Meeting the Challenge
National Ownership in Mine Action

PRIO Policy Brief 1/2006

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The 1997 Landmine Convention mandates that member states assume responsibility for mine action within their own borders. The pace and extent, however, to which mine action programs have come under the authority of national governments and institutions is far from satisfactory. Currently, mine action is characterized by externally managed mechanisms, dominated by international organizations, with only limited success in building sustainable national capacities. From the perspective of national ownership, this raises a number of challenges: to what extent has responsibility for mine action been transferred to national authorities and institutions? What are the opportunities and obstacles to national ownership of mine action activities? How can policy be designed and implemented to help facilitate national ownership?

In addressing these questions, we review the development of mine action in Mozambique, Bosnia and Herzegovina, and Afghanistan, looking at each case in a historical perspective. Mine action is a sector of humanitarian assistance that has generated substantial political and donor interest over the past decade. While this engagement has been instrumental to many successes within mine action, it has also raised certain dilemmas with regard to fostering genuine national ownership. Among the issues highlighted in this policy brief are the role of donors, the relative strength of national institutions and civil society in a country, and the need to gain an overview of the mine problem at an early stage.

The approach taken to national ownership in this discussion emphasizes three interrelated aspects:

- *Government:* the formal integration of programs and initiatives within national institutions and the government, and the responsibility for policy initiation, implementation, and financial support;
- *Civil society:* the involvement, support, and sense of legitimacy shared by a relevant population, understood as the symbolic value of, and the genuine involvement of, local groups and civil society;

- *Capacity building*: strengthening the ability of people, organizations, and society to manage their affairs, constituting the *means* through which to promote national ownership.

This view of national ownership seeks to disentangle the way in which the term is often invoked. By looking at national ownership from the perspective of governments, civil society, and capacities, the approach underscores the interplay between different components. This understanding emphasizes that there is no standard recipe to facilitating ownership, and stresses the importance of designing flexible policies that can respond to the particularities of different cases.

THREE DIFFERENT EXPERIENCES

Each of the cases reviewed here - Mozambique, Bosnia and Herzegovina, and Afghanistan - represents different experiences in terms of national ownership, characterized by vastly different contexts, and histories of mine action. Nevertheless, a feature common to all is that objectives for national ownership within mine action have not been met.

Mozambique: Weak Capacities in a Weak State

After some fifteen years of mine action in Mozambique, the government's ability to direct and implement mine action remains limited. International agencies and donors are now ceasing mine action operations in the country, and Mozambique is struggling to meet its convention commitments. Mozambique has been one of the world's main recipients of mine action funding through the years (214 million USD since 1993), while contributing little on its own. The history of mine action in Mozambique can easily be read as a long series of failings. Early prognoses of the mine problem had suggested that Mozambique was among the world's most mine-affected countries; later estimates have significantly moderated these initial claims, including a Landmine Impact Survey (LIS) completed in August 2001 that has been accused of exaggerating the number of square kilometers of mined area, while missing many mined areas.

A lack of reliable data on the scope of the mine problem, combined with poor data management, has contributed to funding strategies that have hindered the fostering national ownership. Donors have exerted pressure through a reluctance to fund national institutions for fear that their control over mine action will be weakened, and instead channeled funds through commercial companies and NGOs of their own preference. Currently, there is deep concern over donor fatigue, with major operators withdrawing within the end of 2006. Donors have also become discouraged by the inability of the Mozambican government to increase its own contribution to mine action. Currently, the low level of mine accidents has led many donors to suggest that the impact of mines in Mozambique is marginal, and that funding should be allocated to other mine affected countries. The Instituto Nacional de Desminagem (IND) and the UN Development Program (UNDP) were both slow to realize that donors and international operators were pulling out, continuing to insist that the country has a large

mine problem and that funding ought to be increased. A potential collapse of donor support places the sustainability of national capacities in jeopardy.

Given the comparatively weak nature of state institutions in Mozambique, donors have exerted a relatively strong influence on the government, with ministers unlikely to turn away funding from donors even if these did not fit well with the government's priorities, vision, and agenda.. The weakness of national institutions is further reflected in civil society which remains underdeveloped, including a weak indigenous NGO sector. There has thus been a guiding perception – and one which is not unfounded – that there is little mine action competence at the local level on which to draw, and Mozambican civil society can be described as unprepared to assume responsibility for mine action. At the same time, there is little to suggest that there has been a concerted effort to identify appropriate local capacities or civil society groups that can be drawn upon, or that international actors have sought to build sustainable mine action capacities.

