

# BAN NEWSLETTER

Newsletter on Landmines & Cluster Munitions

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## EDITORIAL

On 2 September, together with other members of the International Campaign to Ban Landmines (ICBL) and the Cluster Munition Coalition (CMC) around the world, we launched the report *Voices from the Ground*. This new report is based on the voices of 1,645 individuals whose lives changed the day they were injured by a mine or other unexploded device. *Voices from the Ground* looks at 26 countries which reported responsibility for significant numbers of survivors.<sup>1</sup>

The report notes that while some countries have made progress, the level of advancement was often limited to certain areas, such as medical care, and very dependent on national political commitment and international funding. Most progress was noted in Afghanistan, Albania and Tajikistan. Least progress was seen in Chad and Guinea-Bissau. According to the report, **two-thirds of survivors find that their needs are not taken into account by national victim assistance plans**. The largest group of survivors saw progress in medical care and physical rehabilitation, but psychological support and economic reintegration were often ignored and nine out of ten survivors felt that they were the last ones to get a job.

**Affected states need to mobilize more resources, show more commitment to victim assistance and make better use of existing resources; donor countries need to provide more resources for victim assistance.**

The report's findings are quite disturbing and call for bold action by states: affected states need to mobilize more resources, show more commitment to victim assistance and make better use of existing resources; donor countries need to provide more resources for victim assistance. Additionally, States Parties to the Mine Ban Treaty need to agree on a strong, clear and practical Cartagena Action Plan that will make a real difference for survivors, their

affected families and communities.

The Ottawa and Oslo processes showed that by cooperating with each other, states and civil society can have a huge impact. Do we need a new political process to ensure that survivors, their affected families and communities eventually receive the support to which they are entitled?

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<sup>1</sup> The report *Voices from the Ground* can be found on [http://en.handicapinternational.be/Voices-from-the-Ground\\_a616.html](http://en.handicapinternational.be/Voices-from-the-Ground_a616.html)

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Founding Member of the ICBL,  
Nobel Peace Prize Co-Laureate

## THE CARTAGENA SUMMIT ON A MINE-FREE WORLD

The Second Review Conference of the Mine Ban Treaty will be held from 29 November to 4 December 2009 in Cartagena, Colombia. Hundreds of representatives of States Parties to the Mine Ban Treaty, some states not party, international organizations, UN agencies, the International Committee of the Red Cross (ICRC) and about 400 members of the ICBL will take part in the conference. The Review Conference aims at assessing challenges in the universalization and full implementation of the Mine Ban Treaty, and taking stock of progress made since the First Review Conference in Nairobi, Kenya, in 2004.

The conference comes after a series of regional meetings and will result in the adoption of several documents, including a very important action plan, designed to guide the work of States Parties until 2014. "Together we aim for a strong political outcome through participation at the highest level possible. Together with civil society and field-based international organizations we will ensure that our work is firmly based on the situation on the ground. Together with all States Parties we will do our utmost to ensure that the Second Review Conference will make a difference," said the Norwegian Ambassador and President-designate of the Second Review Conference.

### More information:

[www.cartagenasummit.gov.co](http://www.cartagenasummit.gov.co)  
[www.cartagenasummit.org](http://www.cartagenasummit.org)  
[www.icbl.org/index.php/icbl/Treaties/MBT/Annual-Meetings/Cartagena-Summit](http://www.icbl.org/index.php/icbl/Treaties/MBT/Annual-Meetings/Cartagena-Summit)  
[www.africallandmines2009.blogspot.com](http://www.africallandmines2009.blogspot.com)

## VICTIM ASSISTANCE IN THE CARTAGENA ACTION PLAN AND BEYOND<sup>2</sup>

An important instrument to promote victim assistance implementation in the coming years will be the Cartagena Action Plan (CAP). Discussions on a draft action plan took place on 3 and 4 September 2009 in Geneva, during the Preparatory Meeting of the Second Review Conference of the Mine Ban Treaty.<sup>3</sup> **Austria** said that the report *Voices from the Ground* showed "how much has to be done" and therefore proposed a new text inspired by the Convention on Cluster Munitions for the section "Assisting the Victims" of the CAP Draft. The proposal included new actions concerning the assessment of the needs of victims, national laws and policies, a comprehensive national plan of action and budget, the rights of landmine victims "in accordance with the highest international standards," national and international resources, a "focal entity," the involvement of landmine victims, non discrimination, availability and

