, while the networks and groups, like the Norwegian Campaign, would exert their influence from below; a grass root movement, influencing the state. While the ICBL was important for the success of the campaign, they were always going to be dependent on autonomous NGOs, like the NPA, to apply their influence over domestic governments. By influencing domestic governments to be positive to a total ban, the ICBL got the support they needed to apply pressure on the international arena. Therefore, to further explain the success of the international campaign to ban landmines, it is relevant to look at the domestic premises. The domestic characteristics of Norway are

¹⁹⁴ Interview with Mary Wareham former ICBL representative; Interview with Cristian Ruge, a former NPAs employee; Ruge, *En Framtid Uten Frykt for Miner*, 175; Tomlin, Cameron, and Lawson, *To Walk without Fear*, 43.

¹⁹⁵ Interview with Bjørn Tore Godal, former Minister of Foreign Affairs; Tomlin, Cameron, and Lawson, *To Walk without Fear*, 43.

important in understanding the relationship between NPA and the Norwegian government, but also to describe success of the Ottawa process.

In Norway, the relationship between state and civil society had certain specific historic foundations that led to the Norwegian campaign and the NPA being successful.¹⁹⁶ The Norwegian precondition for the landmine campaign was the long-standing relationship between state and civil society; the so-called Norwegian model. This relationship started in 1821 when the first grant from the government was given to the Royal Norwegian Society for Development. The relationship had since then established itself further as the so-called Norwegian model, and there was at this point in time almost consensus on how Norwegian development aid should be conducted.¹⁹⁷ By utilizing their own organizational network, the NPA and the Norwegian campaign influenced changes to the national policy on landmines, and Norway was by that time one of the leading countries in the Ottawa process.

One representative from the NGO community pointed out that it was by no means unproblematic that the government and civil society were working closely together despite their goals being the same. The humanitarian latitude of NGOs became narrower as a result of the dependency created by the close relationship between the government and the NGOs in Norway. However, he also stated, that the cooperation between the NGOs and the Norwegian government was somewhat unique internationally speaking; ‘there were not many countries in the world where the government viewed it as natural that NGOs criticized them one week, and applied (and received approval for) an application for funds the other.’¹⁹⁸ Nevertheless, arguments on landmines in Norway were dominated by the same views. The resemblance in arguments among bureaucrats, journalists, NGOs, as well as researchers was striking, and Tvedt argues that this was a result of a dominating national and cultural indoctrination and an adjustment to globalization.¹⁹⁹

The Norwegian government had throughout the NPA’s involvement in humanitarian mine action been the main financial contributor to the landmine project. Approximately 60 per cent of all funding came from the MFA or NORAD, while the remaining 40 per cent came from foreign governments. Historically, the Norwegian government had demanded that NGOs contributed a financial share if they were to receive any funding for their projects. The

¹⁹⁶ Tepe, *The Myth about Global Civil Society*, 139–40.

¹⁹⁷ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 113–14.

¹⁹⁸ Ruge, *En Framtid Uten Frykt for Miner*, 171.

¹⁹⁹ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 149–50.

demand for a share was there to secure the independence of both the government and NGOs.²⁰⁰ In 1962, the share NGOs had to acquire was 50 per cent. By 2001, it had decreased to 10 per cent.²⁰¹ The mine action budgets that were financed by the Norwegian government were exempted from this requirement and was funded 100 per cent.²⁰² The NPA might be regarded as having lost some of its independence due to this financial situation, and operated on the compassion of the Norwegian government. Next to Norway, the USA was the biggest contributor to mine action, but in comparison, NGOs in the USA had to acquire 50 per cent of the funds from private donors, whether it was for demining or not.²⁰³

According to Bjørn Tore Godal, the NPA did not lose their independence, but they knew their role. The NPA appreciated the financial backing they received, and seemed pleased with the cooperation with the government. Furthermore, he stated that it would not be responsible of the government to ask the NPA to acquire a share from private benefactors, as this would only harm the projects and ultimately the victims of landmines: The Norwegian society had a responsibility to contribute.²⁰⁴ He experienced the NPA as the driving force behind the campaign and that they had the same interests as the government at that point; to get rid of the mines. The focus from the government was on how to best fulfil their interests, and the NPA was crucial in reaching that goal. Indeed, the relationship was beneficial for both, and the NPA's independence was not harmed due to this, according to Godal: 'This is merely a theoretical question'.²⁰⁵ The fact that the NPA lobbied for a national ban on a governmental pay-check, did not illustrate an NGO bound by restrictions. Instead, it illustrated how the Norwegian model worked, and how NPA maneuvered in this terrain. However, the Norwegian government did stop the financial support for the secretariat for the Norwegian campaign at the NPA. The government did so because they did not support the views of the campaign and wanted the NPA to focus on other sides of mines action (Chapter 3). However, Tvedt argues that the independence of NGOs in Norway had vanquished because NGOs were being increasingly financed by, and were dependent on, the very same governments that they

²⁰⁰ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning. NPA, 42-KAM-05, contracts, Demining in Cambodia, 16 September 1998.

²⁰¹ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 63–65.

²⁰² Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning. NPA, 42-KAM-05, contracts, Demining in Cambodia, 16 September 1998.

²⁰³ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 64–65.

²⁰⁴ Interview with Bjørn Tore Godal, former Minister of Foreign Affairs.

²⁰⁵ *Ibid.*

were supposed to influence.²⁰⁶ The NPA's demining projects in Cambodia, and elsewhere for that matter, were a part of this regime.

The Norwegian government's cooperation and assistance towards the NPA is a clear example of the so-called Norwegian model, and there were certain characteristics of this model that made it more effective than other bureaucratic agencies. Various Norwegian politicians described the Norwegian model and how it works: Egeland stated that 'Norway's potential for political entrepreneurship lays in its political consensus, few conflicting foreign-policy interests, and increasing funds for foreign assistance'.²⁰⁷ Decision-making in Norway included only a handful or two individuals in the leadership, and as a result decisions could go unnoticed in Norwegian humanitarian aid.²⁰⁸ Former Prime Minister Thorbjørn Jagland described the same system: 'There are few who have to be involved in the conforming of foreign policy. The leadership in foreign affairs does not have to discuss in length, and at least not in the public room, thereby making it easier to achieve confidentiality which is a prerequisite to get parties to the table'.²⁰⁹

In his book from 1988, Egeland wrote that the decision-making structure in Norwegian human rights policies consisted of six governmental bodies, counting ministers and bureaucracies separately.²¹⁰ He also pointed out that Norway had few national interests that collided with human rights objectives, and possessed a national political consensus allowing for an effective humanitarian aid policy.²¹¹ Tvedt argues that the same features that Egeland and Jagland described as positive attributes and prerequisites for the effectiveness of the so-called Norwegian model, were a problem for the Norwegian democracy and were in reality undemocratic: by not debating issues publically the leadership in Norwegian aid had full control, and was not under public scrutiny – a necessity in order to be considered fully democratic.²¹² It seems reasonable to assume that the close cooperation between the NPA and the Norwegian government was enabled by the structure of the decision-making process in the MFA. The structure also made it possible for Norway to engage as a front-runner in the Ottawa process. The structure, the circulation of personnel and the coinciding national

²⁰⁶ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 113, 114.

²⁰⁷ Egeland, *Impotent Superpower-Potent Small State*, 185.

²⁰⁸ *Ibid.*, 181.

²⁰⁹ *Ibid.*, 185.

²¹⁰ *Ibid.*, 181.

²¹¹ *Ibid.*, 179.

²¹² Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 43.

interests, resulted in there being few obstacles towards realizing the humanitarian policy of Norway.

Both Tvedt and Egeland acknowledged this Norwegian trait, though the former viewed it as a negative feature of the Norwegian democracy, whilst the latter as a positive feature in order to reach Norway's goal of being a humanitarian aid contributor. The fact that the so-called Norwegian model was relatively strong in the eyes of the public, compared to other countries, may have enabled the model to 'cut some parliamentary corners' in order to achieve a political goal.²¹³ This trait of the Norwegian model developed and was viewed, not surprisingly, by members of civil society as a positive one - where organizations, researchers and bureaucrats assembled and took action through an untraditional diplomatic route. The landmine process in Norway was partly a result of the recipe in the so-called Norwegian model, which enjoyed wide support throughout the political landscape in Norway.²¹⁴

Jan Egeland described the so-called Norwegian model: 'The purest form of the Norwegian model is the foreign ministry working in symbiosis with one or more academic or nongovernmental humanitarian organizations.'²¹⁵ Tvedt argued that this symbiosis contributed to another problem with the model: the circulation of leaders between NGOs and the government. He pointed to that movement from NGOs to the government was more frequent than in other countries. For instance, before Jan Egeland worked for the MFA, he had worked for the Geneva headquarters of the Red Cross. After the MFA he went on to work as a UN representative, and then later accepted a position as Secretary General for the Norwegian Red Cross, thus completing the circle. His predecessor at the Norwegian Red Cross was Jonas Gahr Støre, the former Minister of Foreign Affairs. Svein Henriksen at the NPA, who was ex-military, went on to work as an advisor on landmine issues for the MFA. This circulation of staff became an institutionalized part of the Norwegian model according to Tvedt, and thus represented a democratic concern for how humanitarian policy was conducted.²¹⁶ Thus, the circulation of personnel between NGOs and the government seems to have contributed to the problem of development policy being restricted to few people.

