The Evolving Context of Mine Action[1]

Introduction

The purpose of this study is two-fold: 1) to examine the changing nature of arms control and disarmament, focusing on what appear to be a few of the most promising frameworks for tackling the relationship between weapons management and the wider goals of development, security and peacebuilding; and 2) to reflect that thinking back onto mine action itself.

The study, by providing an overview of the wider context within which mine action is operating, sketches out dimensions that seem of particular relevance to thinking about the future of mine action in an increasingly complex and challenging global context.

I. The expanding scenery of arms control and disarmament

The last 20 years or so have seen new attention to many dimensions of the realities and impact of conventional weapons in our world. In part, this has been a function of the ending of the Cold War, which had disguised many of these realities in traditional east-west conflict terms. In part, it is a result of new technologies and the employment of a broad range of weapons systems by actors other than states. In part, it has been the result of the engagement of new actors beyond those usually concerned with arms control and disarmament issues. This section of the paper will begin with a general overview of the multilateral agreements on weapons control that have been taken during this period. It will then turn to the more important dynamics that appear to be currently shaping the context of conventional weapons control initiatives and beyond.

A. Conventional weapons management today

An analysis of the last 20 years from a strict multilateral arms control and disarmament approach would not lead one to feel very encouraged about this way of doing business—except in the area of "conventional" weapons. Because of the realities of the Cold War, attention to arms control and disarmament in the area of conventional weapons was dwarfed until the early 1990s by the so-called "weapons of mass destruction" (WMD) agenda. Important exceptions included the Convention on Certain Conventional Weapons (CCW) (less an arms control agreement than an extension of international law on restrictions on the methods of warfare), the Treaty on Conventional Armed Forces in Europe (CFE) of 1990 (a regional agreement), the 1991 UN Register of Conventional Arms (a transparency in armaments initiative), and the 1996 Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (a producer-driven export control agreement).

From the mid-1990s on, it has been primarily in the realm of control and disarmament efforts related to different conventional weapons systems that there has been substantial movement by States to agree new norms, practices and institutions. This period has also seen a venturing

[1] This paper was commissioned by the GICHD to an independent expert and mostly drafted by David Atwood.

by States into new means for seeking to reach such agreements, at times going outside the established multilateral negotiating systems, as with the Anti-Personnel Mine Ban Convention (APMBC)(1997) and the Cluster Munitions Convention (CCM)(2008).

The motivations for action leading to those agreements that have emerged since the mid-1990s have come from a variety of sources, with traditional "national security" motives for arms control and disarmament agreements no longer being necessarily the primary ones, and International Humanitarian Law (IHL) considerations playing a greater role. The list of significant agreements over this period includes: Protocol IV ("blinding lasers") to the CCW (1996), the APMBC (1997), the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition to the UN Convention against Transnational Organized Crime (2001) the UN Programme of Action on Illicit Trade in Small Arms and Illicit Trade in Small Arms and Light Weapons (UN PoA) (2001), Protocol V ("Explosive Remnants of War") to the CCW (2003), the CCM (2008), and the most recent legally binding convention, the Arms Trade Treaty (ATT) (2013). In addition, there have been a number of important regional agreements adding to this constellation.

The agreements reached in the last 20 years vary in their basis in international law, their legal or political nature, the scope of their application, the numbers of adhering states, etc. Each of these has been spawned or followed by a whole series of institutions, practices, and methodologies that further fill this picture out. Four examples illustrate this: International Mine Action Standards (IMAS) have codified mine action practices; the International Amunition Technical Guidelines (IATG) provides guidance for the stockpile management of conventional ammunition; the International Tracing Instrument to Enable States to Identify or Trace Illicit Small Arms and Light Weapons (2005) was an early attempt to move beyond the general language of the UN PoA; the Geneva Declaration on Armed Violence and Development indirectly followed from the focus on small arms and light weapons exemplified in the UN PoA. In addition to the many processes for seeking to implement or to strengthen existing conventional weapons agreements, new initiatives, such as the use of explosive weapons in populated areas, the development of fully autonomous weapons (so-called "killer robots"), and defining the limits of acceptable use of so-called "non-lethal" weapons, are now pushing their way onto the international agenda.

B. <u>Approaches and narratives around weapons management</u>

The above provides but a brief picture of some of the structural patterns of conventional arms control and disarmament initiatives from around the mid-1990s. A range of narratives, briefly sketched here, will further elaborate this picture. These are not unique or mutually exclusive. In fact they can be seen to be highly inter-related and overlapping, some more closely defined by weapons themselves and others drawing their orientation from broader security-related and general socio-economic foundations. They illustrate some of the orientations currently shaping policy and practice. Observations on their contributions, emphasizing those that appear to be of greatest relevance to mine action thinking at the present time, are then offered.

Humanitarian Disarmament

The term "humanitarian disarmament" had not yet been coined in the early 1990s as the call to move beyond ineffective measures to control the use of landmines took shape. The

campaign to actually ban this weapons system and subsequent multilateral action on landmines was spawned from the perspective that the landmine was a weapon requiring more vigorous multilateral attention due to the impact that its use was observed to be having in terms of deaths, injuries, and livelihoods of innocent men, women and children in affected regions of the world. The foundation of the concern about this particular weapons system was thus, in this respect, "humanitarian", a view that came to be seen in this case as outweighing any continuing military value of the weapon itself. This orientation shaped the movement towards the Anti-Personnel Mine Ban Convention and has continued to drive the nature of the successful implementation of that instrument.