**"We all agree that the Cartagena Action Plan should be ambitious and forward looking. The *Voices from the Ground* report has reminded us of the urgency of the task."**

accessibility of services, guidelines and good practices, as well as "effective implementation, monitoring and evaluation." **Thailand** stated that "Given that the Action Plan will be effective for the next five years, it is important that the Action Plan be realistic, practical, and achievable, especially for the countries reporting a significant number of victims. The Action Plan will not be as valid as we are all hoping it to be if what we set out now cannot be realistically achieved in five years...In May when experts were asked to name their 3 top priorities

for the period 2010 to 2014, several participants said – IMPLEMENTATION, IMPLEMENTATION, IMPLEMENTATION! We all agree that the Cartagena Action Plan should be ambitious and forward looking. The *Voices from the Ground* report has reminded us of the urgency of the task." **Australia, Canada, Croatia, France, the Holy See, ICBL, ICRC, Mexico, The Netherlands, The Philippines, South Africa, Switzerland, and UNMAS** supported the new text, some of them proposing additions. **ICBL** proposed additions to make it "more operational for all victims" and insisted on "the extension of service provision," the participation of mine victims in society, plans "based on the needs of victims" and the involvement of mine victims "in the evaluation" as well. **ICRC** stressed the need "to do more, to invest more and to

<sup>2</sup> This section is based on statements and notes taken during the Preparatory Meeting. Handicap International asbl-vzw welcomes comments or corrections.

<sup>3</sup> See [www.cartagenasummit.org/preparatory-meetings/second-preparatory-meeting-3-4-september-2009/](http://www.cartagenasummit.org/preparatory-meetings/second-preparatory-meeting-3-4-september-2009/)

achieve more for individual victims, their families and communities in the next five years.” **UNMAS** said that “the language could be more clear and that it should allow for the operationalization of actions on victim assistance.” The **Philippines** proposed to include an action in order to “create public awareness of and appreciation for the plight of landmine victims, who have been killed or injured by landmines placed by States or Armed Non-State Actors.” **South Africa** stressed the importance of “education and training for the victims.” **Sweden** wanted victim assistance based on “the principles of non-discrimination, participation, openness, accountability and transparency.” **Austria** argued that the action plan should be “realistic” but also “visionary.” **Croatia** declared that the proposals of Austria and Thailand “are, and ought to be, complementary; and they can, and should be, reconciled...While I agree that we need to be “practical and realistic” we must remember that we are working for “tomorrow” as well as for “today.” While practical, realistic and achievable are very important, mine affected countries need all the support that we can get in order to do our work. International norms, based on International Humanitarian and Human Rights Law, are necessary to provide that support,” Croatia stated. **Iraq** stressed the necessity to provide assistance to the victims and mentioned the need for surveys. **Zambia** concluded, “We will continue to fail unless we receive more support” and proposed to create a Standing Committee on resource mobilization, an idea that was supported by Austria, ICBL, ICRC and the Philippines.

## EUROPEAN INSTITUTIONS: FUNDING, RESOLUTIONS AND FACT-FINDING

The **European Commission** stated during the Mine Ban Treaty Standing Committees that “in 2009 (to date) a number of projects amounting to 3.6 million Euros have been launched in Angola, Cyprus, Georgia, Occupied Palestinian Territories (Gaza) and Ukraine.” The EC said that the bulk of these funds were used for clearance and stressed that victim assistance (“estimated at over 5 million Euros”) has been supported “both in terms of stand-alone projects and integrated as part of broader development programmes” and that it is “difficult to quantify additional EC support to mine victims, when such support is integrated into broader development and cooperation programmes.”<sup>4</sup> On 28 September 2009, the European Commission hosted a seminar entitled “Two months before the Second Review Conference of the Ottawa Convention on anti-personnel landmines: challenges and practices.” The seminar involved representatives from the Council of the European Union, the European Parliament, the ICBL and some of its members, the ICRC, member states, NATO, the treaty’s Implementation Support Unit, as well as several regional and thematic desks from the European Commission. Several participants referred to the report *Voices from the Ground* and called for more attention to be given to victim assistance. Some participants also noted that states and field-based NGOs are having a harder time accessing funding from the European Commission for victim assistance, risk education and mine clearance because of recent integration of mine action funding into much broader funding instruments. NGOs may no longer be eligible and states have to make sure to include those issues in their list of priorities for EC funding.<sup>5</sup>

A **European Parliament** resolution adopted in May 2009 “welcomes...the Convention on Cluster Munitions...is concerned that not all European Union Member States signed the treaty...and asks them to do so as soon as possible...asks all governments concerned to continue to provide detailed maps and information concerning all areas affected by the conflict onto which cluster bombs were fired, so as to facilitate the clearance of cluster weapon munitions and make those areas safe for civilians.”<sup>6</sup>

In addition, the Parliamentary Assembly of the **Council of Europe** stated in a May 2009 resolution, “In 2006, a survey by Handicap International of countries and regions affected by cluster munitions found that 98% of recorded cluster munitions casualties were civilians.” The resolution urges national parliaments to “encourage their governments, if they have not already

<sup>4</sup> See [www.icbl.org/index.php/icbl/layout/set/print/Library/News-Articles/intersessionals09/](http://www.icbl.org/index.php/icbl/layout/set/print/Library/News-Articles/intersessionals09/)