In the absence of strong governmental institutions, local authorities have developed their own ways of addressing humanitarian issues, further subverting planning and priority setting at the national level. A lack of information and subsequent plan to deal with the issue of landmines served to reinforce bypassing of national institutions by donors. Direct funding of international implementers may have further discouraged the development of indigenous capacities. Ultimately, the perception amongst donors and other international actors that Mozambican national institutions lack the capacity to deal with the mine issue has served to reinforce the weakness of national and civil society institutions, since little effort has been made to develop indigenous capacities.

Bosnia and Herzegovina: Integrating Mine Action into National Institutions

Bosnia and Herzegovina (BiH) has taken a number of significant steps towards national ownership. At time of the 1995 Dayton Agreement, there was a realization that BiH confronted a considerable landmine problem and that the country would require a sustainable national capacity to deal with the issue. Mines constitute a barrier to socio-economic development, given the relatively advanced industrialized nature of the country. A persistent problem, however, has been that a country-wide assessment of the mine problem has been lacking. Early on, donors and the international community saw the actual clearance of mines as more important than surveys and data gathering. Currently, only around seventy percent of all suspected mined areas have been documented, and progress on information gathering continues to lag behind, partly due to a reluctance on the part of funders. In general, BiH is becoming less and less reliant on international funds, and the mine action strategy plan approved in 2003 calls for seventy percent of mine action funding to be governmental by 2010.

With a total of 163 million USD since 1995, BiH is the sixth largest recipient of mine action funding. The main donor mechanism for channeling mine action funding to BiH has been the International Trust Fund (ITF). The ITF was attractive since the United States promised matching funds. Allocating tasks through a competitive bidding process, the ITF awards contracts to the lowest bidder, effectively drawing a range of commercial demining companies to BiH. There is little to indicate that tasks assigned

commercial companies have entailed provisions for developing local capacities, but the existence of one dominant funding mechanism has, to some degree, enhanced the overall coherence of the effort.

BiH can be said to be a relatively well-developed country with functioning governmental institutions, both at the national and local levels. Nevertheless, the current administrative structure is complex, engineered in the wake of the Dayton Peace Agreement in an effort to force previous rivals to cooperate with one another. From the perspective of developing a sustainable mine action program, there have been two major obstacles. The first has been the complex nature of the institutional structure and the separation between the two entities; the second has been allegations and the perception of corruption among officials.

Following the Dayton Peace Agreement, considerable effort was put into building civil society in BiH as a way of promoting democratic stability. Civil society, however, nevertheless remains divided and weak. There has been a heavy dependence by civic groups on international funding, coming as part of a broader effort aimed at strengthening non-nationalist alternatives to the dominant political parties. Civic groups and indigenous NGOs became contractors for the provision of services commissioned by foreign donors. There is also a pattern of dependency, whereby changes in Western priorities in the country has had a negative impact on the long-term development of local capacities. A new approach, the Task Assessment and Planning (TAP), aims to engage local communities more profoundly, in order to enhance the development impact of mine action.

Despite the relative weakness of Bosnian civil society, a number of developments have nevertheless served to strengthen capacities from the perspective of mine action. Both the entity armies and civil protection teams have been engaged in mine clearance, and several BiH companies produce mine clearance equipment. In February 2002 a new demining law was adopted. A state-level BHMAC structure and a national annual demining plan, to be closely monitored by the Council of Ministers through the Demining Commission, were created. Eight regional offices carry out the BHMAC work in the cantons. While mine action appears only moderately rooted in civil society, there has been a gradual integration of mine action into Bosnian national institutions, and ownership is relatively strong within the governmental structure.

Afghanistan: Building National Capacities in the Absence of a State

Almost five years after the Bonn agreement laid the basis for an internationally recognized post-Taliban government, Afghanistan does not have a national mine action authority. Afghanistan is widely recognized as one of the most mine-affected countries in the world, and its program to deal with landmines – initiated in 1988 - was the first humanitarian program of its kind. Over the next thirteen years, Afghanistan experienced a series of dysfunctional regimes. Today, the Karzai government has asserted its authority through presidential and parliamentary elections, but remains dependent on an international military presence. The UN has been in charge of mine action from the program's inception, finding ways to cultivate an understanding with whatever

authorities have been in place, although investing little in capacity-building. Planning for the transfer of the Afghan mine action program started in February 2004.