²¹³ Ibid., 80.

²¹⁴ Ruge, *En Framtid Uten Frykt for Miner*, 171.

²¹⁵ Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 117.

²¹⁶ Email with Svein Henriksen, Former Policy Manager at the NPA and Landmine Advisor at the MFA; Tvedt, *Utviklingshjelp, Utenrikspolitikk Og Makt*, 80.

Bolton discussed the so-called Norwegian model and uses the same arguments as that of Tvedt. However, he viewed the attributes of the Norwegian model as positive. For instance, he suggested that the staff rotation between NGOs, the government and the UN was a strength of the development aid in Norway since it contributed to the continuity of the projects. He also suggested that the NPA became the eyes and ears of the MFA, gathering information on the ground, herein implementing programs designed in cooperation with the government. In return, the NPA has been rewarded long-term grants, with little interference in the day-to-day management, while at the same time receiving diplomatic cover and advocacy assistance in international fora. Tvedt argued that the government was the dominant one because they financed the projects, however, Bolton refuses that argument perpetuating that the NPA was not controlled by the MFA and that this is shown by the fact that the NPA set the humanitarian and development agenda of landmines in Norway.²¹⁷ On the question of independence, it seems reasonable to say that it was a relationship where the NPA and the government both gained by this engagement.

4.2 The Cooperation and Co-dependency During the Ottawa Process

The Norwegian government had clear ideas on how their implementing partners should function. NGOs should ‘have some values which coincide’ with the MFA and that ‘We think humanitarian work should be done according to humanitarian principles’. The landmines cause coincided with both the NPA and the government and was also a foundation for the relationship between the two.²¹⁸ A representative of the NPA described the result of this relationship by stating that they were not dependent on each other, but instead, both parties gained from it. The cooperation meant that the NPA supplied empirical data and reliability, which in turn strengthened the Norwegian government’s role and ability to influence in the meetings in Brussels and Oslo process leading up to the signing of the Convention in Ottawa.²¹⁹ According to a former NPA representative, the NPA and the Norwegian civil society had an understanding that the funds had some strings attached. He said the NPA performed a civil service while re-distributing the resources to the landmines case.²²⁰ On the other hand, the NPA had not been any different from NGOs involved in mine action in other countries when accepting financial backing from the government. The humanitarian demining

²¹⁷ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 65.

²¹⁸ *Ibid.*, 83.

²¹⁹ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning.

²²⁰ Interview with Cristian Ruge, a former NPAs employee.

system was constructed to make NGOs dependent on financial support from governments, and it had been like that from the beginning. How the NPA's independence was affected compared to other NGO abroad would be difficult to say. However, the Landmine Monitor, which will be discussed later on, declined financial support from the US government (Chapter 5). The aid system in the US required that NGOs followed rigid contracts, and this system caused the ICBL and NPA to decline funding from them. The funding from the Norwegian government left NPA flexible with regards to how the project would develop. Matthew Bolton described these different premises in his book '*Foreign Aid and Landmine Clearance*'. In the US it was the principle-agent relationship, and it restricted the NGOs in their efforts. The principle-steward relationship, which he stated was present in Norway, left the NPA with somewhat predictable funding from the Norwegian government, still with their independence intact.²²¹

The Norwegian landmine model, opened up for a more cooperation between the NPA and the Norwegian government than its counterpart in the US. Due to the in-depth knowledge of the NPA on landmines it became natural for the Norwegian government to incorporate landmine experts from the NPA in their delegations during the Ottawa process. This meant that members of civil society, at the time, were representing the delegation of Norway, and not the NPA.²²² Referring back to the discussion on independence from the government, it can be argued that the integration of the NPA enhanced the government's 'grip' on NGOs. However, it might also be argued that it created a platform for the NPA to influence the government from within.

All the while the NPA worked towards a national ban and lobbied the government, it received financial support from the very same institution they were lobbying; the MFA. Of course, one can argue that NGOs lack independence due to the financial system in the Norwegian model. Nevertheless, neither governmental nor civil society representatives view this as a relevant discussion.²²³ Nevertheless, if the funding had ceased the NPA would have been forced to halt their projects. However, taking into account that the public support for development aid in Norway was at 85 per cent it seems unlikely that any political party could afford to retract this

²²¹ Interview with Mary Wareham former ICBL representative; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 48.

²²² Ruge, *En Framtid Uten Frykt for Miner*, 170.

²²³ Godal, Interview with former Minister of Foreign Affairs; Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Interview with Cristian Ruge, a former NPAs employee; Wareham, Interview with former ICBL representative.

support in fear of a public reaction. The NPA's efforts to inform the public on the consequences of landmines therefore influenced politicians because they had to consider public opinion.²²⁴ Because the Norwegian politicians were egalitarian, the legitimacy and growth of the landmine projects by the NPA, or any aid project for that matter, was a useful tool for the government of Norway to keep support from the voters, and therefore the funding to the NPA was constant.²²⁵ In other comparable countries where NGOs and governments cooperated it led to increased power for NGOs. This was, however, not the case in Norway where the government retained the power (Chapter 5). Despite the NPA being heavily dependent on the Norwegian government, it should not be interpreted as control, according to Sending and Neumann. The abnormal inclusion of the Norwegian NGOs in the landmine process was rather the government's way of governing well. The NPA's enrolment to perform governmental functions was because of their technical expertise, willingness for advocacy, and eagerness to adapt to a new situation; not because the government paid them to do what they needed and wanted to control them.²²⁶

Internally in the NPA there was unrest in the first years of the landmine process, because of the culture clash of the traditional leftist-rooted personnel and the new personnel with military backgrounds. During the Ottawa process the landmine department at the NPA became an established organization in the sector of mine action. However, the mine action division was still separated from the rest of the organization structure at the NPA. The demining department almost became a separate organization inside the NPA. The landmine division saw things in a different way: in an effort to acquire funds in more innovative ways, the mine division engaged in contracts with the oil companies Statoil and the British Petroleum to acquire funds for mine clearance in Iran and Angola. This was not popular with the rest of the organization.²²⁷

4.3 The Work of the NPA during the Ottawa Process

In 1996, the NPA had been in Cambodia for four years. Originally their intent was to outface the project after two years when CMAC had become self-sustained. Things did not go

²²⁴ Godal, Interview with former Minister of Foreign Affairs; Hilde Selbervik, *Power of the Purse?: Norway as a Donor in the Conditionality Epoch 1980-2000* (University of Bergen, Faculty of Arts, Dept. of History, 2003), 201. This was in 1985 but it still gives an impression of the support in development aid in the Norwegian population.

²²⁵ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 63–64.

²²⁶ Neumann and Sending, *Governing the Global Polity*, 124–25.

²²⁷ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 87.

according to plan, and the NPA admitted in retrospect that this estimate was far too optimistic. Despite good progress, CMAC had encountered problems which were out of the control of the NPA, and CMAC remained in need of assistance and international aid to develop the organization, especially their leaders and structure. The result had somewhat positive results as CMAC's development cultivated a school for similar projects in other mine-infected countries. The NPA did not want to present a plan for outfacing in 1996, and the need to develop CMAC further and utilize that experience gave the NPA incentive to argue against it. Instead, they challenged the MFA in the report, stating: 'In this situation, Norway must consider weather pulling out of CMAC before the process is completed, or if we should continue to secure a best possible outcome.'²²⁸ Tvedt argues that the MFA consistently allowed for projects to go on overtime. There was little communication between the MFA and NGOs as to why projects did not keep their time schedule, and he stated, it was a case of 'I know that you know and you know that I know' that projects was overdue but nothing was being done to rectify it.²²⁹ However, in the case of the NPA in Cambodia there was clear communication between the two as the NPA argued against the policy of outfacing.

4.4 Tying the Knot - The Oslo Negotiations

The Oslo negotiations lasted for three weeks from September 1th 1997 and 85 delegations met to turn the Austrian draft of the treaty into a legally binding convention. Apart from the US delegation, who in the last minute decided to join, none of the other heavyweights, like China, Russia, India and Pakistan participated. The General Secretary of the UN spoke to the delegates about the importance of the ban. The fact that Kofi Annan was present was a bit ironic since the Ottawa process and the conference in Oslo was held outside the parameters of the UN system. The presence of the USA made the NPA and the rest of the ICBL nervy: everybody knew that they had joined the process at that stage to implement changes to the draft to make sure landmines still could be used in certain situations. The USA argued that they wanted to sign the treaty but wanted exceptions to be included in the treaty text, namely the usage of landmines in Korea and the use of modern so-called smart-mines which were self-destructive. On the opening day, the participants decided that a majority rule of two-

²²⁸ MFA, 383.44, 3 NPA to MFA, Evaluation of Project, 4 October 1996,

²²⁹ Tvedt, *Utviklingshjelp, Utenrikspolitik og Makt*, 73.

thirds would constitute the decision-making procedure, and this prohibited the USA of applying enough pressure to alter the treaty text.²³⁰