<sup>5</sup> See also [www.icbl.org/index.php/icbl/Library/News-Articles/08\\_Contents/ICBL-NEWS/ICBL-News-Sept-09/EC-funding](http://www.icbl.org/index.php/icbl/Library/News-Articles/08_Contents/ICBL-NEWS/ICBL-News-Sept-09/EC-funding)

<sup>6</sup> See [www.reliefweb.int/rw/rwb.nsf/db900SID/SNAA-7RV4U5?OpenDocument](http://www.reliefweb.int/rw/rwb.nsf/db900SID/SNAA-7RV4U5?OpenDocument)

done so, to sign the Convention on Cluster Munitions without further delay...ratify the said convention...introduce national legislation for a total ban on cluster munitions in their territory or, as a first step towards a total ban, introduce national measures to ban, suspend or take other restrictive measures against cluster munitions, in particular concerning their use, production and transfer, and impose criminal sanctions in relation to these measures.”

**“The Assembly strongly opposes any attempt to bypass the Convention on Cluster Munitions by developing an alternative legal instrument – such as a draft Protocol to the Convention on Conventional Weapons – that would merely regulate but not ban the use of cluster munitions.”**

The resolution also states that “the Assembly strongly opposes any attempt to bypass the Convention on Cluster Munitions by developing an alternative legal instrument – such as a draft Protocol to the Convention on Conventional Weapons – that would merely regulate but not ban the use of cluster munitions.”<sup>7</sup>

On 30 September 2009, the **Council of the European Union** presented the report of the Independent International Fact-Finding Mission on the Conflict in Georgia. Regarding the use of cluster munitions the report mentioned indications that “during the Georgian offensive on Tskhinvali cluster munitions on whatever scale and GRAD MLRS were both used, amounting to indiscriminate attacks by Georgian forces, owing to the uncontrollable effects of such weaponry and its use in a populated area. There are also some indications and consequently concerns

regarding Russian use of cluster munitions in military attacks on Gori and possibly elsewhere.”<sup>8</sup>

## **BAN ADVOCATES RECEIVE MANAGEMENT TRAINING TO DEVELOP NATIONAL INITIATIVES**

In June 2009, the Ban Advocates team of individuals affected by cluster munitions took part in a residential training on “leadership, management and advocacy skills.” The training was provided by the Centre for Strategy and Communication (London) with the support of the Diana, Princess of Wales Memorial Fund. This important training was designed to enable Ban Advocates to initiate and manage advocacy initiatives in their countries of origin.

During the Berlin Conference on Cluster Munitions, the Ban Advocates gave statements and advocated for the Convention on Cluster Munitions. They also briefed representatives from several non signatory states, including **Argentina, Brazil, Brunei, Ethiopia, Greece, Haiti, Iraq, Kuwait, Mauritius, Russia, Serbia, Tajikistan and the United States.**

Pham Quy Thi, a Ban Advocate from Vietnam, gave a speech at the National Workshop on Victim Assistance in Hanoi, **Vietnam**, on 7 July 2009 in which he said, “We, cluster bombs survivors, do hope that Vietnam will soon consider participating in the convention so that Vietnam can receive support from the international community to clear explosive remnants of war and help survivors. This is an opportunity to clean up contaminated land for our younger generations who will no longer endure the physical and spiritual sufferings we have been trying to overcome.”

**“We, cluster bombs survivors, do hope that Vietnam will soon consider participating in the convention.”**

Following the **Regional Meeting on the Mine Ban Treaty** hosted by the government of **Tajikistan** on 9 July 2009, Ban Advocates from Tajikistan and Afghanistan held a meeting with the Ministry of Foreign Affairs of Tajikistan in order to discuss the Convention on Cluster Munitions (CCM). It appears from the meeting that the government of Tajikistan is open to the convention and that it will soon organize a governmental workshop on cluster munitions and the convention.

On 2 September 2009 several Ban Advocates from **Serbia** took part in the launch of the new report *Voices from the Ground* in Belgrade. Similar events involving Ban Advocates were also scheduled in Afghanistan, Albania, Tajikistan and the United States.

**For more information:** <http://blog.banadvocates.org>

<sup>7</sup> See <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta09/ERES1668.htm>

<sup>8</sup> See [www.ceiig.ch](http://www.ceiig.ch), p. 28.

## CONVENTION ON CLUSTER MUNITIONS UPDATE

As of 15 October 2009, 100 states had signed the Convention on Cluster Munitions and 23 had ratified it.

- Six states had signed the convention since the beginning of the year: DR Congo, Cyprus, Jamaica, Nigeria, Saint Vincent and the Grenadines and Tunisia.
- 19 states had ratified the convention since the beginning of the year: Albania, Austria, Burundi, Croatia, France, Germany, Japan, Lao PDR, Luxembourg, Malawi, Macedonia FYR, Malta, Mexico, Niger, San Marino, Slovenia, Spain, Uruguay and Zambia.

