

# campaign

## Explosive Remnants of War

In recent years there has been growing recognition of the humanitarian and military problems caused by unexploded ordnance other than anti-personnel mines. Conflicts leave behind debris which can include unexploded artillery shells, anti-vehicle mines, grenades, mortars, rockets and bombs.

An important UN meeting is to discuss new international law on cluster bombs and other 'Explosive Remnants of War'. This could include specific rules on the use of cluster bombs, and comprehensive provisions for dealing with their post-conflict impact on communities. But will it deliver an agreement that will make a real difference to people's lives?

**Read the full story inside.**

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**An awareness poster warns Cambodian children about the dangers of unexploded ordnance.**

# Landmine Action Week



Raising awareness in Kenilworth: Norman Springall (VSO), Valerie Powell (Sorooptimist International), Philip Bushill-Matthews, MEP, Felicity Bunder (the Mayor), Richard Lloyd (Landmine Action). Photo: Leamington Spa Courier

There was a wonderful response to Landmine Action Week amongst individual and community group supporters, as well as our member

organisations. A wide range of events were held throughout the country, such as public meetings in Kenilworth and Gravesend, church bell-ringing

quarter peals in the Tyne Valley, a sponsored gym workout in Sutton Coldfield, a Casino Evening in Birmingham, and coffee mornings. Landmine Action representatives gave talks around the country, strongly supported by Russell Gasser, Joseph Rowntree Quaker Fellow 2001.

Richard Wilson launched the Week with an appearance on GMTV. Other media attention focused on local activities, including an interview with BBC Radio Suffolk and articles in local papers. If you have any press cuttings from your event, please send a copy to Landmine Action.

Landmine Action would like to say a warm thank-you to all of you who contributed to the success of the week – your activities are vital to the continuing strength of the campaign.

● **Action packs are still available if you are looking for inspiration and videos about the Ottawa Treaty and mine action work can be borrowed from us, telephone 020 7820 0222 or email [info@landmineaction.org](mailto:info@landmineaction.org).**

## Cluster bomb campaign

Cluster bombs have been high on the political agenda. Landmine Action Week and the conflict in Afghanistan focused people's attention on the indiscriminate nature of bomblets that fail to work as intended or miss their target.

Landmine Action and The Diana, Princess of Wales Memorial Fund sent a joint letter in mid-October to the Prime Minister and to the US Ambassador calling for an urgent rethink on the use of cluster bombs in Afghanistan by US forces.

A second letter published in The Times urged the UK to seek urgent assurances from the US that they will not only cease using cluster munitions from now on, but also take responsibility afterwards for the complete clearance of all unexploded bomblets. Regrettably, Tony Blair recently rejected calls in Parliament to take this message to President George W Bush.

Tens of thousands of postcards

(pictured above) have been distributed, urging local MPs to take action on the use of cluster munitions. In an unusual move, the Minister of State for the Armed Forces, Adam Ingram MP, sent a letter to every MP outlining the position of the government in response to the high number of cards received, highlighting the impact of the campaign so far.

Many supporters have found replies from their MPs far from satisfactory. Pointers for

further action are outlined on the back page.

The forthcoming UN Convention on Conventional Weapons Review and the continuing debate on explosive remnants of war means that pressure on the governments involved needs to be sustained. If you want more postcards free of charge, please contact us. An electronic version can also be sent from our website, [www.landmineaction.org](http://www.landmineaction.org).



# Ottawa Treaty update

The lead-up to the Third Meeting of States Parties to the Ottawa Treaty encouraged more countries to ratify the treaty. Attendance at the meeting in Nicaragua during September was good despite the tragic events in the US the previous week.

The International Campaign to Ban Landmines was pleased with an Action Plan on the use of mines by armed opposition groups or Non-State Actors. And Uganda and Burundi declared their willingness to allow investigations into allegations of mine use (see the factfile on Landmine Monitor Report).