The Afghan program has been a pioneer in the systematic application of landmine surveys. The establishment of a solid survey capacity, maintaining a dynamic data-base that served as the basis for priority-setting, has proven pivotal for the relative success of the program. Although data may at times have been incomplete, it nevertheless served as the foundation for transparent decision-making, and has contributed greatly to the legitimacy of the program.

Afghanistan is the world's largest recipient of mine action funding (USD 515 million since 1991). The fact that mine action has been defined primarily as humanitarian relief has shielded it from the most direct impacts of conditionality. After the Taliban's relations with the international community stalemated, capacity-building with the government was virtually banned, but the humanitarian purpose of mine action allowed the sector to continue developing its organizational capacities. Hence, at the turn of the millennium, mine action was both the recipient of a major share of international aid to Afghanistan, and virtually the only sector in which systematic capacity-building took place.

Since the 1978 military coup, national institutions have been constantly deteriorating, due to massive outmigration, politicized appointments and the erosion of educational systems. Institutional capacity is limited at the center, and is even more so in the provinces. After 2001, efforts to build capacity have focused largely on the center, while the provincial administrations remain poorly equipped and subject to various political rivalries. At the same time, networks based on professional, tribal or religious commonalities have grown stronger in the face of Afghanistan's long history of conflict. There is also a sizable indigenous NGO sector, inspired in large part by the UN and various international NGOs. Most national NGOs are engaged in the implementation of relief and reconstruction aid, with a handful focusing on advocacy. Very few can be said to have a popular constituency, and there are legitimate concerns regarding their authority and transparency. After 2001, funding opportunities have multiplied, but there has been increasing criticism from government ministers and others that national and international NGOs are monopolizing resources while making little impact. A new NGO law, which was adopted in June 2005, seeks to prevent NGOs from bidding for commercial contracts.

The Afghan mine action program has functioned relatively successfully for a decade and a half, despite that it has not been made subject to government authority. The UN's decision in 1989 to establish national NGOs was motivated by the idea that those would be easily transferable to a post-conflict government. The lack of state authority over mine action in Afghanistan has in part been compensated for by strong civil society ownership. The contribution of the Afghan Campaign to Ban Landmines, for instance, run mainly by mine action agencies and international NGOs, has been very visible both internationally and within Afghanistan. On the ground, mine action implementers have communicated with local powerholders and community councils. Although local involvement in mine action could have been far more extensive – as various 'community-based' initiatives illustrate – existing interaction has contributed greatly to fostering ownership. Nevertheless, the commitment to future mine action within the

government and the administration remains relatively shallow, which remains a major threat to the program.

FOSTERING NATIONAL OWNERSHIP

1) Gaining an Overview

A cornerstone of ownership is an analysis of the country's mine problem which both engages and is endorsed by the main stakeholders. It is crucial that surveys take place at an early stage in the process. Early surveys may be relatively simple, yet strive to be as accurate as possible within limitations of time. To facilitate national ownership, relevant actors need to have access to the information, presupposing a user-friendly format. Mapping of the mine-problem needs to be an ongoing process, whereby data is updated and expanded, based on a standing survey capacity within the program.

2) Planning Strategically

The formulation of national strategic plans is the domain of the government. This is the primary instrument that governments have to assert its influence over mine action, in consultation with donors, implementers and civil society actors. Strategic plans can only be relevant if a sensible overview over the problem exists. Plans for mine action and general plans for reconstruction and development need to mirror each other. At the same time, strategic plans should not become a straitjacket, but must be sufficiently flexible to accommodate new knowledge of the problem, and to transfer concrete priority decisions to sub-national levels.

3) Funding Smartly

If donors are serious about national ownership, they need to make it the main principle behind funding decisions, even when it is at odds with other purposes that may be pursued through various forms of conditionality. International organizations – including NGOs - should be funded only if they constitute the main avenue to build national ownership, not for political and national reasons. At the same time, there needs to be awareness that the capital-intensive character of mine action has the potential to invite both conflict and misappropriation of funds, and funding strategies should be designed to avoid this.