Link: [www.clusterconvention.org/pages/pages\\_i/i\\_stataessigning.html](http://www.clusterconvention.org/pages/pages_i/i_stataessigning.html)

## BERLIN CONFERENCE ON THE DESTRUCTION OF CLUSTER MUNITIONS: STATES KEEP UP THE MOMENTUM

With 87 signatories to the Convention on Cluster Munitions present at the Berlin Conference on the Destruction of Cluster Munitions, the conference demonstrated the continued momentum on the Convention on Cluster Munitions. Nearly all signatories with stockpiles of cluster munitions were present. Azerbaijan, which has stockpiles of cluster munitions but has not yet signed the Convention, participated as well.

The conference included sessions on the technical aspects of stockpile destruction and dealt with the retention (or acquisition) of cluster munitions for research, training, and the development of technology and countermeasures. Countries were encouraged to publicize the destruction of their stocks as has been done for landmines over the past decade.

Germany gave what it called an “oral Article 7 report” on the types and quantities of cluster munitions in its stockpiles and its national plan for destruction of its 50 million submunitions, which should be finalized in 2015, depending on industrial and budgetary factors.

Branislav Kapetanovic, spokesperson of the Cluster Munition Coalition (CMC) and Ban Advocate, addressed Germany: “You have motivated all of us in our own countries to start the same process as soon as possible, without any delays. We do not yet know how large the stockpiles are around the world or how long it will take to dispose of them, but...we have seen that it can be done; that there are many options and that help and support is available.” Mina Zunac, Ban Advocate from Croatia, added: “We want you to destroy your stockpiles NOW and not on the eve of the eight year deadline.” She emphasized that “Planning should NOT take into account the possibility of an extension” and stressed: “The treaty requires reporting on the amount of stockpiles, how states are progressing in destroying their stocks; on the amount of money and time it took to do that...so your progress can be tracked. This is essential for getting the job done...and getting it done in time.”

**“We want you to destroy your stockpiles NOW and not on the eve of the eight year deadline.”**

The United Kingdom, the largest stockpiler present, expressed the hope “to move off the top of the list soon.” By April 2008, the UK had destroyed 5.3 million submunitions and should complete the destruction of its total stockpiles by 2013, well within the eight year deadline. Spain destroyed its submunitions by 18 March 2009 (see *Ban Newsletter* n°24). Belgium announced that it had finalized the “transport” of stockpiled cluster munitions for destruction while the 2006 law banning cluster munitions in Belgium states that it must “destroy” the existing stock of cluster munitions and similar devices by 9 June 2009.<sup>9</sup>

A Member of the German Bundestag pledged the continuing support of parliamentarians in securing ratifications from countries who have not signed and for effective implementation. “Humanitarian aspects must come first in our discussions and deliberations,” he said, referring to Lynn Bradach, a Ban Advocate from the United States who lost her son in Iraq while clearing US-made submunitions. He stated, “Government representatives and parliamentarians have to include more and more the civil society in to the dialogue. It is not sufficient to express deep concern as to the fact that cluster munitions are causing great suffering among civilians living in

<sup>9</sup> See <http://staatsbladclip.zita.be/moniteur/lois/2006/06/09/loi-2006009449.html>

areas of armed conflicts or close by. We have to go beyond and encourage [Ban Advocates] and the [Cluster Munition Coalition] as a key interlocutor, expression of civil society positions and sources of technical expertise.”

See statements on: [www.berlin-ccm-conference.org/menu/substantial-information](http://www.berlin-ccm-conference.org/menu/substantial-information)

## **SANTIAGO REGIONAL MEETING ON CLUSTER MUNITIONS: ARGENTINA, BRAZIL AND VENEZUELA STILL OUT<sup>10</sup>**

At a Regional Meeting on Cluster Munitions in Santiago, Chile, on 14 September 2009, Caribbean nations as well as hold-out countries Argentina, Brazil and Venezuela were urged to join the Convention on Cluster Munitions. The region has 15 signatories and **18 non-signatories: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil (region’s last remaining producer), Cuba, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago and Venezuela.** Of these, Argentina, Belize, Dominican Republic and Venezuela negotiated and adopted the treaty, but failed to sign. “By not signing up to the ban [Brazil and Argentina] undermine regional security and solidarity and tarnish Latin America’s role as a global leader on human rights and humanitarian affairs,” said the Director of the Association of Public Policies in Argentina. The CMC urged Brazil to sign in order “to avoid proliferation in the region” and to announce a unilateral export ban on cluster munitions, as well as a moratorium on use. In April 2010, Chile will host the first preparatory meeting for the First Conference of States Parties, which will be hosted by Lao PDR at the end of 2010.<sup>11</sup>