The term "humanitarian disarmament" provides a useful label for the orientation and motivation that has driven subsequent efforts to ban cluster munitions, initiatives on the use of explosive weapons in populated areas, on new weapons systems such as "killer robots" and others, and today even provides an underpinning for new initiatives to rid the world of nuclear weapons. This approach has provided the basis for the engagement of a wide range of actors from communities such as health, human rights and development, ones not traditionally associated with activism in the disarmament sphere. Moreover, it has been the motivating factor for the engagement of civil society organizations well beyond those normally labelled as "disarmament" or "peace" organizations. As was noted by a "summit" of such organizations held in New York in October 2012 in a statement that rather neatly sums up this orientation: "We support strong disarmament initiatives driven by humanitarian imperatives to strengthen international law and protect civilians. By advancing disarmament from a humanitarian perspective, we seek to prevent further civilian casualties, avoid socio-economic devastation, and protect and ensure the rights of victims. We represent non-governmental organizations and coalitions working in the field of humanitarian disarmament, with the shared objectives of protecting civilians from the harmful effects of armed violence." (Communiqué, Humanitarian Disarmament Campaigns Summit, New York, 20 – 21 October 2012). This orientation begins from the weapon and its perceived humanitarian effects and suggests control measures and appropriate policies and practices in relation to the weapon, based on the goal of reducing or preventing human suffering.

Armed Violence Reduction (AVR)

Increasingly in recent years, approaches to dealing with weapons and their effects have come to be more comprehensively understood from or incorporated within an "armed violence" perspective. Armed violence is defined by the Geneva Declaration on Armed Violence and Development as "the intentional use of illegitimate force (actual or threatened) with arms or explosives against a person, group, community, or state, which undermines people-centered security and/or sustainable development". While policies and instruments for controlling, regulating, and managing the availability and use of arms and explosives continue as an essential component of this orientation, an armed violence perspective also draws attention to the "drivers" and risk factors associated with the use or mis-use of the instruments of violence.

This orientation emerged in large part from the growing focus in the 1990s on small arms and light weapons and the realization that "supply" solutions were a necessary but insufficient way of approaching the reduction and prevention of the realities of armed violence. This is illustrated by one central observation: an estimated 526,000 people died per year as a result of lethal violence during the period 2004 – 2009 (*Global Burden of Armed Violence (GBAV)*, 2011). In responding to this challenge, a landmines-like ban solution was simply not on the cards for

the more than 800 million SALWs believed to be extant in the world, to say nothing of the continued perceived legitimacy of the possession of SALW for the roles of the police and armed forces. Reducing the realities of armed violence came also to be understood as requiring the tackling those factors which could be understood as driving the demand and (mis)use of weapons by individuals and groups.

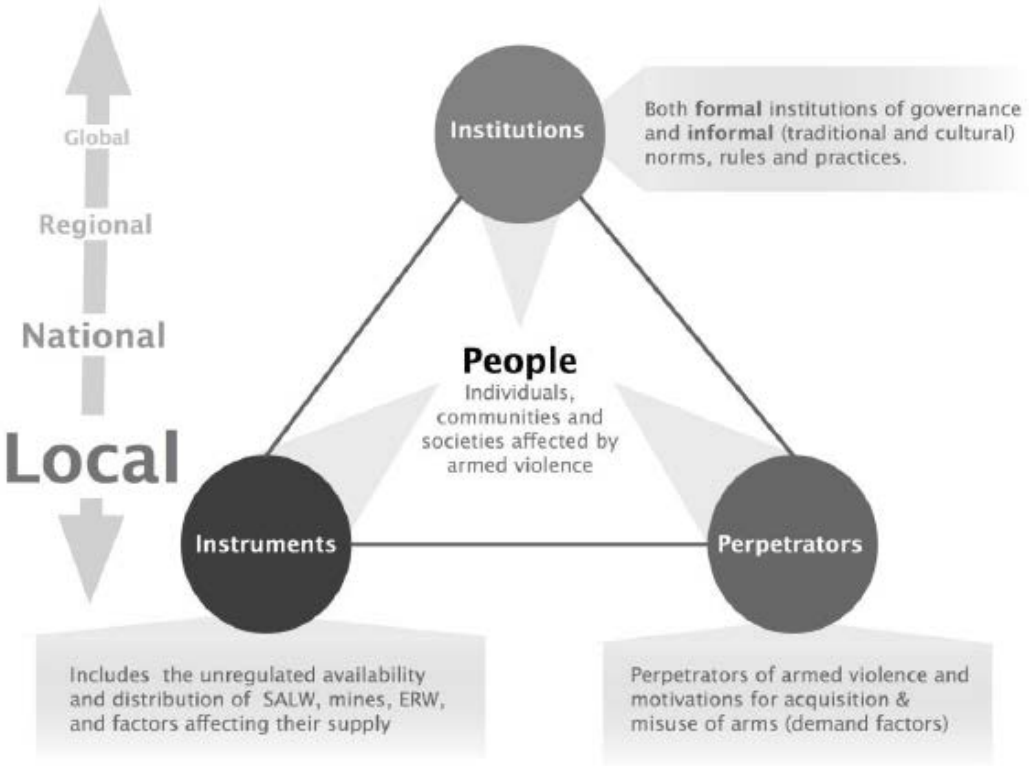
As illustrated via the AVR lens below (See Box 1), an armed violence orientation draws attention not only to the instruments and the differing ways in which people are affected by armed violence but also to the range of approaches, policies and programmes that seek 1) to address directly the instruments, actors, and institutional environments that enable armed violence (e.g. firearms regulation, risk education, community safety and security); 2) those that are more indirect in that they address proximate and structural risk factors giving rise to armed violence (e.g. employment for at-risk youths, access to justice); and 3) those that are mainly about broader development programming, which, while not targeting armed violence as their central purpose, may nevertheless have the effect of reducing armed violence (e.g. urban renewal, improvements in public transport, environmental resource management). (See OECD, *Investing in Security: A Global Assessment of Armed Violence Reduction Initiatives*, 2011).

The AVR orientation has come to draw ever more elements into its orbit as understanding has increased. Crime, health, employment, urbanisation and other spheres are increasingly understood as being of relevance, spheres that extend far beyond the more restricted, weapon-based nature of “humanitarian disarmament”.

Box 1

The Armed Violence Reduction (AVR) Lens

In 2009, the Organisation for Economic Cooperation and Development (OECD) in the small volume *Armed Violence Reduction: Enabling Development* set out what it called the “armed violence lens”. The AVR “lens” offered by the OECD provides a particularly helpful way of depicting and placing many initiatives which may not in themselves be labelled specifically as armed violence reduction or prevention measures.