The decision-making process did not stop the USA from applying pressure and trying to change the text though. Prior to the Oslo negotiations, the French delegation had proposed similar suggestions to that of the USA, which would have created loopholes in the treaty. Foreign Secretary of the USA, Madeleine Albright, called the state leaders during her time in Oslo, among them the Norwegian Foreign Minister Bjørn Tore Godal. She tried to convince the Norwegian government to change their view on the exception to the treaty text, but Norway did not budge. They also tried to influence South Africa, when President Bill Clinton called President Nelson Mandela, urging him to change South Africa's stance on a total ban. However, they only succeeded in infuriating him with their tactics. But the Americans did succeed in influencing the Canadian delegation. Canada, who was the spearhead of the pro-states, had all along expected the USA to join the cause in the last second. When this did not happen, the Canadian government agreed to listen to the American demands. This did not go over well with the ICBL: the leader of the campaign Jody Williams, who was known for her direct and apolitical behavior throughout the process, went over to the Canadian delegation for a discussion, and ended the discussion with a blunt and abusive 'Fuck off.'²³¹

In the end, on September 17 the Oslo negotiations provided an almost airtight treaty, withstanding the pressure of the USA. The efforts of the Norwegian branch of the ICBL were decisive in preventing any loopholes findings it way into the treaty text. The next stage was the final meeting in Ottawa in December 1997 to sign the treaty and close the circle in the Ottawa process.²³² The success of the partnership between the ICBL and the governments had started a discussion on whether the international system had changed: if NGOs were gaining influence over the states in the international arena. The new partnership in the Ottawa process was seen as a new alternative to the traditional UN fora at the Conference on Disarmament (CD). The Ottawa process was described as more democratic because civil society participated in the negotiations. The focus area was based on ethical issues, specifically humanitarian, and compromises were not an option; governments either signed the ban, or

²³⁰ Viksveen, *Folk Forandrer Verden, 75 Year Anniversary of Norwegian People's Aid, Forthcoming December 2014*, 109; Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 10–11.

²³¹ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 31, 96.

²³² Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Viksveen, *Folk Forandrer Verden, 75 Year Anniversary of Norwegian People's Aid, Forthcoming December 2014*, 110; Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 35.

they did not. The Ottawa process was a big contrast to the UN institution CD, from which the Convention on Conventional Weapons and its Protocol II stemmed from. The CD was a classic state-centric negotiation forum where the state sovereignty was protected by consensus rule and the larger states, like the USA, dominated. The negotiations at the CD were subject to a pragmatic and rational thinking on military concerns. Compromise was viewed as necessary, but if state interests collided with the negotiations, progress often stopped or the agreement ended up with little or no impact on the mitigation of landmines, like Protocol II.²³³

Before the states met in Ottawa for the signing of the Treaty to ban landmines, the ICBL and Jody Williams were jointly awarded the Nobel peace prize.²³⁴ The Chairman of the Nobel Committee, Francis Sejersted, justified the award by celebrating how global civil society had transformed international security politics.²³⁵ However, lecturer at the King's College London, Daniela Tepe, argues in her book *The Myth about Global Civil Society* that the ICBL did not represent an adequate account of the process leading up to the signing of the treaty in Ottawa. While the NGOs appeared at times to be part of the global civil society, they seemed at other times to be separate from it. Therefore, she argued that the importance of domestic NGOs had been neglected when describing the Ottawa process.²³⁶

The Ottawa process was heavily influenced by the ICBL, thus making the process new compared to the CD. However, the influence the ICBL had on the Ottawa process did not change the structure of the international system: the agreement later on in Ottawa was in the end dependent on the signature of states and not NGOs. Thus, the power of the ICBL was reduced to a minimum in the multilateral stages of the process. The strength of the NGOs was in their ability to point out that the governments had not fulfilled their responsibilities according to Protocol II, and this power was only applicable in their own countries: the domestic governments remained the focal point of attention for NGOs like the NPA throughout the process.²³⁷

²³³ Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 12.

²³⁴ Tun Channareth, a landmine victim and activist from Cambodia, accepted the Nobel Peace Prize on behalf of the ICBL in Oslo 1997.

²³⁵ Nobel Peace Prize Award Ceremony Speech, Professor Francis Sejersted, Chairman of the Norwegian Nobel Committee, December 10, 1997, http://www.nobelprize.org/nobel_prizes/peace/laureates/1997/presentation-speech.html.

²³⁶ Tepe, *The Myth about Global Civil Society*, 22, 135.

²³⁷ Ruge, *En Framtid Uten Frykt for Miner*, 172.

Chapter 5

5 The NPA's Efforts to Implement the Ban on Landmines and their Position in Norway's Foreign Policy

The Norwegian People's Aid's (NPA) involvement in the International Campaign to Ban Landmines (ICBL) culminated with the signing of the Ban on Landmines Treaty in Ottawa 4 December 1997.²³⁸ It was the first time a majority of the world's nations agreed to ban a weapon that had been used by almost every country at some point. The new relationships between middle-power countries and NGOs were coined as a new form of diplomacy. It was characterized by three innovative traits: Firstly, a partnership between states and NGOs allowing for two-track diplomacy in which governments, like Norway, and NGOs, like the NPA, participated as key components in the development of the convention. Secondly, small and medium sized states worked together in a coalition of the like-minded. Lastly negotiations were held outside normal channels and mechanisms, at the Conference on Disarmament (CD), in order to extinguish anti-personnel landmines. Unlike most international agreements on the use of weapons, it did not have the support of any of the big powers, like the USA, China and Russia.²³⁹

At the closing statement in Ottawa by the Foreign Minister of Canada, Lloyd Axworthy praised the new model of cooperation between NGOs and governments. He argued that NGOs had become a part the decision-making process during the process to ban landmines. Despite the fact that the Convention was fully negotiated, Axworthy invited the NGOs to continue

²³⁸ The full name is: Convention on the Prohibition on Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

²³⁹ Rutherford, *Disarming States*, 1. Steensen, Non-Published Bachelor on the International Campaign to Ban Landmines, 1.

their contributions in the cooperation with governments, specifically with three goals. Firstly, he wanted the assistance of the NGOs in the work to get more states to sign the Treaty and in the end ratify it. Secondly, he wanted the NGOs to influence the process how to persuade governments who hesitated signing the Convention. Third, he encouraged the NGOs to assist in uncovering deliberate actions by government to not uphold the Treaty.²⁴⁰

Once the Ottawa convention had been signed, the ICBL transformed into the Ottawa Convention's watchdog.²⁴¹ After the signing, the relationship between the NGOs involved changed from cooperation to competition; the NGOs focused on their own projects and prestige, and were now competing over the same resources from governments. However, they were still able to put together a supervising organ for the Convention; the Landmine Monitor. To support the implementation of the Convention, the NPA developed demining standards.²⁴² These following pages firstly seek to explain how the NPA continued to influence governments after the signing of the mine ban treaty, and secondly how they were enabled to do so.

The convention was unique in terms of the commitment of the states. In addition to the commitment to stopping the supply of landmines, the governments also committed themselves to clearing mines independently of where the mines were.²⁴³ Article 6 stated that State Parties lacking resources to fulfil their responsibilities had the right to seek and receive assistance from other State Parties. All states that were in a position to provide assistance should do so.²⁴⁴ As a part of Article 6 the Norwegian government pledged \$120 million in 1997 for a five-year period. Norway primarily implemented its mine action through the NPA. The Norwegian government funded approximately US \$72 million from 1997 until 2002 for the NPA to use on mine related activities.²⁴⁵ The sound in the Convention and the determination shown by State Parties was new in terms of humanitarian law. Despite this, it was not clear how to secure implementation of the convention outside of merely supporting it financially. The governments had not agreed on a monitoring system, and even though Norway had ideas on the need for such a structure, it did not materialize in the Convention.

²⁴⁰ Simonsen, Bakkerud, and Thomassen, *Feighetens Våpen*, 92.

²⁴¹ Interview with Cristian Ruge, a former NPAs employee.

²⁴² Ruge, *En Framtid Uten Frykt for Miner*, 108.

²⁴³ *Ibid.*, 166.

²⁴⁴ *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*.

²⁴⁵ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 82.

Steffen Kongstad, a Norwegian diplomat who was involved in the process, stated that ‘the thinking of the time by the majority of negotiating states was that it should be politically so costly to breach the obligations of the treaty that it would deter anyone from doing it.’²⁴⁶ None of the articles in the convention ended up addressing any implementations structure. Article 7 simply stated that State Parties had to deliver yearly reports ahead of the state party meetings.²⁴⁷

In the final stages of the Ottawa process it became apparent to Norway, Canada, the ICBL and the NPA, that the convention did not have an effective tool to secure its implementation. Unlike other conventions on weapons, the mine ban treaty did not have a standing institutional structure that could monitor the compliance. The Comprehensive Test Ban Treaty and the Chemical Weapons Convention had their own monitoring structures, respectively with the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons.²⁴⁸

Articles 1, 4 and 7 represented the Convention’s transparency and compliance provisions: Article 1 stated that states must destroy their stockpiles within four years of entry into force of the Convention. Article 4 stated that one must remove and destroy deployed mines within a ten-year period.²⁴⁹ Article 7 stated that the governments had to report how they implemented the convention. Together with the unwritten expectancy that State Parties had to cooperate with civil society to promote and implement the Convention, these articles became the ICBL’s window of opportunity in creating a monitoring system.²⁵⁰ Talks started in November 1997. Canadian diplomat Robert J. Lawson and Stephen Goose of the Human Rights Watch, tried to persuade other ICBL members and governments of the importance of a monitoring system. They discussed whether NGOs could continue to play a role to ‘[...] ensure that states lived up to their obligations.’²⁵¹

²⁴⁶ Mary Wareham, *What If No One’s Watching?*, 17; Ruge, *En Framtid Uten Frykt for Miner*, 20.