## **UNITED NATIONS: STRONG SUPPORT FOR THE CONVENTION ON CLUSTER MUNITIONS**

The **UN Secretary-General** stated on 9 September 2009 in his opening address to the 62<sup>nd</sup> Annual DPI/NGO Conference “For Peace and Development: Disarm Now!” in Mexico City: “Many countries have agreed to ban anti-personnel landmines and cluster munitions, yet some major players choose to remain outside of these commitments....Thanks in large measure to your unrelenting advocacy, we are facing a new moment of opportunity and I thank you, thank you for that. Disarmament is back on the global agenda.”<sup>12</sup> The NGO Declaration, issued on 10 September, urged governments and international organizations “to achieve universal adherence to and implementation of the Mine Ban Treaty and the Convention on Cluster Munitions.”<sup>13</sup>

**“Thanks in large measure to your unrelenting advocacy, we are facing a new moment of opportunity and I thank you, thank you for that.”**

At a meeting of the **UN Security Council** on 26 June 2009, the Under-Secretary-General for Humanitarian Affairs and United Nations Emergency Relief Coordinator stated that significant progress had been achieved in efforts to address the humanitarian impact of cluster munitions, with the adoption in 2008 of the Convention on Cluster Munitions. He also stated that there was a broader concern about the indiscriminate and severe humanitarian impact of explosive weapons more generally, particularly when used in densely populated areas. He called on member states to consider that issue further, including by addressing the widespread use of improvised explosive devices in densely populated areas. **Austria** stated that the provisions on victim assistance in the Convention on Cluster Munitions should become the new international standard. **Bosnia and Herzegovina** welcomed the Convention on Cluster Munitions, and stated that the convention would serve as an indispensable legal instrument in contributing to the protection of civilians during armed conflict. **Libya**, a non signatory of the

<sup>10</sup> See [www.stopclustermunitions.org/news/?id=1809](http://www.stopclustermunitions.org/news/?id=1809)

<sup>11</sup> See [www.stopclustermunitions.org/calendar/?id=1736](http://www.stopclustermunitions.org/calendar/?id=1736)

<sup>12</sup> See [www.un.org/apps/news/infocus/sgspeeches/search\\_full.asp?statID=571](http://www.un.org/apps/news/infocus/sgspeeches/search_full.asp?statID=571)

<sup>13</sup> See [www.un.org/dpi/ngosection/conference/](http://www.un.org/dpi/ngosection/conference/)

Convention on Cluster Munitions, said that violations of international humanitarian law must be prevented and the production of some weapons prohibited, especially cluster munitions. **Mexico** stressed that concrete action was needed to address the use of cluster munitions and called upon member states that had not yet done so to ratify the conventions on cluster munitions and anti-personnel mines. During the same meeting of the Security Council, **Colombia** expressed support for the Secretary-General's call to states that are not yet parties to the Mine Ban Treaty to ratify it without delay, noting that Colombia will host the Second Review Conference of the treaty from 30 November to 4 December 2009.<sup>14</sup>

## PARLIAMENTARIANS AND THE CONVENTION ON CLUSTER MUNITIONS

In February 2009, The **Parliamentary Forum on Small Arms and Light Weapons** "welcomed" the Convention on Cluster Munitions (CCM), calling on states "to ratify, apply and transform the Convention (...) into national law" and urging the Forum "together with parliamentarians in all European countries to work for a Europe-wide abolition of cluster munitions."<sup>15</sup>

At the 120<sup>th</sup> **Assembly of the Inter-Parliamentary Union**, the Committee to Promote Respect for International Humanitarian Law organized a briefing session on the CCM and "recalled the importance of heightening the visibility of the cluster munitions issue" and "strongly urged IPU members to raise the question of ratification within their parliaments."<sup>16</sup>

In an address to the **NATO Parliamentary Assembly** in Oslo on 23 May 2009, the Norwegian State Secretary of Defense touched upon the issue of interoperability in relation to the CCM and said: "This provision was important for many of the countries signing the convention; because they wanted to make clear that this convention was about prohibiting cluster munitions, and not about prohibiting or complicating cooperation between states parties and non-state parties on other issues. However, what remains unambiguously clear is that state parties can not themselves engage, directly or indirectly, in any use of such weapons. While many felt that it was important to make this clear in the convention, I personally believe that this particular problematique is already overtaken by events. I simply find it quite unlikely that any country in this alliance, or with whom we choose to cooperate, would consider using cluster munitions ever again. History suggests that international conventions of this kind eventually establish a norm that goes beyond the legal confines of the treaty itself. The stigma associated with further use will in itself most likely prevent countries that have not yet signed from using cluster munitions...Furthermore, cluster munitions represent a threat not only to civilians but also to the armed forces themselves. Recent research, including an important report by the Norwegian Defense Research Establishment, has established that cluster munitions are less effective against many types of military targets than previously expected. Furthermore, to the armed forces, the employment of cluster munitions to an area might actually turn into an impediment for their own advance through that same area, due to the high number of unexploded ordnance left on the ground. The threat the cluster munitions pose on the ground is not only a threat to civilians and military alike at the time of the employment but for many decades to come."<sup>17</sup>