Disappointingly, there were no major announcements, particularly regarding mine action funding. Another frustration was a lack of action on anti-vehicle mines with anti-handling devices.

As of 5 December 2001, 142 countries had signed and 122

countries had ratified/acceded or approved the Treaty.

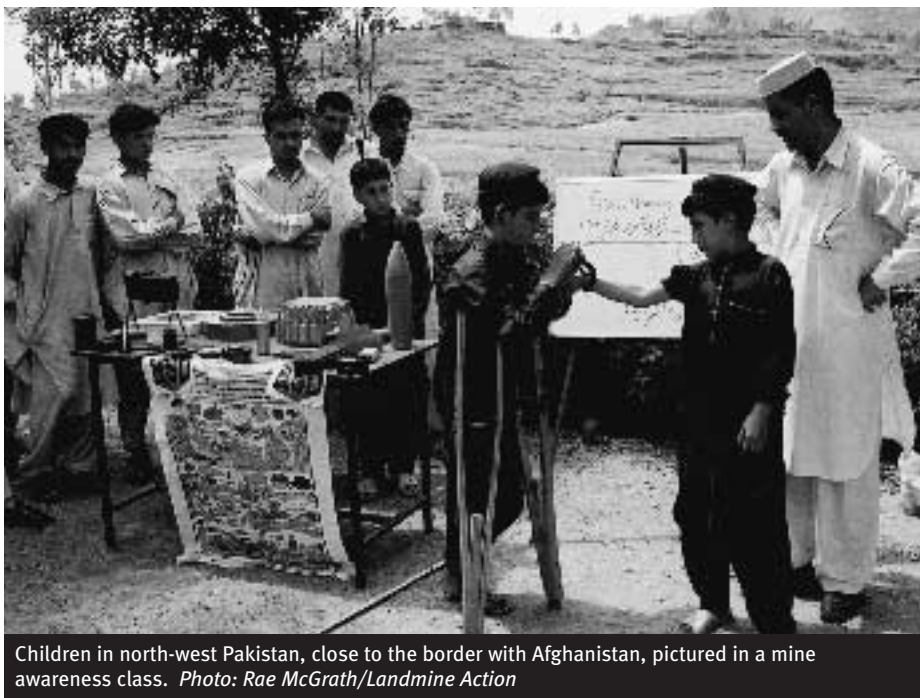
Latest ratifications: Algeria (9 October), Chile (10 September), St. Vincent and the Grenadines (1 August), Uruguay (7 June), Guinea-Bissau (22 May), Cape Verde (14 May), Malta (7 May), Sierra Leone (25 April).

Latest accessions: Nigeria (27 September), Eritrea (27 August), Congo Brazzaville (4 May)

Countries that had not signed the 1997 Ottawa landmine Treaty as of 6 December 2001 include Afghanistan, Armenia, Azerbaijan, Belarus, Central African Republic, China, Cuba, DR Congo, Egypt, Estonia, Finland, Georgia, India, Iran, Iraq, Israel, Kazakhstan, Laos, Latvia, Lebanon, Libya, Morocco, Myanmar (Burma), Nepal, Oman, Pakistan, Russia, Saudi Arabia, Singapore, Somalia, Sri Lanka, Turkey, United Arab Emirates, United States of America, Uzbekistan, Vietnam and Yugoslavia.

## Afghanistan/Pakistan Appeal

Landmine Action's appeal to help protect Afghan refugees and displaced people has managed to raise over £2,500 thanks to generous donations from our supporters. The money will go to HALO Trust's mine clearance programme in Afghanistan and a mine awareness project in Pakistan run by the local organisation HSD, with support from MAG. See the Afghanistan country profile on page 6.



Children in north-west Pakistan, close to the border with Afghanistan, pictured in a mine awareness class. Photo: Rae McGrath/Landmine Action

### In brief

#### Photographic exhibition

The thought-provoking photographic exhibitions by John Rodsted and John Downing have been touring the country over the past few months, visiting Norwich Cathedral, Edinburgh, Birmingham and London amongst other places. If you would like to borrow the exhibition for an event, please contact the office.