²⁴⁷ *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*.

²⁴⁸ Mary Wareham, *What If No One’s Watching?*, 18.

²⁴⁹ *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction*.

²⁵⁰ Mary Wareham, *What If No One’s Watching?*, 18.

²⁵¹ *Ibid.*, 22.

5.1 Landmine Monitor

A group of eight centrally placed NGOs within the ICBL discussed the monitoring, including objectives, indicators, structure and reporting. Members of the ICBL were still exhausted from the Ottawa process. Internal conflict in the ICBL made it difficult to agree on a way forward. As a critique of the Landmine Monitor initiative, Nobel Peace Prize laureate Jody Williams meant that NGOs in the ICBL lacked the capabilities to collect data and conduct research. Despite this, representatives from different NGOs reconvened in Oslo, June 1998 for a Mine Watch meeting, hosted by the NPA. The governments of Norway, Canada and Ireland accepted invitations to attend.²⁵²

During the meeting they reached an agreement on a NGO initiative to monitor the compliance of the convention.²⁵³ The responsibilities were delegated to smaller fractions of the ICBL who had experience with landmines: Handicap International, Mines Advisory Group, Human Rights Watch, Kenya Coalition against Landmines and Mines Action Canada. Heated discussions continued as to what the name of the group would be. However, the Core Group decided that it should be called the Landmine Monitor. A week later Mines Advisory Group decided they would not participate in the project after all. They had concerns over their own capabilities to carry out the role well enough, and they saw it as a potential conflict of interest in countries where they had existing projects. The NPA was then invited to take the place of Mines Advisory Group in the Core Group.²⁵⁴ The NPA was concerned about their lack of experience with this kind of work, but accepted.²⁵⁵ The Norwegian Government responded by granting funds for the Landmine Monitor through the NPA.²⁵⁶ The Landmine Monitor represented something new. It was not a product of states, but an NGO initiative that was financed by governments, therein Norway.²⁵⁷

²⁵² Ibid., 25-26.

²⁵³ The tension exhibited by some members at these discussions did not disappear. In 2012, 14 years later, at the International Campaign to Abolish Nuclear Weapons' Civil Society Forum in Oslo, Jody Williams decided not to appear due to continued disagreements with other members of the civil society present at the Forum. These disagreements started in ICBL and were apparently never resolved.

²⁵⁴ Mary Wareham, *What If No One's Watching?*, 27.

²⁵⁵ Interview with Mary Wareham former ICBL representative.

²⁵⁶ MFA, 383.42, 3, NPA to MFA, Application, 25 January 2000. In the application it states that the NPA would like to continue their work on implementing the landmine convention, thereby implying that they had received financial support from the Norwegian government prior to this. The original application was not located in either of the two archives.

²⁵⁷ John Borrie and Vanessa Martin Randin, *Disarmament as Humanitarian Action: From Perspective to Practice* (United Nations Publications UNIDIR, 2006), 83–84.

Ireland invited to a meeting in September 1998 to finalize the Landmine Monitor. The Norwegian government attended and was one of the main contributors. Media interest was high as Jody Williams was on everyone's lips because of the Nobel Peace Prize. Media interest further increased when Burkina Faso became the fortieth country to ratify the Convention. Forty was the number needed to prompt the treaty to become an active international law within six months, thus the first goal of Axworthy was complete.²⁵⁸ However, this caused a time problem for the Landmine Monitor. The first report was supposed to be ready before each state party meeting and the first meeting of the Convention was to be held in Maputo, Mozambique six months after the Treaty came into effect. Because of this, the NPA and the others had little time to plan the report before the meeting in March 1999. The Landmine Monitor Report 1999 was finished in time in order to be compared with the reports to those of the governments.²⁵⁹ The reporting did not go without difficulties for the ICBL. The network of researchers around the world rarely had English as their first language, and this resulted in difficulties interpreting the local reports, as well as to decide what data to include in the main report.²⁶⁰

Despite the time pressure, the first Landmine Monitor report was presented at the first state party meeting in Maputo, Mozambique, in the spring of 1999. The report of the Landmine monitor was not official but functioned as one for the Mine Ban Treaty: it was not formed through an official mechanism: it was '[...] not a technical verification system or a formal inspection regime [...] an effort by civil society to hold government accountable to the obligations that they have taken on with regard to antipersonnel mines; this is done through extensive collection, analysis and distribution of information that is publicly available.'²⁶¹

The explicit and precise content of the Landmine Monitor report surprised many governments. The detail of the report caused several governments to change their reports accordingly. Because the report was an NGO product it became very effective. There was a long tradition among states not to criticize other governments directly, and official governmental reports therefore became 'toothless and vague.'²⁶² Countries that did not comply with the Convention were named in the 1.300 pages report. The information was detailed and comprehensive, and was therefore deemed reliable. The Landmine Monitor

²⁵⁸ Mary Wareham, *What If No One's Watching?*, 28–29.

²⁵⁹ Signatories to the Convention meet every year to discuss the progress of convention at the State Party meeting.

²⁶⁰ Borrie and Randin, *Disarmament as Humanitarian Action*, 85.

²⁶¹ Mary Wareham, *What If No One's Watching?*, 35.

²⁶² Ruge, *En Framtid Uten Frykt for Miner*, 20-21.

received unparalleled status and became a model for other reports made by UN organs after its establishment, and because of it, goal number 3 of Lloyd Axworthy was reached.²⁶³

5.2 Development of Mine Action & International Standards

While the Landmine Monitor was developed, the demining continued. The amounts of mines that were discovered were less than expected. This was a potential problem for the continued attention and supply of donors. It became apparent to the NPA and other NGOs that they had to translate for the governments that this did not mean that their work was not needed. It was not important whether or not mines were discovered, but rather that a mine-suspected area had been cleared and could be utilized again. Thus, it also became important to develop more effective ways of doing this.²⁶⁴ In 1998, Per Nergaard had taken charge of the Mine Division after Svein Henriksen who left for the MFA, and the NPA had 1800 employees working with landmines in different parts of the world.²⁶⁵

The Convention contributed to stopping the supply of new landmines, and for the first time the number of mines decreased.²⁶⁶ The problem was the successful implementation of the convention. The campaign had established the Landmine Monitor, which documented, analyzed and communicated the results to the right recipients. However, this was not enough to effectively implement the convention. More effective tools were needed for practical demining. The NPA became an important developer of standards to effectively perform mine action. While clearing mines faster gave positive results for those affected, the need for progress in the field was also necessary to keep donors happy. Demining was mainly manual. The NPA developed ‘the toolbox’, a methodology for how to combine methods. Other methods included the use of dogs and machines, where dogs proved to be the more effective of the two.²⁶⁷

For humanitarian mine action to be successful, the NPA meant that all operators had use the same standards. Demining was often conducted on individual terms, different to each organization. The communication was ineffective, and the language barrier did not make this situation any easier. It was not uncommon that organizations in Cambodia overlapped each

²⁶³ Ibid., 21–22.

²⁶⁴ The Future of Humanitarian Mine Action | Edited by Kristian Berg Harpviken, 147–48.

²⁶⁵ Email with Svein Henriksen, Former Policy Manager at the NPA and Landmine Advisor at the MFA.

²⁶⁶ Ruge, *En Framtid Uten Frykt for Miner*, 107.

²⁶⁷ Ibid., 95-96.

other when clearing land because they used different reports.²⁶⁸ This problem was identified by the NPA.

To assist in the development of humanitarian mine action, Switzerland established an international expert organization that would work to eliminate mines, called the Geneva International Centre for Humanitarian Demining (GICHD). The GICHD was established in April 1998.²⁶⁹ Its function, like that of the NPA, was to contribute with research and operational assistance to operators, in order to improve the effectiveness.²⁷⁰ The GICHD represented the establishment of an institutional memory within international humanitarian demining. It was an important step towards a streamlined demining. The Norwegian government gave the GICHD financial backing. In return, Norway wanted to influence the development of the institution: The Norwegian delegation to Geneva wanted the MFA to request that the GICHD incorporated expertise from the NPA.²⁷¹ No later document confirms that this request was presented, but the GICHD still included a representative from NPA. It seems plausible that it was a joint effort between the Norwegian government and the NPA to get a man inside the GICHD, in order to ‘influence the development.’²⁷² Håvard Bach, one of the eight founders of the NPAs landmine program, was assigned to the GICHD in 1999 after several years at the NPA.²⁷³ The NPA was given a seat at the advisory board.²⁷⁴ The NPA hoped that the GICHD would provide the framework for developing international standards. For reasons unknown, this proved difficult. As a result the NPA could only implement national standards, for instance in Cambodia.²⁷⁵

The first years of humanitarian mine action saw increased frustration with how demining was conducted. The process was difficult, with several costly mistakes. Cambodia was one of the countries where the development of mine action unfolded, for better and for worse.²⁷⁶ One criticism was that the discipline was too concentrated on technicalities, instead of learning from other branches of international aid. Humanitarian demining was predominately initiated by military personnel in management and advisory positions. Some pointed to this as the

²⁶⁸ Interview with Oum Phurmo, CMAC Deputy Director General, Phnom Penh, Cambodia, September 27, 2013.