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<sup>14</sup> See [www.un.org/News/Press/docs/2009/sc9692.doc.htm](http://www.un.org/News/Press/docs/2009/sc9692.doc.htm)

<sup>15</sup> See [http://parlforum.org/?id\\_menu=35](http://parlforum.org/?id_menu=35); [http://parlforum.org/?id\\_menu=35](http://parlforum.org/?id_menu=35)

<sup>16</sup> See [www.ipu.org/conf-e/120/120.pdf](http://www.ipu.org/conf-e/120/120.pdf)

<sup>17</sup> See [www.regjeringen.no/en/dep/fd/The-Ministry/Other-political-staff/state-secretary-espen-barth-eide/Speeches-and-articles/2009/cluster-munitions-and-the-oslo-process-.html?id=562973#](http://www.regjeringen.no/en/dep/fd/The-Ministry/Other-political-staff/state-secretary-espen-barth-eide/Speeches-and-articles/2009/cluster-munitions-and-the-oslo-process-.html?id=562973#); the Norwegian Defence Research Establishment's report can be found on <http://rapporter.ffi.no/rapporter/2007/02345.pdf>

## INVESTMENTS IN CLUSTER MUNITIONS AND LANDMINES

In **Belgium**, the first country that banned investments in cluster munitions in 2007, according to the NGO Netwerk Vlaanderen “Investments in cluster munitions and antipersonnel mines remain possible.” According to the report *Belgian investors on an illegal course*, “Fortis Bank, Dexia Bank, Delta Lloyd Bank, Citibank and Bank Degroof are amongst the financial institutions that offer investments in various producers of cluster munitions. Bank Degroof for example promotes the ‘Degroof Global International Flexible Fund,’ which holds €454,254 in shares in General Dynamics. This US company produces essential components for the CBU-97 cluster munitions. Fortis and Dexia offer the Parvest Balanced (Euro) fund, which invests in cluster munitions producer Lockheed Martin. The companies offering these funds make illegal investments possible in Belgium.” While a list of companies producing landmines and cluster munitions was to have been published by mid-2008, this list is not yet available, impeding advocacy efforts around potentially illegal investments. According to Netwerk Vlaanderen, “Despite the incomplete implementation of the law, all Belgian investors have been obliged to follow the law since 27 April 2007 and end investments in producers of cluster munitions and anti-personnel mines.”

**More information:** [www.netwerkvlaanderen.be/en/](http://www.netwerkvlaanderen.be/en/)

On the basis of the Council on Ethics’ recommendation, the **Norwegian Ministry of Finance** decided on 3 September 2009 “to reverse its previous decisions to exclude the French company Thales SA from the investment universe of the Government Pension Fund – Global.” Thales SA was excluded from the ‘oil fund’ in 2005 on the grounds that the company was involved in the manufacture of cluster munitions.<sup>18</sup> FZ, a subsidiary of Thales, fiercely opposed the Belgian ban on cluster munitions in 2005 and 2006 but is reported to have “turned its back on cluster munitions” since.<sup>19</sup>

According to **Banktrack**, a coalition of 6 European NGOs, “From 2005 to 2009, Banco Santander, Barclays, BBVA, BNP Paribas, Citigroup, Crédit Agricole, Deutsche Bank, ING, Intesa Sanpaulo, HSBC, RBS, Société générale and Unicredit, invested 39.6 billion euros in 14 blacklisted companies such as the cluster munition producer Textron, the Chinese oil company Petrochina and the Indian mining company Vedanta Resources.”

**More information:** [www.banksecrets.eu](http://www.banksecrets.eu)

The CMC is launching a disinvestment campaign called “**Stop Explosive Investments**” on Thursday 29 October 2009. The campaign launch coincides with the launch of a new report on disinvestment written by Netwerk Vlaanderen and IKV Pax Christi.

**More information:** [www.stopexplosiveinvestments.org](http://www.stopexplosiveinvestments.org) (after 29 October 2009)

## CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

**Treaty Status** - As of 15 October 2009, 143 states had signed the Convention and 86 the Optional Protocol, 71 had ratified the Convention and 45 the Optional Protocol.