#### New website

The Landmine Action website update is nearly complete. Recent reports can be downloaded and donations accepted on-line. New resources such as postcards and posters will be available for purchase in the near future.

Visit [www.landmineaction.org](http://www.landmineaction.org).



#### Parliamentary Landmine Group

Twenty-two MPs and peers, representing all parties, attended a packed meeting where they heard General Sir Hugh Beach and Rae McGrath speak about cluster bombs.

Landmine Action was disappointed that all four defence ministers claimed they had prior engagements despite months of notice from the Committee Chair.

Rae McGrath said: 'to dismiss our concerns, and those of Parliament, with the offhand assurance that 'cluster bombs are legal' is to display a careless disregard for the many people whose lives are placed at risk through the use of these weapons.'

# Explosive Remnants

Cluster bombs are in the news again. The US bombed Afghanistan with at least 600 weapons containing about 122,000 small yellow bomblets.

From past experience, that means about 12,000 will be left on the ground, live and dangerous. Landmine Action led calls for an end to the use of cluster bombs in Afghanistan, not least because the US also dropped more than two million small yellow food packets in the same areas – a move likely to encourage civilians to pick up unexploded bomblets.

Now the UK, US, and 86 other governments that have ratified the Convention on Conventional Weapons have agreed to discuss new international law to deal with the problems caused by such unexploded ordnance or 'explosive remnants of war'.

## Past controls

In 1980 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' was negotiated. Often referred to as the 'Inhumane Weapons Convention' or the 'Convention on Conventional Weapons' (CCW), signatories agree that 'the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited'. There are three protocols to the Convention:

**Protocol I** – prohibiting the use of weapons that injure primarily with fragments that escape detection by x-rays;

**Protocol II** – restricting the use of landmines, booby traps and other devices; and

**Protocol III** – restricting the use of incendiary weapons.

The first Review Conference for the Convention, held in 1996, adopted a new **Protocol IV** prohibiting blinding laser weapons which is now in force with some 60 governments.

It also enhanced measures on landmines with the addition of an amended Protocol II. Widespread dissatisfaction with the outcome of



Mortar bombs left behind after war are a real danger to civilians.  
Photo: John Rodsted/Landmine Action

these negotiations led to the process culminating in the Ottawa Treaty banning anti-personnel mines (APMs).

## The process

The Second Review Conference is to be held in Geneva from 10-21 December 2001. This will consider proposals for restrictions on anti-vehicle mines, on extending the scope of the Convention so that it deals with internal and international armed conflict, and on measures to ensure that governments comply.

Interest in cluster munitions and other Explosive Remnants of War (ERW) has generated a degree of momentum and potential for progress, as many governments have been briefed in recent months by Landmine Action and other non-governmental organisations (NGOs) about the problem and potential solutions.

However, in contrast to the continuing Ottawa Treaty process on APMs, non-governmental organisations are not permitted to participate except when invited by governments to do so. The real

negotiations take place in private.

More importantly, the Conference's need to reach a consensus increases the likelihood that any eventual agreement will only represent the lowest common denominator.

Despite the problems, NGOs closest to the process agree that for the present at least this is the right forum to seek action on the major proposals being put forward.

For example, one set of proposals aims to deal with problems caused by unexploded cluster munitions. According to the US, 21 of 28 known producers of cluster munitions are parties to the CCW.

## The proposals

The International Committee of the Red Cross (ICRC), strongly supported by Landmine Action, have put forward a series of solutions. These proposals aim to prevent the possibility of munitions failing to explode, to provide warnings to civilians, and to ensure rapid clearance of remaining unexploded ordnance (UXO).

The first principle of these is that

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the users of munitions, including cluster bombs, should take responsibility for the clearance of unexploded ordnance. Secondly, technical information to facilitate clearance should be provided to clearance organisations immediately after the end of active hostilities, including types of ordnance used, geographical locations and render safe procedures. And thirdly, the users of munitions likely to have a long-term impact should provide appropriate warnings to civilians.