²⁶⁹ http://www.gichd.org/about-us/overview/#.VBrwt_mSzTp

²⁷⁰ NORAD, *Evaluation of the Humanitarian Mine Action Activities of Norwegian People's Aid*, 14.

²⁷¹ MFA, 383.42, 3, The Permanent Norwegian Delegation, Geneva, to the MFA, June 28, 1998.

²⁷² Ibid.

²⁷³ Ruge, *En Framtid Uten Frykt for Miner*, 5.

²⁷⁴ NORAD, *Evaluation of the Humanitarian Mine Action Activities of Norwegian People's Aid*, 14.

²⁷⁵ Håvard Bach, Email with Former NPA and Present GICHD, September 29, 2014; Interview with Oum Phurmo, CMAC Deputy Director General, Phnom Penh, Cambodia.

²⁷⁶ *The Future of Humanitarian Mine Action* | Edited by Kristian Berg Harpviken, 136.

reason for the technical focus.²⁷⁷ However, Per Nergaard at the NPA stated that his military background was crucial in the understanding of the problems related to landmines, and for the development of the mine division at the NPA. The NPA had several military personnel in central positions, and although mine action was a young discipline within humanitarian assistance, the traditional aid workers did not have the qualification or the skills to develop the landmine sector, according to another representative of the NPA. The military personnel at the NPA thought that the traditional aid workers were inefficient and lacked knowledge about landmines.²⁷⁸ Despite difficulties the results of the demining effort were reflected in the decreasing number of casualties in Cambodia: It dropped from 4000 fatalities in 1996 to about 800 in 2001. The release of land resulted in mobility among Cambodians.²⁷⁹

Mine action was not lucrative. Limited resources meant that it was necessary to improve the effectiveness of it. After the signing of the convention, focus shifted towards effectiveness. All landmine operators had to be conscious of how they operated in order to get the most out of the funds. The result was that in the years after the convention, NGOs focused more on its activities being measured by social and economic impact.²⁸⁰

Effectiveness was not enough, though. A cleared area did not achieve the goals of mine action if it did not create social or economic gains. In Angola, for instance, the NPA cleared a large area thought to be used for agriculture, but it turned out not to be used at all. The methods had so far focused on the negative impacts of mines nationally. This was difficult to translate into workable procedures on site. It was this gap, between the national and local level, which the NPA wanted to fill. One of the answers was Task Impact Assessment (TIA). TIA was defined as ‘a systematic analysis of lasting or significant changes – positive or negative, intended or not – in people’s lives brought about by given action or a series of actions.’²⁸¹ Simplistically, the TIA proposed a set of questions, and if they could not be answered adequately, the area should not be cleared: ‘What will change as a result of demining in the area? Why, when and how will this happen? Who will cause these changes to take place?’²⁸² Though the method

²⁷⁷ Ibid., 114. The reference did not specify who «some» were.

²⁷⁸ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Ruge, *En Framtid Uten Frykt for Miner*, 93–94.

²⁷⁹ The Future of Humanitarian Mine Action | Edited by Kristian Berg Harpviken, 136.

²⁸⁰ Ibid., 114, 147.

²⁸¹ Ibid., 147–151.

²⁸² Ibid., 154.

was subjective, it worked on several levels of authority. It was designed to be carried out by almost anyone who worked in management.²⁸³

5.3 Effects of the Landmine Monitor

The Landmine Monitor primarily functioned as a fact-finding product. However, it also worked as an advocacy tool for the NPA and the others involved.²⁸⁴ At a government meeting in May 2000, Ecuador stated in their Article 7 report that they had retained approximately 170,000 mines for training purposes. This was against Article one and the ICBL alerted governments of this breach of the Convention. Subsequently, Ecuador got numerous requests from other governments to clarify their intent. Ecuador was quick to respond that it was a misunderstanding and that the number would be corrected. In their August update, Ecuador stated that their stockpile consisted of no more than 16,000. The report also stated that they had destroyed approximately 154,000 between March and July of that year. Whether or not this actually was the case, it showed the capabilities of the NPA and the Landmine Monitor in influencing states, even after Ottawa.²⁸⁵ It functioned as a deterrent on the production, use and transfer of mines as well. The Landmine Monitor did not document any production or transfer of mines between states during the first years. Apart from a few instances by African states, there was no use of landmines between 1999 and 2005. Some signatories to the Convention used landmines before they ratified it. Though it was not strictly illegal, it was uncovered.²⁸⁶

The 'naming and shaming' strategy was the strongest way of influencing State Parties to the compliance of their obligations, but it was not fool proof. There were disputes as to whether or not this type of tactics actually worked. One example of this was Angola who used mines after signing the convention. Despite the ICBL's efforts to make Angola aware of their breach of several international agreements by using mines, the strategy had its limits and the NGOs did not achieve the desired results.²⁸⁷ In any case, the result was that the responsibility was directed to where it belonged, as in the case of Ecuador. This showed that the distribution of power between NGOs and the governments was fairly equal on this instance.²⁸⁸ The ICBL, including the NPA, had previously functioned as an activist in the campaign to ban

²⁸³ Ibid., 157–58.

²⁸⁴ Borrie and Randin, *Disarmament as Humanitarian Action*, 85-86; Mary Wareham, *What If No One's Watching?*, 31.

²⁸⁵ Borrie and Randin, *Disarmament as Humanitarian Action*, 88. Ecuador later destroyed more of their stockpile, leaving only 4000 for training purposes.

²⁸⁶ Ibid., 90–91.

²⁸⁷ Ibid.

²⁸⁸ Ruge, *En Framtid Uten Frykt for Miner*, 167.

landmines. It transformed into being a coalition to function as the protectors of the convention.²⁸⁹

The founder of the Landmine Monitor, Stephen Goose, stated that ‘ultimately there’s only so much we can do, because this is an NGO initiative. We can’t require documentation or [...] answers [...] to our questions so we’re ultimately without teeth when it comes to enforcement and have to rely on States Parties’ actions.’²⁹⁰ However, the Ecuador case showed that the authority of the Landmine Monitor was respected by States, and that they enforced the will of NGOs in a diplomatic setting. Therefore, the need for enforcement options for NGOs and the Landmine Monitor seemed needless. In fact, it might have had negative effects. Goose perpetuated that the Landmine Monitor was ‘...not official and we don’t want it be official. If we’re official we ... have to ‘serve’ the State Parties.’²⁹¹ Thus, the ICBL and the NPA included, wanted to uphold their position of just being watchdogs in this instance. Indeed, governments knew that they were being watched by the Landmine Monitor. The countries knew it was difficult to use mines without being discovered or investigated, consequently creating attention and suspicion.²⁹² Despite the big powers, like the USA and Russia, not signing on to the agreement, they did not use mines either. Therefore, the Convention in itself together with the efforts by the ICBL through the Landmines Monitor helped reaching Axworthy’s goal number 2: to help in the process of changing the opinion of those governments who did not want to sign the Treaty.

5.4 The Effects of the Norwegian Model in Mine Action

The NPA and the government of Norway had a mutual understanding of the landmine problem. The Ottawa process had built a level of trust between them. The MFA let the NPA manage various demining projects on its own, to some degree. However, this was not the standard for every donor relationship. In the US for instance, NGOs worked in a more commercialized and rigid way. The competition was greater, causing landmine operators ‘to behave like for-profit organizations’ in order to acquire contracts.²⁹³ The operators got awarded contracts that were very specific and penalties were given if the work was done poorly. This system was rigid compared to the one in Norway, and created little room for

²⁸⁹ Ibid., 180.

²⁹⁰ Mary Wareham, *What If No One’s Watching?*, 36.

²⁹¹ Ibid.

²⁹² Ibid., 45.

²⁹³ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 44.

operators to determine the nature of the project. There was no room or incentive to go outside of the contract, and little opportunity to negotiate better terms due to the competition.²⁹⁴

The NPA could on the other hand adjust their projects, such as Cambodia, according to how they read the situation on the ground. The NPA had two advantages to the American organizations: Firstly, they could ask the Norwegian government to assert their influence through diplomatic relations. Secondly, they could even ask for more funds in case the project needed it. Though the NPA was limited by their plans being restricted to yearly funding by the MFA, they were in-fact long-term funded compared to the contracts given out by the US government.²⁹⁵ This shows that the NPA could improvise and be creative on their projects, at least more than their counterparts in the US. One exception to the competition-based funding by the US was their funding of the NPA, which was based on the idea that ‘a grantee is already doing good things... [We] give them a little more money; and they will do more of those good things.’²⁹⁶

As a result of the Norwegian funding system, the NPA became an important organization within the world of demining: The NPA conducted demining in several countries, and they were an internationally leading actor within landmine advocacy, also towards countries where they were active, like Cambodia. At the same time, they developed new standards and methodologies within mine action. In mine action, it seems plausible that the independence of NGOs in the US were more restricted than the ones of the NPA in Norway. For instance, a USAID administrator threatened to tear up the contracts of NGOs if they failed to understand that they were ‘an arm of the US government.’²⁹⁷ The relationship between the MFA and the NPA was not based on equal partnership and in both Norway and the US the funding came from the government. Thus one might argue that the relationships in the two countries were of a similar kind.²⁹⁸ However, the relationship in the US was largely based on ‘monitor and

²⁹⁴ Ibid., 48–50.

²⁹⁵ II Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 56.

