

# International Campaign to Ban Landmines Australian Network Inc.

Tel: (03) 9251 5277 Fax:-(03) 9654 2136  
Email: [australia@icbl.org](mailto:australia@icbl.org) Website: <http://australia.icbl.org>

Memorandum 82  
July 2008



## **New Treaty Bans Worst Types of Cluster Munitions**

### **Dublin Diplomatic Conference on Cluster Munitions**

At the Dublin Conference between 19 May and 28 May 110 governments negotiated a new international treaty, the *Convention on Cluster Munitions*, that will ban cluster munitions that “cause unacceptable harm to civilians.”

In addition to the government representatives 250 NGO representatives of the Cluster Munitions Coalition attended the conference. The very presence of mine and cluster munitions survivors, including some from Cambodia, Serbia, Vietnam, Afghanistan, Tajikistan and Uganda, stressed the urgent need to address the problem of these weapons.

The Australian Government delegation was 10 people, headed by the Ambassador for Disarmament, Caroline Millar, and was made up of members of the Department of Foreign Affairs and Trade (DFAT) and the Department of Defence. Two representatives of non-government organisations were also on the Australian Government delegation; Rebecca Dodd from the Australian Red Cross and Julie Boulton from World Vision. Other Australian non-government representatives in Dublin were James Turton (Austcare), Patricia Pak Poy (ANBL) and 'veteran' campaigner John Rodsted.

“While not perfect, this treaty will help on the path to getting rid of a class of weapon that has resulted in thousands of civilians being killed and maimed, often years after conflicts have ended”, said Dr Mark Zirnsak, National Coordinator for the Australian Network to Ban Landmines. “The next step will be to get as many countries to sign up to the treaty as soon as possible”.

The treaty bans all the cluster munitions that have been extensively used. Cluster munitions are exempted if the submunitions contained weigh more than 20 kg or has all the following characteristics:

- The munitions contains less than ten submunitions;
  - Each submunition weighs more than 4 kg;
  - Each submunition is designed to detect and engage a single target;
  - Each submunition is equipped with an electronic self-destruct mechanism; and
- Each submunition is equipped with an electronic self-deactivation mechanism.

Parties to the Convention committed themselves to seeing the treaty universalised.

The treaty requires that stockpiles of banned cluster munitions be destroyed within 8 years of the country becoming party to the treaty. Countries are able to apply for extensions of 4 years if they are unable to meet the 8 year deadline for stockpile destruction.

Countries that become party to the treaty agree to clear all areas contaminated by unexploded cluster munitions within 10 years. Extensions of up to five years for clearance can be applied for. The country responsible for dropping the cluster munitions is strongly encouraged to provide assistance to the country that the munitions have been dropped on for their clearance. The treaty requires that countries assist victims of cluster munitions under their control, which includes the families and communities of anyone injured by cluster munitions.

The Australian Department of Defence was able to get into the treaty the three loopholes it was seeking: Australia will be able to assist US forces in the use, transfer and stockpiling of cluster munitions, provided Australian troops themselves do not use the munitions and that Australia assesses that the use is in compliance with their understanding of the Geneva Conventions and their Additional Protocols; Australia will be able to keep the SMArt 155 artillery shells that have been recently purchased, each of which has two submunitions with the characteristics exempted by the treaty; and Australia will be able to keep an unlimited number of cluster munitions for research and training provided it believes that these are "the minimum number absolutely necessary" for the purpose.

The treaty opens for signature in Oslo in December.

Many of the major manufacturers and users of cluster munitions have stayed outside of the treaty: the USA, Russian Federation, Israel, Pakistan. However, the new treaty will put pressure on these countries to stop the production, sale and use of cluster munitions banned by the new treaty.

### **The People's Treaty on Cluster Munitions**

The Cluster Munition Coalition International, in collaboration with Mine's Action Canada and Handicap International, launched the People's Treaty on 30 May, the final day of the Dublin Diplomatic Conference on Cluster Munitions after the 111 participating governments unanimously adopted the new treaty.

The People's Treaty is a petition that people across the world can sign to make sure that as many governments as possible sign the new treaty in Oslo from 2-3 December 2008. It is only six months between Dublin and Oslo to ensure that countries will be ready to sign and ratify the treaty so that it can become binding international law.

There are two ways to sign the treaty: as an individual citizen or as a community leader representing a group, constituency, congregation or organization. Anyone can sign the People's Treaty. All signatures count! It can be signed at:

[http://www.minesactioncanada.org/peoples\\_treaty/](http://www.minesactioncanada.org/peoples_treaty/)

You could ask community leaders and VIPs to sign the People's Treaty, providing a photo and a quote to put on the website. Leaders and VIPs could include survivors, faith leaders, members of parliament, mayors, heads of well-known organisations, sports-stars, film and TV stars, musicians, artists, former and current military personnel, clearance operators, to name a few.