Source: *Armed Violence Reduction: Enabling Development,* OECD, 2009, p. 50)

As this figure reveals, the development of approaches to armed violence reduction can be helped by considering:
- the people affected by armed violence—both direct and indirect victims;
- the perpetrators/agents who commit such violence and the motivations behind those actions;
- the instruments of armed violence (with a focus on their availability/supply);
- the institutions or institutional/cultural environment that enables or protects against armed violence

As noted in the *GBAV* 2011 report: "The lens provides a flexible and unified framework for apprehending the contexts, motives, and risk factors associated with armed violence. Its three legs provide different entry points for armed violence prevention and reduction policies." (GBAV, 2011, p.36). Important in the use of the lens are the linkages that can be understood between the four dimensions (with people at the center) as well as the linkages between action at different levels (local, national, regional, and global).

While all the approaches described in this section of this study cannot be easily placed within the framework provided by the lens, it does help to locating the principal orientations of a number of these.

Security and Development

The AVR orientation highlights the negative development effects of different manifestations of armed violence and conversely to the potential positive impact of development programming on reducing levels of armed violence. In 2006, the growing understanding of this relationship

was symbolized in the Geneva Declaration on Armed Violence and Development, now adhered to by 112 States. UN Development Programme (UNDP), the OECD, some national development agencies and civil society organizations have emphasized this relationship in their analysis and programming. For example, in 2011, the World Development Report of the World Bank chose "Conflict, Security and Development" as its central theme and illustrated through strong evidence the negative effects on development that conflict and violence prone countries are experiencing. As noted in that report: "People in fragile and conflict-affect states are more likely to be impoverished, to miss out on schooling, and to lack access to basic health services. . . . As the world takes stock of progress on the MDGs [Millennium Development Goals], it is apparent that the gap between violence-prone countries and other developing countries is widening. No low-income, fragile state has achieved a single MDG, and few are expected to meet targets by 2015." (World Development Report, 2011, p. 63)

Other relevant dimensions of this orientation include analyses of the consequences for economic and social development because of the high priority given to military expenditures, as well as the economic costs of dealing with the consequences of violence (for example, the recent study by the Institute for Economics and Peace on "The Economic Cost of Violence Containment", 2014).

Despite the growing evidence of these relationships and despite the engagement with them by significant global actors, there has been only limited evidence of a prioritization of the need to tackle the factors related to conflict and insecurity as part of development planning and spending. Even in one of the most important settings of current development goal priority setting, the debates currently taking place around what will follow the Millennium Development Goals established in 2000, there are doubts as to whether what will emerge from the negotiations will contain much that reflects the increasingly well understood relationship between peace and development. At this writing, there is considerable support for the inclusion of a new development goal related to peace and security, and growing evidence of the measurability of targets in relation to such a goal.[2] However, it is by no means certain that any such goal, however demonstrable its centrality to development is, will survive the political nature of the negotiations. Nevertheless, whatever the outcome, this essential relationship will become increasingly central in the coming years.

Human security

Another conceptual narrative relevant to the future weapons management discourse relates to the term of human security. Emerging in the development discourse of the early 1990s and introduced in the 1994 UNDP Development Report, this concept reframes the traditional understanding of security. It results from the growing understanding that individuals and communities should feature at the core of security concerns or, in the words of former Canadian foreign minister Lloyd Axworthy, "it has become clear that individual security is not necessarily the product of national security [and that it requires] a shift in focus, from ensuring peace across state borders to building peace within states."(Lloyd Axworthy, "Towards A New Multilateralism", p. 451)

[2] Two of the key processes as part of the preparation for these post-2015 decisions, the Secretary General's High Level Panel on the Post-2015 Development Agenda and the Open Working Group process around the Sustainable Development Goals have both endorsed in one way or another the inclusion of peace and security language into the post-2015 development agenda.

Thus, human security expressly recognises new emerging security threats beyond those stemming from armed violence, such as environmental, societal, political and economic threats and also acknowledges that the lack of physical protection from violence is a major challenge to the survival, livelihood and dignity of people. Development, security and human rights are not only imperatives, but they reinforce each other as stated by the Secretary-General in his 2005 "In larger freedom: towards development, security and human rights for all" report (A/59/2005, para 16). As a consequence, the concept of human security could be defined by freedom from fear and freedom from want.

However, the understanding of what human security means and what it encompasses has not gone unchallenged. Critics regard the approach comprising freedom from fear and freedom from want as too broad and suggest a more narrow interpretation, mostly with a focus on freedom from fear, meaning the threat or use of violence.

Despite these diverging views on human security, United Nations Resolution 66/290, defines human security as an approach aimed at "identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of [the] people" entailing among others the "the right of people to live in freedom and dignity, free from poverty and despair", entitling them "to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential." (A/RES/66/290, 10 September 2012, para 3) The inter-linkages between peace, development and human rights are clearly articulated. Being at the same time an objective in itself and a people-focused and rights-based approach to achieve this objective, human security shares important aspects of humanitarian disarmament or armed violence reduction and embeds them in a broader conceptual narrative. With an increasing emphasis on the linkages between peace and development or, in the context of the Post-2015 Development Agenda, on the importance of sustainability and environmental protection, human security may serve as one of the potentially relevant frameworks for mine action.

Protection of Civilians in Armed Conflict

The "humanitarian disarmament" and the "armed violence" orientations noted above both have the victimization of civilians from weapons and strategies for the prevention of civilian harm at their heart. Initiatives aimed at strengthening norms and practice for the "protection of civilians in armed conflict" makes up a closely allied feature of global attention.

This is perhaps best exemplified by the recent 22 November 2013 "Report of the Secretary-General on the protection of civilians in armed conflict" (S/2013/689), the latest in a long series of reports to the Security Council on this topic. This report, noting once again that the "need to strengthen efforts to prevent and respond to violations of international humanitarian and human rights law in situations of conflict and violence has been at the forefront of discussions within the United Nations and its agencies, funds and programmes" (para 2), highlights a number of current settings, particularly Syria, where civilians are bearing the brunt of civil conflict. The report also takes note of a key dimension of the impact of armed violence on civilians—new and emerging weapons technologies, such as the use of drones and the potential threats posed by autonomous weapons systems.