²⁹⁶ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 77. Two other mine clearance NGOs received this kind of financial support from the US, namely, HALO Trust and Mines Advisory Group.

²⁹⁷ Ibid., 65.

²⁹⁸ Ibid.

control' while the approach in Norway was based on the facilitation and empowering of the NPA.²⁹⁹

Mine action was very costly, and commercial actors were cheaper and faster than NGOs like the NPA. A common understanding on outsourcing to commercial actors was that it increased efficiency and lowered the price. Despite this, the NPA was fully funded by the Norwegian government. Some donors, like Norway, had other than financial priorities. A Norwegian diplomat, Braatha, explained why they put more emphasis on ethical concerns, and why the NPA received so much:

We don't like to provide assistance money to commercial companies...they are there to make money and for them to make money means that they will try to provide the least amount of service in order to maximize their profit. ... We think that NGOs have a tendency to work somewhat differently, that there's a stronger sense of idealism, that they're more committed to the task at hand, rather than being committed to the bottom line and the statement of accounts and shareholder responsibilities.³⁰⁰

By nature, commercial companies focused on profit. A manager of a US landmine company stated: 'The quicker you do the job, the better your profit is; the longer it takes you [...] the more it eats into your profit.'³⁰¹ For-profit organizations had more accidents than no-profit NGOs, but some of the commercial actors did not see this as a problem: They argued that their increased speed made up for their higher amount of accidents: By clearing more land faster it reduced the dangers for the locals and saved lives. Inconclusive research indicates that NGOs like the NPA had a much better combined ratio of accidents of both deminers and civilians than the ones of commercial actors.³⁰² The NPA focused more on the safety of their workers in the field. Their statistics on injuries and casualties were no less than impressive, said Bolton. In their projects from 1992 through to 2007 the NPA had a total of 27 accidents related to mine action, where seven people lost their lives.³⁰³

The NPA's demining was more costly than its counterparts. However, commercial companies tended to cut benefits such as pensions, health insurances and administrative staff.³⁰⁴ The NPA did the opposite. They gave competitive salary and benefits, sometimes even higher than

²⁹⁹ Ibid., 56.

³⁰⁰ Ibid., 84.

³⁰¹ Ibid., 121.

³⁰² Ibid., 123, 129, 132.

³⁰³ Ruge, *En Framtid Uten Frykt for Miner*, 117; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 132.

³⁰⁴ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 123.

normal salaries to Cambodians who worked as deminers.³⁰⁵ The commercial demining was cheaper and quicker because they performed a simpler task. The NPA would conduct their task impact assessment to see whether this had enough socio-economic gains. This demanded more time and money in the short run. But as the chief in the village of Obajain, Cambodia explained, the NPA's project there was holistic. Before the NPA arrived, there were monthly mine accidents when villagers collected firewood in the forest. The NPA cleared 35 hectares out of 386. Herein they constructed a road, a rice bank, granary, cow and pig bank and a well. After the project in 2002, there had not been any mine related incidents. Additionally, the general welfare of the village was much better. Outbreaks of diseases were seldom, and the economy had improved.³⁰⁶

In the Cambodian village of Pracheathorn, the NPA provided 2.000 repatriated families from the war with their own land. These were the most impoverished group of Cambodians as they had to leave everything behind when they left. In addition to land, they received materials and tools to build houses with latrines. Because the NPA had found no mines, this project made sense in terms of socio-economic impact.³⁰⁷ These two examples show that the NPA was engaged in the whole process, and delivered a 'wider package' to the community than the commercial operators. The argument of price and speed created a more hazardous working environment for the deminers of the commercial operators.³⁰⁸ However, one commercial company, Bac Tech, performed a good job in Kosovo, demonstrating that humanitarian mine action was not always superior to the ones of commercial operators.³⁰⁹

5.5 The Interests of the Norwegian Model

The good relationship between the Norwegian government and the NPA developed through the mine related issues during the 1990's. This relationship enabled the NPA to become the largest mine operator in the world. It is important to take a closer look at Norwegian foreign policy to understand how the NPA went from having no landmine experience to becoming a central figure within the field. Globalizations and privatization are regularly seen as the retrenchment of the state. However, it also enabled the state to project their power in new

³⁰⁵ Interview with Mr. Hao, the NPA Country Director, Phnom Penh, Cambodia.

³⁰⁶ Interview with Noun Choub, village chief of Obajain village, Cambodia, September 19, 2013; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 123.

³⁰⁷ Keo Sambath and Sok Vinean, Interview with village chiefs of west and east Prachethorn village, Cambodia, September 19, 2013.

³⁰⁸ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 123.

³⁰⁹ Ruge, *En Framtid Uten Frykt for Miner*, 98.

ways. Contracting humanitarian assistance and mine action out to private actors enabled states to penetrate political spheres that they could not reach before and at the same time avoiding the political risk of directly intervening on other governments.³¹⁰ For instance, they were now able to influence the direction and development of the CMAC in Cambodia without breaching the sovereignty of Cambodia.³¹¹ As a newer example, Norway held back the NPA's funds for Demining Unit 1 in Cambodia in order to pressure the Cambodian government to sign the Convention on Cluster Munitions.³¹²

By being utilized, Tvedt argues that NGOs were being stripped of their autonomy. However, this was not entirely the case with the NPA. In their book 'Governing the Global Polity', Jon Olav Sending and Iver B. Neumann described the NPA and NPA's role 'as actors who have expertise central to the task of governing, and far more important, that they [the NPA] appear to be autonomous political subjects with a capacity for political will-formation that make them key subjects of, and allies on, governmental tasks.'³¹³ Though NGOs like the NPA exhibited a new dimension of power during the landmine process, it did not change the role of government. It was a case of governmental rationality where the government of Norway adjusted its functions and who they cooperated with.³¹⁴ For instance, the government did this by guiding who the NPA should recruit as personnel. In Cambodia, the MFA recommended that the NPA engage new personnel with socio-economic background so they could more effectively coordinate their development program and mine action program.³¹⁵ The NPA was not opposed to such recommendations as it followed from a dialogue and rationale and successful cooperation between state and NGO.³¹⁶

Norway became more dependent on other actors, like the NPA, in securing their projects as well. Norway had expanded their territorial area of influence beyond the nation state, by incorporating NGOs in operations like the NPA's mine action program in Cambodia. Likewise, the NPA's knowledge gave them a stronger influence in Cambodia and Norway. As

³¹⁰ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 41.

³¹¹ NPA, 42-KAM-05.1, 1994,93,97, MFA, Coopers & Lybrand, Evaluation of NPA's Mine Clearance in Cambodia, 20 March 1996, 4.

³¹² Interview with Jan Erik Støa, NPA Programme Manager in Phnom Penh, Cambodia. Cambodia never signed the Convention on Cluster Munitions.

³¹³ Neumann and Sending, *Governing the Global Polity*, 130.

³¹⁴ Ibid.

³¹⁵ NPA, 42-KAM-05.1, 1994,93,97, MFA, Coopers & Lybrand, Evaluation of NPA's Mine Clearance in Cambodia, 20 March 1996, 4.

³¹⁶ Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning.

the NPA's relationship with the Norwegian government strengthened, their arguments towards both the Norwegian- and the Cambodian government also became more powerful. This governance, as opposed to government, gave the NPA, and probably other NGOs, improved access to domestic legislative processes, such as in the question of whether to ban landmines or not.³¹⁷ NGOs, the NPA included, became landmine experts and were consultants for their governments. Their expertise 'opened doors in conferences and debates.'³¹⁸ This enabled them to reach and cooperate with their governments at other levels, as opposed to the traditional position of being in opposition to the government. By doing so, the NPA, contributed to the development of governance in Norway through this period.³¹⁹

Since the hegemony of government did not change, the question as to why the government of Norway voluntarily enabled the NPA to become such an influential partner is necessary to discuss, as it directly affected the NPA and their growth. After the Cold War the concept of 'collective security' became relevant among smaller states. The bipolar system was obsolete, allowing small states like Norway to use soft power in order to acquire 'moral power.'³²⁰ Joseph Nye describes the concept of power:

The basic concept of power is the ability to influence others to get them to do what you want. There are three major ways to do that: one is to threaten them with sticks; the second is to pay them with carrots; the third is to attract them or co-opt them, so that they want what you want. If you can get others to be attracted, to want what you want, it costs you much less in carrots and sticks.³²¹

Through the third solution Norway was able to exert their soft power, and they acknowledged this in the White Paper No.11 from 1989, a defining document on Norwegian foreign policy.³²² The primary priority for the foreign policy was to strengthen the interest of Norway, home and abroad. To achieve this Norway did not have the option of hard-politics as some more prominent powers, however, the Norwegian government aimed at the further strengthening and upholding of international law.³²³ The reasoning was that by contributing to a more solidified UN, Norway reduced the chance of being a victim of 'great power

³¹⁷ Tepe, *The Myth about Global Civil Society*, 73.

³¹⁸ *Ibid.*, 137.

³¹⁹ *Ibid.*, 137–38.

³²⁰ Tamnes, *Oljealder*, B. 6:393; Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 51.

³²¹ Joseph S. Nye on Soft Power: The Means to Success in World Politics (Carnegie Council Books for Breakfast, April 13, 2004).