In addition, because of their potential to cause civilian casualties during conflict as well as post-conflict, there is a specific proposal on the targeting of cluster submunitions – a prohibition on their use against military objects located in concentrations of civilians. This would build on existing humanitarian law prohibiting indiscriminate attacks and would be similar to Protocol III of the CCW, which prohibits the use of air-delivered incendiary weapons against any military objective located within a concentration of civilians.

Of the technical solutions proposed, discussions have chiefly focused on fitting self-destruct mechanisms to cluster bomblets and other submunitions, with the intention that they explode soon after impact if the primary detonation mechanism has failed.

Governments look set to agree that these issues should be considered in detail by a Group of Governmental Experts. A draft mandate for this group sets out aspects to be considered ranging from which types of munitions cause civilian casualties after a conflict, possible technical improvements, what provisions might be made for post-conflict responses, and what, 'if any', legally binding instrument is appropriate. It requires the Expert Group to work 'in an 'expeditious' manner [so] as to prepare for an early decision by States Parties on whether to proceed' with negotiations that could result in a new **Protocol V**.

## Obstacles

Despite encouraging progress already made towards reaching a better understanding of the issues to be discussed at the Review Conference, substantial obstacles remain to be overcome.

For the ERW proposals, the draft mandate for an Expert Group is a missed opportunity in two ways. It does not give the Expert Group the right to negotiate – it can only make recommendations. And although the draft asks the Expert Group to act 'expeditiously', the lack of a clear deadline increases the risk that discussions will not move forward with anywhere near enough urgency.

Assuming a mandate is agreed by the Review Conference in December, there are a number of issues for the Expert Group to grapple with:

First, what munitions should be covered. Options include a weapon-specific approach, or a comprehensive one that either deals with all fuzed munitions or those that have certain effects on civilians.



One casualty caused by explosive remnants of war in Sudan.

Photo: John Rodsted/Landmine Action

Secondly, should measures requiring self-destructing munitions be applied only to future production or should there be a requirement that applies to existing stocks? Should older munitions that do not meet some standard of reliability be phased out, and an export ban imposed? And what level of reliability should be required?

Thirdly, what are the best ways and means for dealing with the post-conflict impact, such as providing warning to civilians and UXO clearance. Some states have spoken against there being any shift to user responsibility for ERW. They question who should be legally responsible for clearance of territory not under the control of the user, and to what standards clearance should be required.

## Encouraging signs

There are encouraging signs that signatories to the CCW have recognised the need to breathe new life into the Convention. During preparatory meetings earlier this year governments have repeatedly recognised an overlap between military and humanitarian needs: explosive remnants of war, including cluster bombs and landmines, impede military operations, endanger civilians, and disrupt the transition to peace.

But it remains to be seen whether there is sufficient political will to translate this recognition into effective new legal instruments that tackle humanitarian problems. Resistance to allowing expert NGO input needs to be overcome, because without their balancing input, many defence ministry representatives inevitably prioritise minimising the 'burden' on military commanders. The challenge for the CCW states is to move forward with urgency and in a way that rebuilds the credibility of this important international law.

# Afghanistan

**Afghanistan remains one of the nations most affected by mines and unexploded ordnance (UXO), despite the efforts of a decade-long co-ordinated mine survey and clearance programme. They kill and maim more civilians than in any other country. The situation will only have worsened with the conflict in Afghanistan, although some mine clearance operations have now been able to resume.**

Last year alone, 1,114 mine and UXO casualties were recorded. The number of reported victims had decreased to 88 per month, although it is believed the same number again went unreported. It is now feared the number will have increased as refugees and internally displaced people roam into unfamiliar mine-affected territory.

More than half the victims in 2000 were children, and more people were killed or maimed by UXO than landmines. Almost 50 percent of mine victims in Afghanistan are believed to die before reaching a medical facility.