Allied to the general concern about the protection of civilians in armed conflict, of course, are initiatives aimed at making visible the nature of and reducing the impact of armed conflict on children and on women and girls. In the former, for example, is the issue of the use of children

in forces party to armed conflicts (see, for example, the recent Security Council Resolution on this topic, S/res/2143, 7 March 2014). In the latter, the prevalence of sexual violence as a terrible feature of armed conflict situations is of particular concern (see, for example, M. Bastick, K Grimm, and R. Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, DCAF, 2007; and International Campaign to Stop Rape and Gender Violence in Conflict: www.stoprapeinconflict.org) . Forming a foundation for much of the action that followed its passage has been SC Resolution 1325 (31October 2000) on Women, Peace and Security. (www.unorg/womenwatch/wps/).

Conflict prevention and peacebuilding

The expansion of UN engagement in conflict situations from around 1990, made possible by the easing of the East-West Cold War tensions that had hamstrung the UN's role in peace operations through much of its first 45 years, brought with it new understanding of and attention to the dynamics and challenges of peacebuilding in the aftermath of conflict. The creation of the UN Peacebuilding Commission in 2005 (A/RES/60/180 and S/RES/1645, 20 December 2005) represented both a kind pulling together of what was understood at the time about the requirements for sustaining peace in the aftermath of armed conflict and symbolic of what would become a new range of activities by the UN system in the years that have followed.

Two areas of post-conflict focus stand out as of particular significance to the concerns of the present analysis. The first has been the attention given to "disarmament, demobilization, and reintegration" (DDR) as part of post-conflict peace consolidation processes. DDR processes are aimed at helping to secure an environment in which societies can begin to transition from conflict to peace and development. Essentially this orientation in policy and practice stems from the recognition that the prevention of a return to armed conflict and the building of sustainable peace depends to some extent on the success of approaches to dealing with the collection and disposal of the weapons that fuelled the conflict, the demobilization of those who have been engaged as combatants in the conflict and their successful social and economic reintegration into civil society.

A related but broader and more long-term element understood now as an important part of post-conflict peacebuilding and development is that of Security Sector (or Security System) Reform (SSR). SSR is referred to by the UN as "a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law" (First Report of the Secretary General on SSR, A/62/659-S2008/39, para.17). Understood generally as including the structures, institutions and personnel responsible for the management, provision and oversight of security in a country, security sector reform focuses on the range of elements responsible for different dimensions of security in a country—defence, law enforcement, corrections, intelligence services institutions responsible for border management, customs and civil emergencies, as well as elements of the judicial sector. Relevant actors include ministries, legislative bodies, regional and local government, and civil society groups.

But these are just two components of an expanding understanding of the multi-faceted nature of peacebuilding, a field of endeavour by international agencies, regional organizations, nation states and civil society actors that now looks well beyond the post-conflict orientation that

characterized much of the earlier focus at the UN level and raising up existing understanding of conflict prevention thinking and peacebuilding methodologies as a continuum of relevant actions across time in fragile and conflict prone or affected settings.[3] [4]

Among the most significant international efforts in recent years with respect to so-called "fragile" states[5] and fragile situations has been the International Dialogue on Peacebuilding and Statebuilding. The International Dialogue has brought together the so-called G7+ group of states (self-identified states that are or have been affected by conflict), donor and other countries, and international organizations to: a)share peacebuilding and statebuilding experiences, good practices and constraints to delivering effective assistance in support of peacebuilding and statebuilding; b)identify, agree on, and implement a set of peacebuilding and statebuilding goals and commitments to guide national and international interventions in conflict affected and fragile states; and c) build political momentum for change and trust between fragile and conflict affected countries, development partners, and civil society. While not uncontroversial, especially in the context of larger development debates, in particular the post-2015 development agenda discussion, this focus on elements aimed at building conditions that reduce the potential for the outbreak of violent conflict is illustrative of conflict prevention and peacebuilding initiatives and approaches currently underway.

This section has presented in an abbreviated way a number of key streams of conceptualization to which mine action can be understood to be related at the present time. Rather than being distinct and unique processes, they represent frames of reference—and different starting points—for understanding problems and shaping actions.

A number of elements common to all should be noted. In general, each of these narratives incorporates to one degree or another, a gender-based orientation as part of its conceptualization and in the manifestation of different policy and programmatic elements. All have as their basis an understanding that action must take place at a range of levels, particularly the community level. And all recognize the importance of partnership as a basis for action, with civil society understood to have key roles to play. They also have in common that relevant programming emerging from these streams is increasingly subject to demands for building in "monitoring and evaluation" components as an expected part of programme delivery. Importantly, however, all are affected by political considerations, including classical

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[3] Drawing on the earlier "peacebuilding palette" presented in the Joint Utstein Study of Peacebuilding *Towards a Strategic Framework for Peacebuilding: Getting Their Act Together*, Ministry of Foreign Affairs, Oslo, 2004), the OECD Development Assistance Committee (DAC) usefully takes note of 4 key elements of conflict prevention and peacebuilding work—socio-economic development; good governance; reform of justice and security institutions; and culture of justice, truth and reconciliation. "Guidance on Evaluation Conflict Prevention and Peacebuilding Activities," OECD DAC, 2008.

[4] One example of this maturing understanding of the integrated nature of elements in conflict prevention and peacebuilding can be seen in the following from the OECD DAC: ". . . Official Development Assistance (ODA) for conflict prevention and peacebuilding more than doubled during the period 2000-05, as measured by reporting on the six conflict codes (security sector management and reform: civilian peacebuilding, conflict prevention and resolution; post-conflict peacebuilding; reintegration and SALW control; **land mine clearance** (emphasis added**)**; and child soldiers." (*Guidance on Evaluation Conflict Prevention and Peacebuilding Activities*, OECD DAC, 2008, p.13)

[5] The OECD DAC identifies a "fragile" states as "one unable to meet its population's expectations or manage changes in expectations and capacity through the political process." ("Concepts and Dilemmas of Statebuilding in Fragile Situations: From Fragility to Resilience", OECD DAC, 2008).

national security and "state-centric" thinking, which can override the degree to which "people" actually remain the focus of efforts being made.