Landmines maim or kill over 15,000 people every year. You can help them by contributing to the Lost Sock Appeal by making an online donation. Visit [lostsockappeal.com.au](http://lostsockappeal.com.au)

**LOST SOCK APPEAL**

Donations to the ANBL's Lost Sock Appeal will go to the work of the Australian Network to Ban Landmines (ANBL). Half the money will go to projects to assist the victims of landmines and half will go to the work of the ANBL to make the treaty banning anti-personnel landmines universal, so that no more mines are manufactured, none are laid, and existing minefields are cleared.

The ANBL supports Victim Assistance projects in Cambodia, Thailand and Nepal.

The Australian Network is a volunteer organisation with no paid staff.

### **Tum Nub Village Project**

The Mines Victim and Action (MiVAC) Trust has recently conducted a rural development project in a remote land-mine affected settlement, Tum Nub, in North West Cambodia. Tum Nub is home to 150 families and in an area that is acknowledged as one of the most densely mined areas in Cambodia. Clearance will take many years.

Many people who have moved into these areas, hoping to finally find a home, are former refugees who have been shunted from area to area for years, in the main they are rural people and generally unskilled workers.



Villagers in Tum Nub

After the transient and hazardous existence they have endured for years, they hope finally to be able to establish permanent communities.. They work very hard with few tools to open up the land further and are trying to eke out a living growing corn, sesame and soya from the small plots they are able to clear and work.

Hard work, poverty, high incidence of sickness and death along with frequent land mine encounters while working in the fields are their lot. In many cases they do not even have adequate hand tool to clear or cultivate the ground. In the dry season most do not have a reliable source of water of any condition.

The MiVAC Trust heard about these communities and decided to help.

The village of Tum Nub was selected because the village was very remote, the nearest water point was 7 km away and the population includes a higher than usual number of widowed and single parent families. This is due to the high casualties suffered by the men in the fighting of 1998, and more recently landmine detonations and desertions by many of the men who had been soldiers on both sides. The population numbers and size of area made Tum Nub the ideal village to benefit most from the available funding, (\$6,000 ) The village also met the MiVAC funding criteria in that it is a landmine and conflict affected community

A MiVAC Trust member coordinated the project. Mike Roberts had previously been in the area as adviser to a local Cambodian NGO. With the advantage of local knowledge and the help an extremely competent Cambodian organization called the Cambodian Rural Development Team (CRDT); a very successful project was the outcome.

After consultation with the village members to determine what they saw as the priorities it was decided to provide some water wells, some bulk water storage jars and with any leftover funds purchase as much building material as possible for the community to construct a small building that could be used as a School and a Community Centre-the nearest is 11 km away. Ultimately the MiVAC Funds provided this small community with three pump wells, 80 300 litre household water storage jars and sufficient building materials(cement, bricks and roofing) for the construction of a 8 x 15 metre building.

Basically they now have a chance to break the cycle of poverty they have been locked in for so long. All in all MiVAC has provided a new life (the villagers' words) for around 5-600 people.

### Model Review Youth Conference Jordan

Late last year we ran an article on the Model Review Youth Conference which had just taken place in Jordan, prior to, and linked with, the 8th Meeting of State Parties to the Landmine Treaty.

The format of the Model RevCon resembled the format of an official Meeting of State Parties and Review Conference to the greatest extent possible with delegates delivering at least two focused statements at a plenary each morning throughout the week. Standing Committees met each afternoon which allowed delegates to work in smaller focused groups on the Jordan Action Plan. At the end of each day delegates stepped out of character and participated in evaluation and debriefing activities. These reflected on the day's activities and/or the longer term applications of their experiences with Model RevCon.

The importance and success of this youth involvement was demonstrated by the increased visibility and participation of youth and victims (survivors) at 8MSP. This is illustrated by the President of the State Parties Meeting allowing time for the youth to deliver a statement – the Jordan Declaration - at the MSP plenary on the final day of 8MSP. The Declaration was based on the Jordan Action Plan developed by the delegates, in Standing Committees, throughout the week. The statement was jointly delivered by a male delegate from Pakistan and a female delegate from Canada.

. Of the 51 young people:

- 26 (51%) were from regions identified as universalization targets (i.e. Asia, the Middle East, and the Commonwealth of Independent States)
- 22 (43%) were female
- 5 (10%) were landmine victims
- 12 (24%) were from 8 States not Parties
- 35 (67%) were from mine affected countries.

We applaud the youth delegates for making tangible contributions to achieving a mine free world in their lifetime.



Victim Assistance Standing Committee with Bernadette West from the ANBL.



Delegate from The Philippines (in character) delivering a focused statement at the Model Rev Con

### Memorandum Delivery

Do you have email? If you receive your Memorandum by mail but would be happy to receive it by email as a PDF file, please let us know. Email deliveries save both time and money. If you would be happy to join our email list please send a message to [lorelt@optusnet.com.au](mailto:lorelt@optusnet.com.au)