## A long-term threat

Landmines also pose a serious long-term threat to the civilian population having been planted in farmland, villages, cities, grazing land, and along roads to prevent refugee return and the farming of fertile areas. Other UXO seriously exacerbates this situation.

The country was heavily mined



during the Soviet occupation and the communist regime between 1980 and 1992. Since then various armed groups involved in internal fighting have used mines extensively for defence and warfare.

Landmines and UXO contaminate more than 700 million square metres of land, according to the United Nations Mine Action Programme in Afghanistan (MAPA). Almost half is classified as high priority land and will take around seven to ten years to clear. The full extent of the landmine problem is difficult to determine as some areas were previously inaccessible and the situation will have changed with recent events.

Afghanistan remains a non-signatory to the Ottawa Treaty. In 1998 the Taliban announced a decree banning anti-personnel mines nationally. During 2000, Landmine

Monitor found no evidence of anti-personnel mine production. However, the Taliban claimed Iran and Russia continued to send landmines to the Northern Alliance. Both sides have accused each other of laying new mines in frontline areas and renewed use during the current conflict will only be confirmed once accessibility has improved.

## Clearance

Eight organisations are engaged in mine and UXO clearance in Afghanistan. Between 1990 and 2000 over 224 million square metres of minefields and about 320 million square metres of former battle areas were cleared of mines and UXO. In the same period 215,908 anti-personnel mines, 9,897 anti-tank mines, and 1,305,558 different types of UXO were detected and destroyed.

Funding is an area of concern for organisations in Afghanistan. In 2000, MAPA experienced a severe funding shortfall, resulting in it reducing its operations by 50 per cent during the last quarter. There is a fear that if the funding crisis continues, it will result in the loss of human resources and experience that have developed over a long period of time.

The limited aid for victims comes mainly from national and international non-governmental organisations. But rehabilitation centres often fail to meet the specific needs of landmine victims.

Mine awareness education is carried out throughout Afghanistan and for returning refugees in Pakistan and Iran.

Landmine Action is calling for its supporters to help protect Afghan refugees and internally displaced people both in Afghanistan and in neighbouring Pakistan. Civilians on the move are increasingly at risk from landmines and UXO. And the need for mine clearance to resume is greater than ever.

● **Donations can be made online at [www.landmineaction.org](http://www.landmineaction.org) or you can call the office for more details on 020 7820 0222.**

## Sources:

Landmine Monitor Report 2001  
HALO Trust, [www.halotrust.org](http://www.halotrust.org)  
Landmine Survivors Network,  
[www.landminesurvivors.org](http://www.landminesurvivors.org)



Pushtoon children in Paktia, Afghanistan. Photo: Don Smith

# Landmine Monitor Report 2001

**Landmine Monitor Report 2001: Toward a Mine-Free World was launched at the Third Meeting of States Parties to the Ottawa Treaty in Nicaragua this September.**

## Findings 2000/2001

Despite progress, anti-personnel mines are still being laid, continuing to cause deaths and injuries. Ninety countries are affected by landmines and unexploded ordnance, including the recent additions of Macedonia and Uzbekistan.

The report found there were new casualties caused by landmines in 73 countries, including many of the world's poorest. Mine clearance or aid for victims is underway in fewer than half of these. The greatest number of new casualties were found in Afghanistan, India, Angola, Cambodia, Northern Iraq and Burma.

New use of anti-personnel mines in 23 conflicts was reported by as many as 15 governments and at least 30 non-state actors. The most regular mine use is probably taking place in Russia (Chechnya), Sri Lanka, and Myanmar (Burma) by both government and rebel forces.

Amongst its other findings, there was evidence that indicated a strong possibility of the use of anti-personnel mines by Uganda, which has ratified the Ottawa Treaty. Angola acknowledged use of anti-personnel mines although it is a signatory and it is likely that two other signatories, Ethiopia and Sudan, used them between 2000 and May 2001. There are also unconfirmed allegations that Rwanda and Burundi used them whilst signatories.