³²² *White Paper No. 11. Om Utviklingstrekk I Det Internasjonale Samfunn Og Virkninger for Norsk Utenrikspolitikk.*

³²³ *Ibid.*, 9–10.

bullying.³²⁴ The White Paper No.11 stated that NGO's 'should be integrated to a greater degree in international cooperation.'³²⁵

The Norwegian focus on NGOs at the end of the Cold War had undeniable effects on the large expansion of the NPA. During the course of the NPA's landmine projects, values such as international human rights and international disarmament were indeed fulfilled. However, it would be too simplistic to view Norway's support of the NPA's landmine work as just a means to help others. The altruistic approach is one aspect, but it was also done out of self-interest. Norway used humanitarian aid to build international good will. Norway lacked resources for hard economic and military power. Therefore, Norway's solution to the lack of resources for hard economic and military power was to focus on building soft-power. Hilde Selbervik stated in *Power of the Purse* that 'moral capital can sometimes be as powerful as economic capital in influencing other actors or policies.'³²⁶ Norway's track-record of protecting human rights ensured Norway a symbolic power internationally that helped protect national interests. Jan Braatha, a Norwegian diplomat described this aptly: 'small countries need to have some kind of international order [...] that's not altruism, it's a vital foreign policy interest.'³²⁷ Jan Egeland claimed to be a champion of such thinking, and he believed that it served Norway's national interest to be a 'humanitarian superpower.'³²⁸ With his position at the MFA from 1992 to 1997, he implemented his ideas, which is reflected in the NPA's engagement in landmines. In sum, it was in the interest of Norway to conduct a humanitarian policy, thus, the Norwegian policy enabled the NPA to become an important international actor on landmines.

The ban on landmines did not receive any genuine opposition in Norway. Norway had hardly ever produced landmines, so there were no commercial interests to resist the ban.³²⁹ Had there been any commercial interest, the government of Norway might have had a different attitude. Although Norway had acquired 'moral power' they were not immune to other forces of society.³³⁰ As any nation, Norway had to protect vital national commerce and interests. For

³²⁴ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 51.

³²⁵ *White Paper No. 11. Om Utviklingstrekk I Det Internasjonale Samfunn Og Virkninger for Norsk Utenrikspolitikk*, 11.

³²⁶ Selbervik, *Power of the Purse?*, 433.

³²⁷ Bolton, *Foreign Aid and Landmine Clearance Governance, Politics and Security in Afghanistan, Bosnia and Sudan*, 64.

³²⁸ *Ibid.*

³²⁹ Landmine Monitor, Norway, http://www.the-monitor.org/custom/index.php/region_profiles/print_profile/547.

³³⁰ Tannes, *Oljealder*, B. 6:393.

instance, in 1987, Norway acted with a double-standard: Norway advocated against apartheid in South Africa, while at the same time refusing to enforce a shipping boycott on South Africa, since a boycott would end up hurting national interests more than they were willing to.³³¹ Norway produced a lot of weapons. Had Norway produced landmines instead, it is plausible that the NPA would have found it harder to advocate for a national ban. It's hypothetical, but illustrates that the government of Norway do not engage in self-compromising politics despite championing noble causes.

It could be argued that it was the interest of Norway to ban landmines and enable the NPA. Still, the efforts of the NPA ended up being decisive in order to implement the Ottawa Convention. According to representatives of the NPA and the Norwegian leadership, the cooperation between the two was done without desecrating the integrity of the NPA, thus leaving their role as an independent organization intact.³³²

³³¹ Egeland, *Impotent Superpower-Potent Small State*, 14–15.

³³² Ruge, *En Framtid Uten Frykt for Miner*, 110–11; Godal, Interview with former Minister of Foreign Affairs; Interview with Cristian Ruge, a former NPAs employee; Email with Per Nergaard, NPAs Director of Civil Protection and Emergency Planning.

Chapter 6

6 Conclusion

Within the span of ten years, from 1992 to 2002, the NPA went from knowing nothing about landmines to becoming an influential NGO, both domestically and internationally, in the mine action sector. Through the period, the NPA assisted in banning landmines domestically in Norway, and internationally through the Ottawa Convention. In the years after the Treaty, the NPA assisted in implementing the Convention. The reasons for the success of the landmine ban can be dedicated to several individuals and governments. The NPA together with the Norwegian government played their parts in the process leading up to the convention, and they also played an integral part after the Ottawa process.

In 1989 the Norwegian Foreign Minister, Thorvald Stoltenberg, introduced the White Paper 11 which set Norway on an ambitious path to becoming a humanitarian actor of international magnitude. As a result of the White Paper, NGOs became an important component in the pursuit to strengthen and uphold Norway's interests. The White Paper was a continuation of the so-called Norwegian model. As an NGO and as a part of the civil society in Norway, the NPA was particularly engaged in the so-called Norwegian model. The process of developing this model had developed through decades in Norway, and it had reached it near completion around the time when the NPA got involved with landmines. Though the model of NGO-inclusion was not a Norwegian phenomenon, the model was more evident in Norway in the 1990s than in other countries. The so-called Norwegian model incorporated NGOs in the Norwegian government's efforts to provide aid internationally. The idea was that NGOs could perform aid more effectively than the government could. The end of the Cold War and the bipolar system enabled middle-power states, like Norway to engage actively in international

relations. Norway did this by providing humanitarian assistance to Cambodia, amongst others. The Secretary of State, Jan Egeland was an important figure in executing the Norwegian development aid policy in the 1990s. Egeland's relationship with the Norwegian People's Aid (NPA) proved to be a significant contribution to the expansion of the organization into mine action.

6.1 Acquiring Knowledge

When the Norwegian People's Aid (NPA) arrived in Cambodia in 1992, they had no prior experience in dealing with landmines. Explosive experts who were ex-military were hired so the organization could deal with this entirely new aid sector. The NPA started clearing mines and the reality in Cambodia was devastating: landmines had been placed in the ground for decades. During 1993, the NPA were also directly involved in the Cambodian Mine Action Centre (CMAC), in order to keep the institutions running. In the process of clearing mines and assisting the survival of CMAC, the NPA acquired the practical knowledge to become a substantial actor within mine action in Cambodia. As one of few, the NPA supported the role of the UN in Cambodia regarding landmine clearing, despite the shortcomings of their efforts.

It was the Secretary of State at the time, Jan Egeland at the Ministry of Foreign Affairs, who offered the NPA the opportunity to become a demining operator. The NPA's project in Cambodia was fully financed by the MFA, and with this financial support and through practical experience, they became a skillful operator within mine action. The portfolio of the NPA expanded to other countries, but they soon realized that the demining enterprise was a hopeless task at the current state: While 100.000 landmines were cleared each year, the number of mines produced was between 5 and 15 million, and two million of those were deployed each year.

As a landmine operator the NPA had at an early stage decided to not only perform practical demining, but also do policy work related to landmines. After witnessing the impact of landmines in Cambodia the NPA brought the idea of banning landmines to the Norwegian government. This idea to ban landmines was at first ridiculed by some individuals in the Norwegian government, whilst others were intrigued. Jan Egeland was among the latter, and though he acknowledged difficulties surrounding such a ban, he was neither for nor against the initiative at first. Banning landmines was viewed as difficult by the MFA because of Norway's NATO membership and border to Russia. Finland, as a comparable nation to

Norway, however, was not a NATO member, but despite the fact that Finland later became an EU member, they never signed the mine ban treaty because of their geographical position.³³³

In late 1994, the NPA entered into the Norwegian campaign to ban landmines in order to influence the Norwegian government to pose a domestic ban on landmines. By using their knowledge and experience from Cambodia, the NPA presented the effects of landmines through several channels. Firstly, by involving the media, the NPA effectively brought awareness of the effects of landmines into the living rooms of ordinary Norwegians. The public opinion was important to gain the support of policy makers. Secondly, the historic association with the Labor movement enabled them to affect the policy of the party. The NPA used their connection to the Workers' Youth League, to influence the parent party. The NPA's relationship with Jan Egeland had at that point become very close, and he was considered as their 'man on the inside'. The ability to transcend their knowledge, the historic association with the Labor movement in Norway and the close relationship with the Secretary of State, proved to be decisive. The Norwegian ban on landmines became a reality in 1996 as a result of policy advocacy by the NPA towards the Norwegian government.

6.2 International Advocacy and Becoming Best Friends

Before the NPA started lobbying for a domestic ban in Norway, an international movement had already emerged. The International Campaign to Ban Landmines (ICBL) was an umbrella organization for all NGOs associated the process of banning landmines. The NPA got involved in the international campaign in 1995, during the same period at which the process of the domestic ban in Norway was on the way. The international campaign gained real traction at the ICBL conference in Cambodia in 1995, enabling them to build strong relationships with key governments from then on, amongst them was Norway. During the Ottawa conference in October 1996, Canada's Foreign Minister Lloyd Axworthy announced that the goal was to ban landmines within a year, which became a milestone in the process. The Norwegian ban exhibited the fact that countries with strategic allegiances could also ban landmines and was therefore a huge boost for the international campaign. The Norwegian government was at that point one of the frontrunners in the process. The NPA became an integral part of the ICBL after the Ottawa conference in 1996 and their relationship with the Norwegian government was a strength for the Ottawa process. Both the NPA and the

³³³ Kristian Berg Harpviken, *The Landmines Campaign: Representations and Reflections, Cooperation and Conflict* 37, no. 1 (March 1, 2002): 102, doi:10.1177/0010836702037001698.

government of Norway gained from their cooperation. The partnership enabled them to affect the process on the grounds of the extensive knowledge platform held by the NPA and the capability of the government to include the NPA in their strategy. In June 1997, governments and ICBL met in Brussels for the Brussels Declaration. During the meeting in Brussels the NPA influenced the course of the process by cooperating with the ICBL and together they strategized and planned for the upcoming conference in Oslo.