Given their highly interrelated nature, it is difficult to say which orientation is likely to have the greatest traction as a direction for policy and programming in the coming period. To this observer, however, it seems likely that the "armed violence reduction" orientation, coupled with the growing sophistication of understanding in the conflict prevention and peacebuilding realm, will provide the most propitious basis for the immediate future. Why? It seems increasingly clear that, without serious efforts at reducing and preventing the effects of armed violence and without similar efforts at putting in place attitudes, processes, and institutions capable of tackling the drivers of conflict and violence, little real progress will be possible across so many sectors and the human development and human security agendas. As this understanding becomes more ingrained, attention, resources, and programming are likely to follow. In relation to the opening focus of this section—conventional weapons—the richness and utility of the armed violence reduction orientation is likely to become ever more appreciated.

II. **Mine action: evolution, contribution, and limits**

This second section of the paper seeks to more specifically locate mine action in relation to these and to offer observations on possible directions for mine action.

A. Locating mine action in the larger disarmament and security context

Traditional components of mine action

The newly published 5th edition of *A Guide to Mine Action* (Geneva International Centre for Humanitarian Demining (GICHD), 2014) reminds readers that mine action, as traditionally understood, is "the combination of activities designed to:

- reduce real and perceived risks to affected populations of landmines, cluster munitions, ammunition stockpiles and explosive remnants of war (ERW);
- address consequences of accidents upon victims;
- reduce economic, social and developmental consequences of contamination; and
- advocate developing, adopting and complying with appropriate instruments of international humanitarian law (IHL)." (p. 14)

These basics are presented here as a base-line from which to judge the evolving nature of mine action and its applications within the realm of the larger streams of activity outlined earlier in the paper.

"Humanitarian disarmament" and beyond

As noted earlier, those efforts at conventional weapons disarmament that can currently be seen as operating from a "humanitarian disarmament" perspective really owe their origins to the work on anti-personnel landmines of the mid-1990s. The bulk of mine action, by its very definition, continues today to operate primarily from this weapons-based orientation. Or, to make use once again of the armed violence "lens", mine action, oriented as it is from a "people-centred" perspective—at least in a normative sense if not in actual practice—continues principally based in the "instruments" corner of the lens. However, the nature of

implementation has led to engagement with elements related both to “institutions” and to “perpetrators”.

The implementation of mine action—based in the implications of the components outlined above—has naturally led to engagement in areas well beyond its roots. There has been an expansion in practice from the initial concern with the realities of anti-personnel mines “in the field” to other related weapons concerns such as ERW and cluster munitions and to issues well-beyond the initial de-mining and recovery nature of the work, to areas such as ammunition and stockpile management and into a broadening of involvements based on the evolving understanding of the nature of the “core components” themselves. In addition, there has been engagement with or impact upon areas that would fall beyond “humanitarian disarmament” and into other streams such as development and peacebuilding.

The push and pull of change in mine action

The 2011 study “Mine Action—a description of working context” (prepared for GICHD by Ritherdon Consulting) took note of the changing nature of mine action, saying that “Mine action is becoming a less well-defined and more competitive place to be” and “Definitions of mine action are becoming more dilute, other activities are absorbing resources and funds that would previously have been dedicated to mine action. At the same time many mine action organisations are successfully moving into closely related fields.” The reasons and implications outlined in that study for these changes—e.g., that states are completing their obligations under the Anti-personnel Mine Ban Convention, that donors are changing the priorities and expectations—and their meaning for mine action probably remain still largely valid in 2014, if not more so.

The GICHD’s own study “Mission Creep or Responding to Wider Security Needs?” (GICHD Policy Brief, December 2012) documents ways in which a number of mine action organizations—in response to a range of factors, including funding—have begun to re-orient their programming more broadly within a reduction of armed violence and promotion of public safety framework. This extends from a narrower expansion within the weapons-related basis for work (for example, Norwegian Peoples Aid which sees itself “expanding work from mine action to broader areas of humanitarian disarmament,” by which they mean “all operations and advocacy which aims to reduce and prevent harm to civilians from the impacts of weapons and ammunition . . . motivated and guided by humanitarian and development imperatives”) (NPA Strategy on Humanitarian Disarmament, 2014) to an expanded engagement with multi-faceted dimensions of armed violence reduction and prevention (for example, Danish Demining Group (DDG), for whom traditional mine action has become but an element—along with capacity building of government and civil society, support to security providers, small arms management and conflict prevention—in a broad based integrated organizational strategy incorporating all dimensions of the AVR lens) (DDG Armed Violence Reduction Framework, Version 3, June 2012).

As the original tasks for mine action are accomplished through the progressive, if differential, meeting of Treaty obligations by State Parties and increasing conformity to the mine ban norm by States currently outside the APMBC, it is likely that there will be a continuing blurring of the boundaries between original concepts and foci of mine action and other streams of work. Given this, some questions seem of importance in the shaping of a future for mine action: what remains essential about mine action for the immediate future; at what point in the

extension of understanding of what passes for mine action is it actually no longer mine action but something else; where can experience of mine action in practice bring useful learning into the broader realms that have been outlined in the first part of this paper; what learning is there from these broader realms that might be applicable to current understanding and practice of mine action? To answer such questions in any depth would require a much more thorough and lengthy study than has been possible here. However, some observations on these and other issues will be made in the following sub-section that it is hoped can shed light on these questions.

