

The Oslo Process: towards a ban on cluster bombs

Following the failure of the UN Convention on Certain Conventional Weapons (CCW) to agree to urgent action to address the humanitarian impact of cluster munitions at the third review conference in November 2006 – despite five years of discussions around the issue and calls from 30 nations in support of negotiations – the Norwegian government announced its intention to establish a new international process to agree a treaty on cluster bombs.

A growing coalition of countries

In February 2007, the Norwegian Government launched its new initiative with a meeting of states in Oslo. At the end of the conference, 46 nations including the UK, agreed to a declaration committing to conclude a treaty banning cluster munitions by 2008. The second meeting of states took place in Lima in May 2007 with 27 additional nations joining the Oslo Process.

Participants in the new process now cover the five world regions and include 19 producer states, 7 states that have used cluster munitions, 34 stockpilers, and representatives from 11 states affected by the weapons. There are also 20 states not party to the CCW participating in the Oslo process making it a much more open and globally representative forum for addressing this issue.

The Cluster Munition Coalition (CMC), of which Landmine Action is a co-chairing member, held civil society forums and parliamentary meetings in parallel to main meeting of states. These forums have been very effective in raising awareness of the cluster munitions issue and the new treaty process amongst governments, campaigners and media internationally, as well as allowing close monitoring of and response to state positions.

Regional meetings for states and national campaigners are being held throughout the treaty-building process including events in Costa Rica, Zambia, Serbia, Egypt and Belgium during 2007.

The next meeting of states in the Oslo Process will take place in Vienna in December 2007. Subsequent meetings have been scheduled for Wellington in February and Dublin in May/June 2008.

Who is taking part?

Following the Lima conference, the states participating in the Oslo process comprise:

Afghanistan, Albania, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Burundi, Cambodia, Canada, Chad, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea Bissau, Holy See, Hungary, Iceland, Indonesia, Ireland, Italy, Japan, Jordan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritania, Mexico, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tanzania, Thailand, Uganda, UK, Venezuela, Yemen and Zambia.

Our role

Landmine Action will continue to work with the CMC to increase the number of states supporting the new treaty process and to monitor and engage with participants to ensure the strongest possible treaty to protect civilians from the impact of cluster munitions.

For more information on the international campaign and the Oslo Process, visit the CMC website at www.stopclusterbombs.org.

UK policy on cluster munitions

Background

A cluster bomb, or cluster munition, consists of a container filled with smaller explosive submunitions, or bomblets. These containers might be dropped from aircraft or fired from the ground, breaking open in midair to release the submunitions and saturating an area the size of several soccer pitches. Anybody within that area, be they military or civilian, is likely to be torn apart.

Cluster munitions pose an excessive threat to civilians both at the time of use and long after.

- Civilians are likely to be killed or injured at the time of use because cluster munitions scatter explosives over such a wide area and,
- as so many of the submunitions fail to work properly, huge quantities are left lying on the ground and, like landmines, remain lethal to anyone in the area.

The UK has used thousands of cluster munitions in conflicts including in Kosovo and Iraq.

UK policy – recent changes

The UK has a long record of inconsistency with regards to its position on cluster munitions. As one of the world's biggest users of cluster munitions, the UK has until very recently been reluctant to address the humanitarian problems caused by the weapons.

Following the launch of Landmine Action's Product Recall campaign in 2006, the UK's policy position on cluster munitions changed significantly. As recently as November 2006, UK representatives asserted that no specific action on cluster munitions was necessary and that they would not consider joining any process outside of the UN Convention on Certain Conventional Weapons (CCW).

However, in joining the Oslo process to work towards an international treaty on cluster munitions and subsequently announcing in March 2007 the withdrawal from service of its BL755 and M26 submunitions – two of the four cluster munition types in its stockpiles – the UK government has made significant steps towards an improved policy. Unfortunately, the UK has retained its stocks of Israeli manufactured M85 submunitions for use, claiming that the presence of a self destruct mechanism addresses the risk to civilians from unexploded submunitions.

The UK's decision to retain the M85 calls into question its commitment to the protection of civilians. Field evidence has shown that self-destruct mechanisms do not address the humanitarian concerns about the use of cluster munitions and a treaty containing such exemptions will provide inadequate protection to civilians from the effects of these weapons. Research by Landmine Action and other organisations has shown that the M85's self-destruct mechanism often fails to function in combat conditions, thereby continuing to pose a significant risk to civilians. The UK has undertaken no such field research to back up its claims that these weapons do not present a humanitarian problem.

During the Lima conference in May 2007, the UK advocated for an approach that would exempt broad categories of cluster munitions from a prohibition, including those with self-destruct mechanisms such as the M85. Through such an approach the UK is working to undermine the humanitarian protection provided by a future treaty – not to strengthen it.

Final steps

The pace of development in the UK's position on cluster munitions during 2006 and 2007 illustrates the impact of sustained public pressure and direct lobbying by NGOs based on extensive research. This will need to be maintained throughout 2008 to ensure a strong treaty protecting civilians from the effects of these indiscriminate weapons.

The UK government should take the final steps to a domestic policy that will genuinely protect civilians and establish a basis for leadership on this issue internationally.