**More information:** [www.un.org/disabilities](http://www.un.org/disabilities)

US President Barack Obama announced his signing of the Convention on 24 July saying, “Disability rights aren't just civil rights to be enforced here at home; they're universal rights to be recognized and promoted around the world...It urges equal protection and equal benefit before the law for all citizens. It reaffirms the inherent dignity and worth and independence of all persons with disabilities worldwide.”<sup>20</sup>

<sup>18</sup> See [www.regjeringen.no/en/dep/fin/press-center/Press-releases/2009/thales-sa-and-drd-gold-limited-to-be-rei.html?id=575442](http://www.regjeringen.no/en/dep/fin/press-center/Press-releases/2009/thales-sa-and-drd-gold-limited-to-be-rei.html?id=575442)

<sup>19</sup> See [www.lesoir.be/regions/liege/economie-les-forges-de-2007-12-24-568165.shtml](http://www.lesoir.be/regions/liege/economie-les-forges-de-2007-12-24-568165.shtml)

<sup>20</sup> See [www.whitehouse.gov/the\\_press\\_office/Remarks-by-the-President-on-Rights-of-Persons-with-Disabilities-Proclamation-Signing/](http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-on-Rights-of-Persons-with-Disabilities-Proclamation-Signing/)

## SHORT NEWS

On 9 October 2009, in an article entitled “**The Nobel for the swashbucklers of cluster munitions**,” the Brussels-based newspaper *Le Soir* indicated its choice for the Nobel Peace Prize: “the jury of the most prestigious prize could have done it again by crowning this time the Cluster Munition Coalition. This is a choice that *Le Soir* would have applauded...a handful of idealists capable, against all odds, of moving the mountains.”<sup>21</sup> On the same day, the United States Campaign to Ban Landmines issued a press release stating, “Nobel Laureate Obama Must Join the Landmine and Cluster Bomb Treaties.”<sup>22</sup>

“...a handful of idealists capable, against all odds, of moving the mountains.”

**Tuxtla States urged to sign the Convention on Cluster Munitions** - At the 11<sup>th</sup> Summit of Heads of State and Government of the Tuxtla Mechanism of Dialogue and Agreement, in Guanacaste, Costa Rica, on 29 July 2009, representatives of Belize, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico and Panama urged all states “to sign and/or confirm” the Convention on Cluster Munitions (CCM) shortly, “in order for this instrument to come into effect as soon as possible” and hailed the Oslo Process, saying that the signing of the CCM by over ninety countries constituted “a great step towards the prescription of these weapons with indiscriminate effects that cause unacceptable damage to the civil population.”<sup>23</sup>

**Dutch journalist takes Moscow to court** – ‘Radio Netherlands’ announced on 11 August 2009 that “Dutch TV reporter Jeroen Akkermans is taking Russia to the European Court of Human Rights. Mr Akkermans is joining as a complainant in the case over the Russian attack on the Georgian city of Gori, one year ago. The case was originally brought by relatives of Georgians who were killed in the attack. They are holding Russia accountable for the shooting. In the incident, Dutch cameraman Stan Storimans was killed. He was on the scene with Mr Akkermans to report the Russian-Georgian border war for RTL television.”<sup>24</sup>

**Israel hands over cluster bomb maps to Lebanon but is this useful?** “On 12 May, the Israeli Defense Forces have handed over maps and data on the cluster munitions it fired over southern Lebanon during the 2006 conflict between the two countries,” the UN News Centre announced on 13 May.<sup>25</sup> “What benefit can we get from such information after three years, and after witnessing 50 deaths and 350 injuries?” the head of the Lebanese Demining Center said on 14 August 2009, according to the Beirut-based newspaper *The Daily Star*.<sup>26</sup>

The **Nepalese government allocated US\$ 500,000 for Mine Action** in the budget for fiscal year 2009/10, the Minister for Peace and Reconstruction disclosed during a meeting with the Ban Landmines Campaign Nepal (NCBL) on 4 September 2009.<sup>27</sup>

## PUBLICATIONS AND WEBSITES

“Ban Advocates” on Facebook. Website created by Mina Zunac, Ban Advocate from Croatia.  
**Link:** [www.facebook.com/pages/Ban-Advocates/85670667167](http://www.facebook.com/pages/Ban-Advocates/85670667167)

*Banning Cluster Munitions: Government Policy and Practice*, prepared by Human Rights Watch and Landmine Action for the Landmine Monitor, Mines Action Canada, May 2009.  
**Link:** [www.lm.icbl.org/cm/2009](http://www.lm.icbl.org/cm/2009)

<sup>21</sup> See [www.lesoir.be/actualite/monde/2009-10-09/nobel-pourfendeurs-armes-sous-munitions-731749.shtml](http://www.lesoir.be/actualite/monde/2009-10-09/nobel-pourfendeurs-armes-sous-munitions-731749.shtml)

<sup>22</sup> See [www.banminesusa.org](http://www.banminesusa.org)

<sup>23</sup> See <http://mexidata.info/id2359.html>

<sup>24</sup> See [www.rnw.nl/english/article/dutch-journalist-takes-moscow-court](http://www.rnw.nl/english/article/dutch-journalist-takes-moscow-court)

<sup>25</sup> See [www.un.org/apps/news/story.asp?NewsID=30786&Cr=&Cr1=](http://www.un.org/apps/news/story.asp?NewsID=30786&Cr=&Cr1=)

<sup>26</sup> Daily Star, 19 August 2009, [www.dailystar.com.lb/article.asp?edition\\_id=1&categ\\_id=1&article\\_id=105460](http://www.dailystar.com.lb/article.asp?edition_id=1&categ_id=1&article_id=105460)

<sup>27</sup> Email from Purna Shova Chitrakar, NCBL Coordinator, to the CMC, 7 September 2009

“Briefing Paper. Victim Assistance & International Cooperation,” Landmine Survivors Network Vietnam, July 2009.