B. Orientations for the future

- *Finishing the job.* There are sound reasons for the push and pull of mine action into ever broader spheres, some of which are clearly natural outgrowths of the life of mine action and others which may be taking practitioners well beyond the original scope of mine action for other reasons. Nevertheless there is still a job to be done in terms of completing the specific national commitments under the APMBC and the CCM. While the "clearance" dimension of this presents particular challenges and choices (as noted in the 2011 "context" study for GICHD), there will be a continuing need in the coming years for the expertise and experience, so deliberately and expensively built up over the last two decades, to be sustained and continue to be available. This will be particularly important in engaging effectively and supportively the transitions facing countries as they assume ever more ongoing responsibility for their own situations. A range of other challenges consistent with ensuring the universalization, implementation, and sustainability of the APMBC, Protocol V, and CCM will remain for the years ahead. The mine action community needs to continue to keep its "eyes on the prize" as a first order of business, making certain that there remains a hard core of focus and commitment.[6]

- *Building the logic of synergy and not competition on conventional weapons initiatives with other parts of the conventional weapons community.* The progression from mine and ERW clearance to physical security and stockpile management (PSSM) by parts of the mine action community is understandable and in many ways a logical development. Given their weapons and munitions experience in unstable settings, mine action practitioners are well placed to work alongside other security actors in these pursuits. But what this extension has done has been to bring mine action organizations into areas that others have also begun to invest in, but from orientations rather different from that of mine action. For example, the multi-stakeholder Regional Approach to Stockpile Reduction (RASR) (which is supported by a range of initiatives, none of which are founded from a mine action orientation—the Office of Weapons Reduction and Abatement of the US State Department, the NATO Support Agency, the Small Arms Survey, and others). This would suggest the desirability of the development of shared operational definitions, agreed strategies, and mutual learning. The evolution of the International Ammunition Technical Guidelines (IATG) and related elements such as the Technical Review Board and the Strategic Coordination Group are movements in this direction.

[6] The International Campaign to Ban Landmines has, for example, called for the mine ban community to take up the "completion challenge"—"to ensure that the work started several years ago is actually completed as soon as possible, and not later than 10 years after the Third Review Conference." (www.icbl.org).

Global attention to dealing with small arms and light weapons (SALW), as noted above, has developed much more from an arms control perspective than from a "humanitarian disarmament" one. Despite this, on the ground experience demonstrates commonalities related to dealing with the different realities of weapons and ammunition. This would suggest that there are probably many missed opportunities at the present time for learning how to frame thinking and action more mutually between the mine action and SALW communities. These two arenas, however, remain very much silo-ed attitudinally, programmatically, and operationally. The AVR orientation offers scope for there to be much more inclusivity and for the realization of synergies between these two communities. (It was noted earlier that Geneva Declaration on Armed Violence and Development emerged from what was perceived as the limited "supply-side" nature of much of the work on small arms to that point). One possible direction, for example, might be for there to be an effort to include in appropriate ways useful elements of International Mine Action Standards (IMAS) within the emerging International Small Arms Control Standards (ISACS) or in some other way bring these two sets of standards in closer sync with each other. The already mentioned IATGs and the RASR initiative represent existing attempts at developing coherence from the "instruments" dimension of the AVR perspective. The actual experience of mine action organisations that are also dealing with SALW-related issues in the field has no doubt helped in the development of synergies (such as the case with NPA, MAG, and DDG, noted earlier).

In "Linking Security Sector Reform and Armed Violence Reduction," the OECD DAC draws attention to the ways in which the AVR "lens" can shine light on logical areas for policy and programming on SSR, including a useful range of sector approaches (accountability and oversight; defence reform; intelligence and security; border management; police; justice; prisons; private security and military companies; civil society) to "instruments." (Programming Note, OECD DAC, 2011). Mine action receives no specific attention within these, but there is no reason why this could not be an area of further development, given the important entry point for international engagement provided by mine action in post-conflict settings. One observer has noted that, despite the need for more coherent, coordinated international approaches to supporting states emerging from conflict, "relatively little attention has been given to security and development pay-offs that can be generated through thinking about mine action and SSR in a 'joined up' manner. Mine action and SSR remain parallel activities, even when undertaken by the same actors in the same theatres." (Alan Bryden, DCAF, personal correspondence, 2013).

- *Developing common approaches and initiatives around "victims" and "survivor" issues.* One of the major innovative elements of the APMBC and its work over the years has been the important dimension of addressing the needs of those individuals and communities victimized by landmine "accidents". This dimension has been built into the subsequent CCM and has become a regular element in "humanitarian disarmament" thinking more broadly. The recent study "Five Key Examples of the Role of Mine Action in Integrating Victim Assistance into Broader Frameworks" (Antipersonnel Mine Ban Convention-Implementation Support Unit , 2014) demonstrates efforts to bring the lessons from this dimension of mine action to a wider range of disability and development initiatives. Similarly, the April 2014 "Bridges between Worlds" conference in Medellin is an effort to look at the future of the victim assistance dimension of mine action work from the related reference point of disability, with the goal of learning both ways. Somewhat

surprisingly, one area remains so far largely outside this world: survivors of small arms and light weapons violence. The "arms control" nature of much SALW work at the political level has evolved without a deliberate "humanitarian" dimension. This has meant that there is virtually no attention to the issue of "victims" and "survivors" within formal SALW initiatives, despite the appalling statistics of deaths and injuries due to the use and mis-use of SALW. The current Surviving Gun Violence Project (www.survivinggunviolence.org) is seeking to reverse this, but it remains a distant element in overall SALW work. It would seem that there could be much to be gained by seeking to bring more closely into alliance the mine action and SALW work in this area. Engagement with the WHO, with its core theme on violence prevention, and the health sector in general, offer avenues for building these links.

- *Dealing with questions related to armed non-state actors.* The treaty basis of mine action has meant that the highly relevant "perpetrator" questions surrounding armed non-state actors have not been central to the formal institutions related to mine action. Nevertheless, the significant work of the civil society organization "Geneva Call", in its initiatives engaging in dialogue with such groups on questions like compliance with international norms on AP mines, protection of children in armed conflict, and issues of sexual and gender-based violence in armed conflict, has ensured that this area has received attention from an actor based in the mine action community. Armed non-state actors (from gangs to criminal groups to private security companies to opposition militaries, etc.) will remain a key feature of conflict and security needs at all levels, from controlling the movement and use of conventional weapons to the protection of civilians. While the leadership on such issues is likely to reside elsewhere than with mine action, the learning, experience and developments from other streams (e.g. lessons from Arms Trade Treaty experience, once implementation gets fully under way) need to be engaged in shaping responses from within the mine action sector in relation to armed non-state actors related issues. (See "Armed Non-State Actors: Current Trends and Future Challenges," DCAF Horizon 2015 Working Paper No. 5, DCAF and Geneva Call, 2014).

