

INTERNATIONAL CAMPAIGN TO BAN LANDMINES AUSTRALIAN NETWORK INC

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Governments Agree to Treaty to Clean up Unexploded Munitions

On Friday 2 November 2003 the 92 nations that are part of the *UN Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects* (CCW) agreed to a Protocol to the treaty to deal with cleaning up unexploded munitions after a conflict ends. Governments that sign up to the Protocol agree to mark and clear, remove or destroy explosive remnants of war in affected territories under their control. The Protocol applies to unexploded munitions and unfired munitions in abandoned stockpiles.

At least 92 countries have problems with unexploded munitions, resulting in thousands of civilian casualties every year and long-term impediments to economic development.

Governments that sign the Protocol also agree “without delay after the cessation of hostilities” to give the UN and aid groups the information they need to locate and clear munitions. The signatory governments agree to help care for civilian victims of accidents involving munitions and to raise awareness about the dangers of unexploded munitions.



Models of cluster munitions used in Afghanistan.
Photo:John Rodsted

However, the Protocol is weaker than humanitarian and human rights organisations would have preferred. The language used in the Protocol does not provide clear cut obligations but uses weaker terms such as “where feasible”, “as soon as feasible”, “where appropriate”, “to the maximum extent possible”, “as far as practicable” and when “in a position to do so”. It does not put any onus on users of explosive munitions to clean up unexploded munitions they are responsible for generating. It does not cover past conflicts, but only future ones and there is an absence of deadlines by which tasks need to be completed that fails to address the urgency of the issue. The Protocol also does not include any penalties for governments that violate its provisions

It is reported by those at the negotiations of the Protocol that Australia took a weak position on its provisions.

On 13 November, 85 humanitarian and human rights organisations from 42 countries launched a new coalition, the Cluster Munitions Coalition to deal specifically with the problems generated by cluster munitions. The ICBL Australian Network is one of a handful of Australian members of the Coalition.

The Coalition called on Governments that are party to the CCW to agree to a mandate for negotiations on cluster munitions in 2004. While the call was supported by Austria, Canada, Ireland, New Zealand, Norway, Sweden and Switzerland, it was opposed by China, Pakistan, Russia and the USA.

Mark Zirnsak

[Go to page 4 to see the Action that you can take.](#)

From the National Coordinator:

Dear Readers -

Greetings of peace and hope for progress towards a mine-free world in 2004. The last edition of the Memorandum carried the story of Yan Lay, who lost both legs in a landmine accident in Cambodia early last year at least 10 years after displaced Cambodians were repatriated because hostilities had ceased and some thought it was 'safe enough' to return.

We have just completed 10 years of the formal Australian campaign. Thank you for your support over the years. It was the strong base of support among the Australian people that gave the impetus to government to sign the Ottawa Convention prohibiting antipersonnel mines, (243,000 people signed the petition to government in 1995).

We commend the Government for promptly implementing the Convention through its pledge of AUD100 million over ten years for Mine Action. That pledge comes to an end in 2005. Australia does not manufacture antipersonnel mines and it has destroyed its stockpile except those kept for training purposes. The Mine Action programme has provided funding for working to universalise the Convention, has provided for the clearance of land mainly in Cambodia, and has given assistance for the re-training and rehabilitation of survivors.

Yan Lay is one of these survivors - but only one of some 15-20,000 people still being injured by antipersonnel mines each year, many of them children with a lifetime of disability from mines ahead of them.....to say nothing of the affected families and communities.

The Australian Network is now urging the Government to renew its pledge of funding for Mine Action for another decade....and to prepare for that in the Budget process for 2005 now.

Please continue to support the Campaign and its work. Take your action from where you are: talk to your friends and colleagues, sign the postcard of petition, write to your Member of Parliament about this, send us a donation.....help build the peace and a mine-free future.

Patricia Pak Poy, National Coordinator

NEWS FROM
TASMANIA

The Mines Victims and Clearance Trust (MIVAC) is busy in Tasmania providing assistance for mine-affected areas and victims of landmines.

In the next few months, MIVAC plans to:

- 1. Assist landmine victims in Sri Lanka.
- 2. Help carry out a village project in Pailin, Cambodia.
- 3. Assist with supplying materials for teaching sewing skills to women in Pailin, Cambodia.

Money raised in Tasmania has recently been sent to the Sunrise Children's Village in Phnom Penh and Tun Channareth's wheelchair project through the Jesuit Refugee Service.

Gil Paxton Tasmanian Coordinator

Landmine Action Week 14-23 May 2004

We are delighted to advise that the Australian Network of ICBL and Austcare are jointly presenting Landmine Action Week from the 14th to the 23rd May 2004. During the week we will seek to promote Australia's efforts to eliminate landmines, assist landmine survivors and encourage support for the Ottawa Convention (Mine Ban Treaty) with a special emphasis on the Asia/Pacific region.

An exciting programme is in the process of being finalised. Sydney will be the focal point with an Exhibition and a two day Conference to be held at the National Maritime Museum, Darling Harbour. At the same time in each State, Network Branches and Austcare Offices will be combining to provide local events.

We would welcome the participation and support of our Endorsing Agencies in this initiative.