Link: <http://tinyurl.com/LSNV-briefingpaper>

*Explosive violence – the problem of explosive weapons*, Landmine Action, September 2009.

Link: [www.landmineaction.org/resources](http://www.landmineaction.org/resources)

Landmine Monitor Fact Sheets: “Landmines and Children;” “Cluster Munitions Stockpile Destruction;” “Landmines and Euro-Atlantic Partnership Council Member States;” “Article 1: The Prohibition on Assistance in the Mine Ban Treaty;” “Article 3: Mines Retained for Training and Research;” “Article 4: Stockpile Destruction;” “Article 7: Transparency Measures” (June 2009); “Landmines in Asia-Pacific;” “Landmines in Central Asia” (July 2009); “Landmines in African Union Member States” (September 2009).

Link: [www.lm.icbl.org/index.php/LM/Our-Research-Products/Factsheets](http://www.lm.icbl.org/index.php/LM/Our-Research-Products/Factsheets)

“Making it Work,” website. MIW is a new global research and advocacy initiative to effectively implement the Convention on the Rights of Persons with Disabilities (CRPD).

Link: [www.MakingItWork-crpd.org](http://www.MakingItWork-crpd.org)

“Onderzoek in Gori, de dood van Stan Storimans” (Research in Gori - The Death of Stan), RTL 4, August 2009. Dutch documentary on the cluster munition attack on Gori (Georgia) in August 2008 (in Dutch).

Link: [www.rtl.nl](http://www.rtl.nl)

“Our world. Views from the field,” ICRC, August 2009. Quantitative research surveys to measure the impact of armed conflict on the civilian population in eight countries: Afghanistan, Colombia, Democratic Republic of Congo, Georgia, Haiti, Lebanon, Liberia and the Philippines.

Link: [www.icrc.org/web/eng/siteeng0.nsf/html/research-report-240609](http://www.icrc.org/web/eng/siteeng0.nsf/html/research-report-240609)

“Stop explosive investments.” A new CMC campaign (launch on 29 October).

Link: [www.stopexplosiveinvestments.org](http://www.stopexplosiveinvestments.org)

*Staying True to the Ban on Cluster Munitions: Understanding the Prohibition on Assistance in the Convention on Cluster Munitions*, Human Rights Watch, June 2009.

Link: [www.hrw.org/node/83975](http://www.hrw.org/node/83975)

*Voices from the Ground: Landmine and Explosive Remnants of War Survivors Speak Out on Victim Assistance*, Handicap International asbl-vzw, Brussels, September 2009.

Link: [http://en.handicapinternational.be/Voices-from-the-Ground\\_a616.html](http://en.handicapinternational.be/Voices-from-the-Ground_a616.html)

#### PROVISIONAL CALENDAR

##### October

21: UN Special Event on the CCM, New York

##### November

2-4: Francophone mine action seminar, Dakar, Senegal

4: Victim Assistance, Conference, Berlin, Germany

12: Global Launch of Landmine Monitor

16-17: Asia Regional Conference on the CCM, Bali, Indonesia

29-4 Dec: Cartagena Summit, 2<sup>nd</sup> Review Conference of the MBT, Colombia

##### December

3: International Day of Persons with Disabilities, Anniversary of the Signature of the MBT and the CCM

More information: [www.icbl.org/campaign/calendar](http://www.icbl.org/campaign/calendar)  
[www.stopclustermunitions.org/calendar](http://www.stopclustermunitions.org/calendar)

#### Contributed to this issue:

Stan Brabant, Megan Burke, Stéphanie Castanié, Paul Franck, Tamar Gabelnik, Katleen Maes, Thomas Nash

Coordination: Hildegard Vansintjan

#### Policy Unit

Handicap International asbl-vzw

67, Rue de Spastraat  
1000 Brussels

BELGIUM

Phone: +32 2 280 16 01

[policy.unit@handicap.be](mailto:policy.unit@handicap.be)

Handicap International is an international organization specialised in the field of disability. Non-governmental, non-religious, non-political and non-profit making, it works alongside people with disabilities, whatever the context, offering them assistance and supporting them in their efforts to become self-reliant. Since its creation, the organization has set up programmes in approximately 60 countries and intervened in many emergency situations. It has eight national associations (Belgium, Canada, France, Germany, Luxembourg, Switzerland, United Kingdom and United States) which provide human and financial resources, manage projects and raise awareness of Handicap International's actions and campaigns.

For more information and national contacts: [www.handicap-international.org](http://www.handicap-international.org)