- *Embedding mine action in the AVR framework.* In the first part of this paper, it was argued that the AVR framework probably offers the most propitious orientation for the future of initiatives based in their essence in a conventional weapons and their implications perspective. This is due in part to the fact that it can be seen--in its broadest sense—to incorporate in one way or another the other approaches. The GICHD "Mission Creep" paper, as noted, documents the differing ways in which mine action organizations have sought to "reframe" their work from an AVR perspective. Building on the earlier points made in this sub-section about the applicability of AVR thinking, it can be argued that placing the future of mine action within the AVR framework in appropriate ways will allow for a greater consciousness of the particular contributions that mine action can make to different dimensions of AVR, while bringing mine action organizations into potentially mutually beneficial relations with other actors engaged in the range of dimensions incorporated within the AVR framework.

  This line of argument deserves much more analysis than has been able to be developed here. Nevertheless, a few additional observations seem of some importance:
  - While nearly all elements of mine action can be considered in one way or another to be subsumed under the general banner of armed violence reduction, not all

elements of AVR-related work are necessarily appropriate to the mine action sector. Organizations need to ask themselves when broadening their scope of activity whether in fact they are still essentially mine action organizations. DDG has chosen to embrace the AVR framework and consequently expanded its work, but has consciously placed its mine action work as only one of a range of integrated programmatic components. Without such a conscious approach, "mission creep" into ever broader areas risks diluting some of the essential ongoing components of mine action while not necessarily offering particular added value to other elements where there may already be other more specialized, experienced actors.

- Two potentially limiting dimensions of seeing mine action as able to be subsumed under the AVR orientation relate to 1) the fact that the mine action focus on mines, cluster munitions, and explosive remnants of war represent armed violence that has happened in the past; and 2) the question of intentionality (i.e., as "armed violence" is conventionally defined as "the intentional use of illegitimate force (actual or threatened)", given that mines in the ground and ERW retain only an potential for unintentional violence). These distinctions to this observer of relatively little importance, at least so far as the application of the lens is seen as focusing principally on "instruments" all of which have the potential at least to inflict a violent impact, whether past or not and whether intended or not.
- Mine action and development. The evolution of mine action has brought attention to a range of areas of work that can be understood to have positive development effects, in particular the socio-economic benefits associated with the release of land and alternative employment opportunities for former combatants. The broader AVR perspective suggested here would suggest the need for mine action organizations in the development of programmes to fully understand the relationship between particular initiatives and their potential positive "developmental" effects and the particular niche that these initiatives fill in relation to the broad range of development concerns.[7]
- Mine action and peacebuilding. A similar perspective can be brought to bear on the closely related area of the contribution to the multi-dimensional arena of peacebuilding that is posited for mine action. The 2008 study "Peacebuilding and Humanitarian Mine action" (Fafo Institute for Applied International Studies and , Landmine Action UK) brought considerable precision to this thinking, contextualizing the discussion within the broad perspectives on security and development offered by the Geneva Declaration on Armed Violence and Development. Mine action programming, with hope for conflict prevention and peacebuilding impacts, will be enhanced by clear theories of change emerging from within the parameters for specific application of the AVR framework.
- Understanding the problem: building the evidence base. Successful policies and programmes depend on solid evidence of the problem at hand. The development of the AVR orientation is spawning a number of initiatives in this regard. The following are mentioned as examples. The *Global Burden of Armed Violence* 2008 and 2011

[7] In the first part of this paper, it was argued that due to a range of factors there may be limited hopes for the incorporation of specific goals related to security and peace in the expected outcomes of the post-2015 development goals negotiations. Despite this, the relevance of these themes to the realization of the contributions of sustainable development and positive development to reduction of armed violence remain. Mine action agendas need to be built consciously into this thinking, while recognizing that the contributions of mine action will be specific and not comprehensive.

(Geneva Declaration Secretariat; new edition expected in 2014) provides critical evidence of the ways in which armed violence is manifested in different regions of the world. The development of crime and armed violence observatories and armed violence monitoring systems (AVMs) is increasingly seen as providing capacity for being able to accurately depict the different realities of armed violence. (See, "Violence reduction and peacebuilding: how crime and violence observatories can contribute," a report of the Expert Meeting, 26 – 28 June 2013, on www.smallarmssurvey.org). A broad spectrum of civil society organizations are currently developing a template for assisting states in building national systems to monitor insecurity and armed violence. At national and local levels, public health institutions, security agencies and civil society organizations are increasingly engaging in measuring and monitoring problems associated with armed violence. Although well supported with its own measuring and monitoring capacities, there is clearly scope and possible mutual benefit for the field of mine action to pull closer to such initiatives.

- Mine action and the environment. The 2011 "context" study (p. 15) highlights some of the challenges being presented by particular mine action activities. Appropriate responses to these challenges will best be developed in collaboration with other actors from outside the mine action community with specialized knowledge of environmental and sustainable development best practices.
- Mine action and gender. The 2011 "context" paper also notes that "compared o other humanitarian and development sectors, mine action continues to lag behind in terms of equal opportunities and gender mainstreaming." (p.11). A "gender" lens to understanding issues and developing appropriate policies and programmes is, as noted in the first part of this paper, an important cross-cutting dimensions of perspectives on armed violence reduction, development, and peacebuilding. Particularly appropriate dimensions for mine action will best be developed in reference to developments in this more comprehensive context.

In this second part of the paper, the intention has been to locate mine action within and in relation to the constellation of relevant approaches highlighted in the first part of the paper and to draw some implications for the practice of the mine action sector. Based on the observations presented here, a few summary conclusions can be drawn:

- The armed violence reduction frame of reference provides a propitious domain into which mine action and its future developments can be put;
- Mine action and other related sectors have much to offer each other;
- Plans to move beyond the essential understood components of mine action by traditional mine actors need to be undertaken within the context of a clear theory of change;
- There remain fundamental mine action-related tasks to be accomplished. While framing these in broader approaches may help to make them more attuned to contemporary needs, there is an ongoing legitimacy to mine action the means, skills and tools for which need to be sustained.