Final programme details will be provided in our next Memorandum. In the meantime if you are interested in participating or require more information, please contact Gerald Hinton -ph (08) 83372250 - email hinton@senet.com.au, your State Coordinator or australia@icbl.org

Labor Party Supports Partial Ban on Anti-Vehicle Mines

After a year of lobbying by the ICBL AN and its members, the Labor Party National Conference adopted into party policy support for a ban on mines designed to blow up vehicles (anti-vehicle mines or AVMs) that are fitted with devices designed to kill people trying to remove the mines (anti-handling devices). The Government is yet to declare its position on such mines, despite the terrible consequences such mines have on civilian communities and the Government's strong support for the ban on anti-personnel landmines.

The Labor Party policy position stopped short of supporting a complete ban on AVMs. Both Labor and the Government support further regulation and restrictions on AVMs, such as making them detectable or having them fitted with self-destruct devices after a certain length of time. The problem with self-destruct and self-deactivation devices is that they always have a failure rate, so that there will always be some live mines left behind and any mine that has not self-destructed needs to be treated as potentially live.

However, restrictions rather than a ban are likely to only have a limited impact on the current use of anti-vehicle mines. By comparison, it has been the ban on anti-personnel landmines that has almost eliminated their trade, curbed their use and reduced annual casualties from anti-personnel mines globally.

The ICBL AN has obtained the support of the Greens and the Democrat Senators for a complete ban on AVMs.

While 150 countries in the world have agreed to a ban on anti-personnel landmines and only a handful of those that have not signed continue to be caught exporting landmines, countries have not agreed to a ban on anti-vehicle mines. Like anti-personnel landmines:

- Anti-vehicle mines go on killing and maiming (mainly killing, as anti-vehicle mines are many times more powerful than anti-personnel landmines) long after conflicts have ended;
- Anti-vehicle mines have an even greater effect in stopping or delaying the movement of essential goods and humanitarian aid in impoverished mine effected countries than anti-personnel landmines. Anti-vehicle mines can create a many-fold increase in the cost of the shipment of essential goods and humanitarian aid if air-lifting becomes necessary. The number of people who die and suffer as a result of the impact of anti-vehicle mines on the transport of essential goods and humanitarian aid is likely to greatly outnumber the number of people killed and maimed directly by anti-vehicle mine instances; and
- Anti-vehicle mines are indiscriminate, they fail to distinguish between civilians and military personnel.

Australia's Obsolete Stock of AVMs

Questions from Democrat and Greens Senators have revealed that Australia's stock of anti-vehicle mines are obsolete and are only used for training purposes. The Government is currently looking at options to replace them. Thus, now is the time to deter the Australian Government from purchasing more anti-vehicle mines.

Mark Zirnsak

What you can do- Write polite letters to the Government Ministers listed below and to your local MP.

The Hon. Alexander Downer
Minister for Foreign Affairs
Parliament House
Canberra Act 2600

Senator The Hon Robert Hill
Minister for Defence
Parliament House
Canberra ACT 2600

SCOUTS JAMBOREE HEARS ABOUT LANDMINES

The Scouts hosted a display, watched a clearance demonstration and saw videos on the impact of landmines and related issues at the Jamboree in the Adelaide Hills SA in January. Gerald Hinton (SA Coordinator) worked with Stephen Walker to have this in place for some of the 11,000 scouts at the Jamboree.

NEWS ITEMS

INTERSESSIONAL MEETINGS – 9-13 February
2004, Geneva

Loren Persi (ACT Coordinator) represented the Australian Network at these meetings which monitor the progress of the Ottawa Convention. Preparations are also being made for the first Review Conference of the Convention to be held in Nairobi 29 November- 3 December 2004. Australia as a State Party is co-chair of the Standing Committee on Victim Assistance for this review.

PLANS FOR A WORKSHOP TO BE HELD IN
CHINA

The Australian Network is planning with the China Arms and Disarmament Association a small workshop on landmine issues to be held in China on 26-28 April 2004.

Universalising the Convention Prohibiting Antipersonnel Mines

151 countries have signed the Convention – with 11 still to ratify. 10 years ago no country wanted a ban on antipersonnel mines!

We progress.

Renewed Funds for Mine Action.

Postcards and an on-line petition are available for you to ask the Australian Government for a renewed pledge of AUD 150 million for mine action over the decade 2006-2015. Collect cards from your state coordinator or contact australia@icbl.org and sign the petition on our website <http://australia.icbl.org>

ACTION FOR CLEANING UP EXPLOSIVE REMNANTS OF WAR.

From Page 1

Write polite letters to:

The Hon Alexander Downer MP
Minister for Foreign Affairs
Parliament House
Canberra ACT 2600
Salutation: Dear Minister

Senator the Hon Robert Hill
Minister for Defence
Parliament House
Canberra ACT 2600
Salutation: Dear Minister

Points to make in your letter:

- Express concern that explosive remnants of war represent a similar deadly legacy from armed conflicts as posed by anti-personnel landmines.
- Urge the Australian Government to support a moratorium on the production, transfer and use of cluster munitions and to a ban of submunitions that have already been demonstrated to generate large humanitarian problems in places where they have been used.
- Ask that the Australian Government become a party to Protocol V to the *Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects* (CCW) that deals with minimising the post-conflict humanitarian impact of unexploded ordnance.