## The UK report

While the UK has played an important role in promoting the Treaty internationally, continued concerns

were expressed in the report about British Army stockpiles of anti-tank mines which could have the same effect as anti-personnel mines. UK-made anti-tank landmines threaten civilians in most of the worst-affected countries of the world because their fuzes are sensitive enough to be accidentally triggered by a footstep.

## Toward a mine-free world

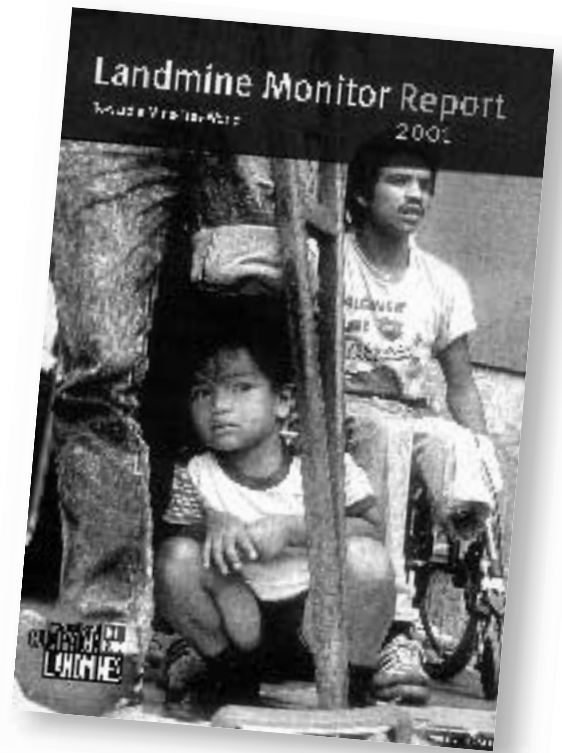
More positively, over the past year more countries have ratified or acceded to the treaty and there have been a number of new signatories (see the Ottawa Treaty update on p3). Encouragingly, several of the hold-out countries have indicated their intention to ratify or accede in the near future including Chile, Greece, Turkey and Yugoslavia.

Twenty-nine countries have reported completely destroying their stockpiles of anti-personnel mines, and another 19 are in the process. More than 27 million anti-personnel mines have been destroyed by over 50 nations, including around 5 million in the last year.

However, there remains an estimated 230-245 million anti-personnel mines in the stockpiles of 100 nations, including many of the most important countries yet to sign the Ottawa Treaty: China, Russia, the United States, Ukraine, Pakistan and India.

There has also been a drop in production with the number of producers decreasing from 55 to fourteen in recent years. This year Turkey and Yugoslavia were removed from the list of producers.

The amount of demined land has increased. In 2000, eight of the largest humanitarian mine/unexploded ordnance clearance programmes cleared a combined total of more than 195 million square metres of land,



including Afghanistan, Angola, Bosnia and Herzegovina, Cambodia, Croatia, Kosovo, Laos, and Mozambique. Bulgaria completed clearance and is now mine free.

## Background

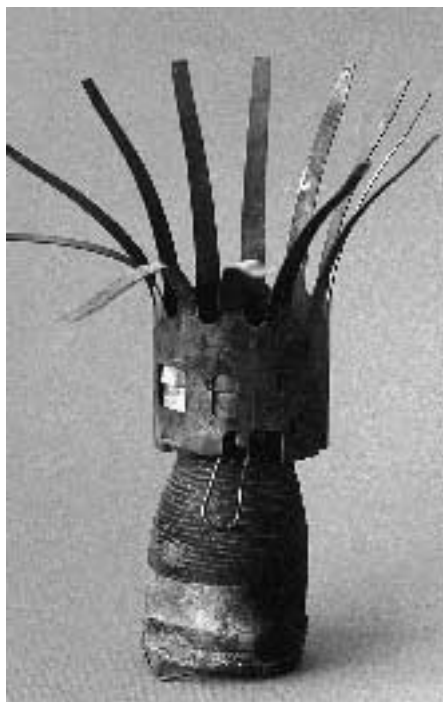
The International Campaign to Ban Landmines, of which Landmine Action is the UK section, established the Landmine Monitor Report in 1999. It monitors the implementation of and compliance with the 1997 Ottawa Treaty, and assesses the efforts of the international community to resolve the landmine crisis.