The Oslo Negotiation conference in September 1997 was vital in order to achieve the signing of the treaty in Ottawa later that year. The NPA planned and arranged the civil society forum ahead of the meeting in Oslo. The NPA and the ICBL was streamlined and in close contact with governments. Their traditional activist position in opposition to the government had changed. The forum was fully financed by the Norwegian MFA. The meeting in Oslo was a success, leaving only the formality of signing of the treaty to Ottawa later that year. Before, during and after the meeting in Oslo, the NPA and their relationship with the Norwegian government played an essential role for the Ottawa convention.

Before the signing of the convention in Ottawa, the landmine cause received unexpected attention as the International Campaign to Ban Landmines (ICBL) received the Nobel Peace Prize. The media, academics and politicians correspondingly agreed: all were in awe of the accomplishments that has been achieved by the ICBL. The Ottawa process was unique in international terms, but because in the end the Convention was agreed upon and signed by individual states, the domestic landmine processes were key to the success of the global landmine campaign. It was vital for the process that NGOs acted as an intermediary so the governments were informed and understood the urgency of the landmine problem. After the NPA conveyed this information to the Norwegian government, the MFA could argue with empirical data acquired from the NPA in international fora. Therefore, the existence and success of the ICBL would not have existed and achieved what it did in 1997 without campaigns such as the one in Norway.

The NPA and the MFA became close allies during the Ottawa process, and the so-called Norwegian model through the White Paper No. 11 certainly contributed for this scenario. The White Paper was intended to strengthen the interests of Norway, but it also resulted in strengthening the position of NPA in Norway through the landmine process. Because of its size, Norway was not amongst the most influential governments involved in the landmine process, but Norway was nevertheless a key-component in the start-up phase. Because the

model in Norway facilitated a great deal of NGO inclusion, the NPA and the national campaign is relevant in describing the cause and effect of the ICBL and Ottawa process.

During the period leading up to the point of the Convention, the cooperation between the NPA and Norwegian government became very visible and their interests had become similar: they both wanted to achieve the global ban on landmines and they used each other to achieve that goal. During this period the lines between the government and NGOs became more difficult to identify: The Norwegian government used representatives from the NPA as their experts in international relations to argue against landmines. Things had indeed changed: The NPA, once an organization consisting of leftists, many of whom were pacifists and refused military service, had at first employed individuals with military background and now they appeared to be working for the government. However, the relationship between the NPA and the government was two-sided: the NPA gained repertoire, legitimacy, and helped achieved a global ban on landmines as a result of their cooperation with the government.

6.3 The Independence of the NPA

Terje Tvedt had stated that in a normal definition of the civil society in Norway, NGOs were not controlled by the government, and that the so-called Norwegian model changed the relationship between government and NGOs. He stated that the independence of NGOs, including that of the NPA, became restricted by the presence of the so-called Norwegian model: the foundation of the Norwegian model was that the government provided the financial structure for NGOs to operate, creating an NGO dependency towards the government. His argument was that because of the financial structure of the Norwegian model, NGOs could not go against the government in fear of losing their financial support, thus the NGOs had lost their independence. In the case of the NPA it was two-sided. On the one hand, the NPA had been asked by the MFA to become a landmine operator abroad and the project was 100 per cent financed by the government, but only a few years later the NPA pressured the government of Norway to issue a domestic ban on landmines. It seemed as if the NPA had retained their independence despite being dependent on financial backing from the government. On the other hand, the funding from the Norwegian government of the secretariat for the Norwegian campaign, which was located at the NPA, was stopped as a result of the difference in opinion on whether to ban landmines or not. Bolton refused the claim that the NPA had lost their independence through the so-called Norwegian model. He argued that the NPA was not controlled by the MFA since the NPA set the humanitarian

agenda of landmines in Norway, against the will of the Norwegian government. Despite that the Norwegian government tried to restrict the NPA through stopping financing the campaign to ban landmines in Norway, this was the only time throughout the landmine process where they used financial tools to stop the campaign. Therefore it is plausible to conclude that the NPA had retained their independence and only to a certain degree been restricted by the Norwegian government.

6.4 Certain Implications of the So-called Norwegian Model

The cooperation between the NPA was a clear case of the so-called Norwegian model. The partnership between NGOs and the government was enhanced by the decision-making structure in the Norwegian development structure. The policy of Norwegian humanitarian aid sustained a strong political consensus, and there were few governmental bodies that were included in the decision-making process. These attributes were viewed by some of the Norwegian politicians as one of the positive prerequisites to an effective humanitarian aid policy. The NPA arguably gained from this trait of the so-called Norwegian model. But Tvedt argued that the Norwegian decision-making process was undemocratic due to the fact of the few people involved the process and they could discuss cases without sharing information with the public. The undemocratic nature of the decision-making process was enhanced by the circulation of personnel between the MFA and NGOs. Svein Henriksen, a senior representative for the NPA, was hired by the MFA after his engagement at the NPA. Because of the circulation the information flow outwards became even more restricted, according to Tvedt. The same attributes were described by Bolton as the strength of the so-called Norwegian model.

6.5 Implementing the Convention

After the Ottawa Convention, the work on implementing the articles became the next challenge for the NPA, and the relationship with the Norwegian government persisted. The NPA developed standards in order to more effectively conduct demining. Task Impact Assessment (TIA) was developed to create both social and economic gains. The NPA entered the Geneva International Centre for Humanitarian Demining (GICHD) to strengthen international standards, however, this did not materialize. The NPA gained the position in the new knowledge center for demining after the government of Norway had partially funded the project. Thus, the NPA increased their influence in the sector.

The ICBL, with NPA in a core group of five, developed the Landmine Monitor. The initiative was unique: no other international law had a monitoring instrument that was run by NGOs. Through the Landmine Monitor, the NPA influenced governments to uphold their commitments to the Convention. The Landmine Monitor also contributed to the creation of an international norm that non-signatories to the Treaty, like the USA and Russia, followed the Convention as well. The NPA's engagement in the monitor was financed by the Norwegian government. At first glance, it seemed as if the Norwegian government freely gave up some of their sovereignty by contributing to the Landmine Monitor, which in turn gave the NPA, and the rest of the ICBL, power over governments. However, by going back to the White Paper No.11 the picture is more complex: the White Paper 11 stated that NGOs should be more included in the Norwegian development aid, but it also stated that the intent of providing NGOs with such funds was so they would in turn protect the interests of Norway.

The Norwegian interests were, among others, to protect human rights and to contribute to disarmament, both of which the NPA did through all of their landmine projects. Another and more overarching objective of the Norwegian government was to strengthen the UN system. The Ottawa Convention became international law on March 1, 1999 after 40 countries had ratified the treaty. Hence, the Convention contributed to managing the use of landmines by controlling the behavior of states. As a small state, Norway gains on the international system being predictable and transparent. Norway does not have the means of hard-politics to achieve their goals, such as military or economic. Therefore, Norway used soft-politics, such as championing human rights and disarmament in order to contributing to a stronger UN. By doing so, Norway enhanced the predictability and transparency on the international arena. Jan Egeland wrote about Norway's potential to become a humanitarian superpower in 1988. It therefore seems reasonable to conclude that Jan Egeland knew the benefits of such soft-politics when the NPA was offered the project in Cambodia back in 1992.

The altruistic approach of development aid channeled through the NPA to conduct mine action became beneficial for the government of Norway and its interests, because it assisted in the realization of the Norwegian foreign policy goal of strengthening the UN system.

The NPA had assisted in the creation of an international binding law that effectively put a stop to the production of landmines, but most importantly the deployment of mines. The initial work of clearing mines could finally progress undisturbed. Throughout the period, the relationship between the NPA and the Norwegian government changed, but was vital both for

the growth of the NPA; through the success of both the government's and the NPA's contributions to ban the weapon internationally; and to the further development of the so-called Norwegian model.

In conclusion, the period in question can be split into three stages. The first period from 1992 to 1996, the role of the NPA developed from being a small demining operator to becoming one of the biggest in the world. The NPA expanded their landmine portfolio to include both practical and political work. In this period the relationship with the government of Norway was two-sided: On the one hand, the NPA received financial support and was thus dependent on government support, while on the other hand, the NPA lobbied the government in order to get a domestic ban on landmines.

The second period led to the Ottawa Convention in 1997. The NPA and the Norwegian government cooperated and worked closer than ever before to achieve an international ban on landmines. As one of the biggest and most influential NGOs in this part of the process, the NPA experienced a central role in the process leading up to the Convention: the NPA worked closely with the international campaign as well as the Norwegian government to effectively affect the outcome.

The third period began after the Convention and the role of the NPA became even more important with the development of the Landmine Monitor and new demining standards. The financial support of the Norwegian government was extensive in this period as the NPA now performed practical, political and technical work on landmines.

Three stages during which a fruitful and successful cooperation between an NGO, the NPA, and the Norwegian government formed, and their cooperation and efforts influenced international law.

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