4) Being Patient

Fostering ownership requires time. The inclination to get an operation going as quickly as possible, in the absence of a definition of the problem, prior to knowing what the relevant local capacities are, and without the commitment of existing authorities, is the best way to undermine leadership. This does not rule out limited emergency measures, but even emergency measures should be designed to enhance long-term ownership.

5) Keeping Focus

The fostering of national ownership through a collaboration of diverse actors – including national government, civil society, other states, multilaterals and international implementers – is a daunting task. It is likely to succeed only when all actors agree to prioritize it, and stick to their commitment in the long term. To keep focus may also require tough choices, and may at times be at cross-purposes with other main aims.

6) Acting in Coordination

A unified central coordination mechanism is of critical importance to building national ownership. In the absence of a coordination mechanism, programs easily become fragmented, encouraging donors to fund their selected organizations directly. At the same time, central coordination bodies should delegate authority for operational decisions, ensuring that day-to-day decisions are taken at local or regional levels, and that mine action priorities remain adaptable to unfolding development plans and processes.

7) Mapping Capacity

Mapping the capacity within government and civil society – strengths as well as weaknesses – is as important as mapping the mine problem. Local capacities, particularly within civil society, are often overlooked, and are rarely included to their best ability in mine action programs. When it comes to government capacities, there is a similar risk of overlooking the potential at the local level. At the central level, where there may be multiple claims of authority over mine action, the main challenge is to negotiate institutional arrangements as a way to empower competent and committed actors.

8) Building Capacity

Capacity-building is demanding, partly in terms of funding, but even more so in terms of human resources. For a national mine action program to be sustainable, it needs not only to build organizational and individual capacities, but also to develop the ability to do its own capacity-building in the longer term. At the coordination level, there is an obvious need for governments to take responsibility. At the implementation level, international actors play important roles, but this is problematic given that these are not always under the control of host governments, and their capacity has proven difficult to transfer to national institutions. Indigenous implementing bodies not under government control may thus be preferable, although they their transition into institutional structures is at times difficult. Capacity within civil society is equally important, but it is difficult to facilitate. Rigid standards in mine action have often prevented the inclusion of local actors – whether from the government or from civil society - in implementation roles. Once potential capacities have been identified, the most effective way of building

civil society capacity is to make sure that actors at both the local and central levels are engaged in formulating a direction for mine action.

9) Bringing Civil Society to the Center

Civil society is pivotal to national ownership. Even when there is no functioning government to take charge of mine action, strong national ownership may be formed through the involvement of civil society. The inclusion of civil society is simplest when there are strong organized actors at a central level, since those are relatively easy to relate to and to include in relevant processes. When civil society is more informally organized (even if strong), or when its strength is mainly at the local rather than the central level, it becomes more challenging to establish effective mechanisms. When civil society is loosely organized and difficult to identify, the actual implementation of projects may offer the best prospects for inclusion, engaging civil society actors both as sources of information and as contributors to projects.

10) Engaging the Government

National governments should be in charge of mine action, except in extreme cases where no functioning government exists. Even strong governments, however, may lack commitment to mine action, and may see other priorities as more important, even if obligated through the Landmine Convention. For weak governments, ownership may be a problem even when they are supportive of mine action. Weak institutional structures can have the effect of facilitating the development of mine action structures with a considerable degree of independence. Experience demonstrates that integrating such programs into governmental structures at a later stage raises a number of challenges, and that the longer the independence has persisted, the more difficult it becomes at later stage.

CONCLUDING REMARKS

National ownership of mine action is a cornerstone of the Landmine Convention. Building it, however, requires a process that is often difficult, requiring deliberate and concerted effort on the part of international actors and donors. Approaches must be based on an understanding of governmental institutions and civil society, along with existing and potential capacities. Building strong national ownership is most challenging in cases characterized by a weak government that is nominally in charge of a program. Conversely, situations where a government is strong, or where a government is weak and does not have authority over a mine action program, achieving national ownership is more likely. This does not mean that mine action initiatives should be designed with the idea of strengthening of states as its primary ambition. It simply implies that there must be a recognition of institutional conditions and constellations. The task of mine action policy should thus be to foster ownership under whatever circumstances that prevail in any given country, rooted in a sound assessment of social and political realities.