The report contains information on every country in the world with respect to the use, production, transfer, stockpiling, mine clearance, mine awareness, and survivor assistance. One hundred and twenty-two researchers from 95 countries were used to gather information for this year's report.

● You can access Landmine Monitor Report 2001 from our website, [www.landmineaction.org](http://www.landmineaction.org) or order the book using the enclosed form.

# What does your MP say about cluster bombs?

Many supporters have contacted their MPs, which prompted an unprecedented response by Minister of State for the Armed Forces, Adam Ingram MP. He wrote to all Members of Parliament on 30 October 2001. He said:



British cluster bomblet dropped on Kosovo.  
Photo: Giovanni Diffidenti/Landmine Action

'In recent weeks over 100 Members have written to Geoff Hoon, Lord Bach or myself seeking views... about cluster bombs and unexploded ordnance... The issue of cluster bombs is complex. Neither their military utility nor their legality is in doubt... we need to ensure that essential military capability is maintained. Therefore we do not believe it is appropriate to ban the use, manufacture and sale of cluster bombs.

'My officials are actively involved in preparatory discussions for the Review Conference for the UN Convention on Certain Conventional Weapons, scheduled for December 2001, which will discuss proposals to reduce the hazard to civilians from UXO... Our central aim is to work towards a practical solution that secures our necessary military capability as well as addressing the humanitarian concerns.'

This response is misleading and unconvincing for a number of reasons:

- the MoD's own website says that the RAF needed to procure the Brimstone missile because British cluster bombs, 'the BL755 weapon [that] was becoming increasingly ineffective against modern armour';
- the MoD appear set to argue at the CCW Conference against a comprehensive legal requirement for the clearance of unexploded ordnance

by users, arguing that this is difficult when the user does not have control over the affected territory;

- and the legality of a weapon depends in part on whether its impact on civilians at the time it is used is disproportionate to the military advantage gained. Where cluster bombs are used in circumstances in which it can be expected that they will cause unacceptable post-conflict civilian casualties and act as an obstacle to reconstruction, and when

they are targeted in ways which fail to distinguish between soldiers and non-combatants, **the legality of using cluster bombs must be in doubt.**

**If you have had a reply from your MP containing the points made by the Defence Minister, please respond using the information in this newsletter. Let us know when you get a reply.**

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Landmine Action consists of the following co-operating organisations:

ActionAid • Action for Southern Africa • Action on Disability and Development • Adopt-a-Minefield (UK) • Afghanaid • Amnesty International UK • CAFOD • Cambodia Trust • Campaign Against Arms Trade • Child Advocacy International • Christian Aid • Comic Relief • Concern Worldwide • Disability Awareness in Action • Environmental Investigation Agency • Global Witness • Handicap International (UK) • Hope for Children • Human Rights Watch • International Alert • Jaipur Limb Campaign • Jesuit Refugee Service • MEDACT • Medical & Scientific Aid for Vietnam Laos & Cambodia • Medical Educational Trust • Merlin • Mines Advisory Group • Motivation • Mozambique Angola Committee • Omega Foundation • One World Action • Oxfam GB • Pax Christi • Peace Pledge Union • People and Planet • POWER • Quaker Peace & Service • Refugee Council • Royal College of Paediatrics & Child Health • Saferworld • Save the Children UK • Soroptimist International UK Programme Action Committee • Tearfund • United Nations Association • United Nations Children's Fund (UNICEF) UK • VERTIC • War Child • War on Want • Welsh Centre for International Affairs • Women's International League for Peace & Freedom • World Vision UK

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