4 May 2014

Annex
Observations on the role of the GICHD

The present paper offered a survey of ways of thinking and approaches that appear to be of creative relevance to issues related to conventional weapons. It then examined how mine action can be seen in relation to these and offered views on ways forward. The Geneva International Centre for Humanitarian Demining (GICHD) has been a central player for nearly two decades in the field of mine action. Its leadership has been critical to practice in this field. It has an important continuing role. This Annex offers a few observations on directions for that continuing role, based primarily on the logic of the core elements of the paper. It does not attempt to duplicate thinking that has already been done in, among others, the 2011 "Mine action—a description of working context" study or GICHD's own Strategy 2012-14. Rather it seeks to complement and build on some of the thinking already apparently a part of internal GICHD reflections.

1. *Remaining focused on practical work still to be completed.* Quite apart from the implications of the broader themes presented in this paper, there are still essential operational tasks which countries are facing in completing their obligations under the APMBT and CCM which will demand resources and support. A range of transition challenges can be seen to lie ahead. The GICHD, which has been so critical in assisting national and local actors, can continue to be important in this life phase of mine action. To do so effectively it will need to sustain and strengthen its cutting-edge technical and practical expertise. It needs to continue to be the "go to" place for practitioners in the field and to continue to be able to offer support based on in-house expertise and experience. It will need to capacitate itself for assisting with some of the expected challenging features of the coming period (see, e.g. the "Standards in other sectors" and the "Relationships, interfaces and ownership" of the 2011 "Context" study, pp. 11 and 17 respectively).

2. *Being an interpreter and bridge-builder for the mine action community to the broader armed violence, development, and peacebuilding challenges and opportunities.* The GICHD has been doing this in a variety of ways—e.g. through the "Mission Creep" study and the other activities of its Security and Development Programme. In doing this, however, it does not necessarily follow that an implication for the overall programming of GICHD is to engage in ever-broader areas of work itself. Rather the job could be more narrowly defined as assisting the mine action community of actors in understanding how these broader perspectives can inform and strengthen ongoing mine action programming, how mine action theory and practice can be built into and inform the broader agendas, and how mine action practitioners can effectively and constructively engage actors from other relevant communities. Given that there is a huge number of actors at work in the whole range of areas that have been spotlighted in this paper, the continued relevance of a centre such as GICHD, fundamentally dedicated to mine action, will, it would seem, depend the extent it can stay grounded in and capacitated for what it knows and does best.

3. *Helping to build strategic partnerships.* This paper has pointed to a number of places where synergies could be realized between mine action and other areas (e.g. weapons management, "survivor" issues, gender mainstreaming, implications for development, environmental concerns, building armed violence evidence bases, etc.), where the GICHD could play an important role in bringing relevant actors together for both the elaboration of possible

collaborative approaches or clarification of specific strategic roles of different sectors aimed at reducing overlap and realizing synergies.

4. *Doing it in Geneva.* With the arguments of 3 above in mind, the GICHD could play a stronger role in helping to build a greater degree of coherency and mutually agreed foci of specialization among the centres of excellence in Geneva of greatest relevance in areas related to the concerns of this study. These include not only the core "centres" (GICHD, GCSP, and DCAF, as well as the Small Arms Survey and the Secretariat of the Geneva Declaration on Armed Violence and Development) but also the Geneva Academy of International Humanitarian Law and Human Rights, the Geneva Peacebuilding Platform, Centre on Conflict, Peacebuilding and Development, the Geneva Forum; the ICRC, the WHO and a range of civil society organizations such as Interpeace. Seeking out and building specific partnerships based on the integrity and specialization of each programme could reduce turf issues, sharpen the work of the individual programmes, strengthen synergies and increase the overall contribution of Geneva. This is not something that GICHD could or should do on its own but a more deliberate engagement of this sort could, it would seem, pay dividends. The January 2013 Nairobi workshop on armed violence for mine action practitioners, jointly organized between GICHD and the Geneva Declaration Secretariat, is an example such a fruitful partnership. The annual IPDET workshops, jointly organized by GICHD, DCAF, GCSP, and the Small Arms Survey, aimed at capacitating staffs on the common elements of monitoring and evaluation and related subjects, is a further example of what can be done.

5. *Norm and policy imperatives.* The elemental foundation in international humanitarian law on which the Treaty-based work of the GICHD stands remains fundamental to the particular work and contributions of the Centre in relation to assistance to policy development at the national level, assistance with adherence to international instruments (e.g. the work of the ISU), and to the broader application to the development of new weapons-related instruments and practices. Equally, there is a clear ongoing need for the GICHD in situating itself strategically and assisting as appropriate from a mine action perspective in national and international policy developments. The better the GICHD understands and can articulate the nature and place of mine action in relation to larger frameworks such as AVR the more it will be able to ensure the inclusive nature of these frameworks while also playing an important role in feeding key elements of these back into the mine action policy sectors.

6. *Programme development and implementation.* A number of additional elements relevant to programme development and implementation will, it would seem, remain of importance to the continuing role of the GICHD, both in support for existing components of mine action and for current or future extensions to broader dimensions as outlined in this paper. The 2011 "Context" paper took note that "There is no agreed, global research agenda for mine action, although there is general agreement that such an agenda is desirable." (p. 13). Growing from perspectives offered in this paper, perhaps this is an area where GICHD could assume a greater degree of engagement. Related to this, GICHD could consider how it might further contribute to "understanding the problem; building the evidence" initiatives, as outlined at the end of part II of this paper. The investment that GICHD has made in "quality management" (assessment and control) learning and training should continue to provide an important contribution to the delivery of good programmes. Similarly, results-based planning and the integration of Monitoring and Evaluation (M&E) into programme development and implementation will be of increasing importance to the programme of the GICHD itself and what it can offer to others.