



## Florida High Schools Model United Nations

### FHSMUN 33 GENERAL ASSEMBLY FIRST COMMITTEE

#### LANDMINES, CLUSTER MUNITIONS, AND UNEXPLODED ORDNANCE REMOVAL

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**Abstract:** Thousands of people are wounded and killed every year from weapons that were deployed in conflicts that have often ended years if not decades earlier. Landmines and unexploded ordnance (UXO) pose especial problems for post-conflict situations because of their widespread deployment and indiscriminate effects. Cluster munitions are also descried for their indiscriminate effects yet they continue to be employed in contemporary conflicts, particularly in urban areas.

“The problem of land mines is a global tragedy. In all probability, landmines kill more children than soldiers, and they keep killing after wars are over.”

Former US President Bill Clinton

“Landmines are amongst the most barbaric weapons of war, because they continue to kill and maim innocent people long after the war itself has ended. Also, fear of them keeps people off the land, and thus prevents them from growing food.”

Former UN Secretary-General Kofi Annan

“The vision of the United Nations is a world free of the threat of landmines and explosive remnants of war (ERW), where individuals and communities live in a safe environment conducive to development and where the needs of mine and ERW victims are met and they are fully integrated into their societies.”<sup>1</sup>

#### **Introduction**

War remains the most horrific and destructive of all human activities but the horrors of war are only magnified and compounded by the lingering and residual tragedies that occur long after the initial war has ended. The emotional scars from war coupled with the economic and environmental devastation unleashed by war can take longer than the war itself to resolve. Societies are often crippled for years with the

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<sup>1</sup> Inter-Agency Coordination Group on Mine Action (IACG-MA), “Mine Action and Effective Coordination: The United Nations Inter-Agency Policy” June 6, 2005 p. 4.

expenses of paying for military budgets and ravaged infrastructures. But one of the least expensive weapons of war, a landmine, can be the most lethal over time.

The world is still plagued by the infestations of landmines that were often planted many years ago. Contemporary observers estimate the number of landmines at anywhere from approximately 50 million mines scattered across 70 different countries.<sup>2</sup> While some technological advances have been made and there are more complicated landmines available, most militaries, rebel groups, and other non-state actors who employ landmines purchase inexpensive antipersonnel mines that sometimes sell for as little as \$3 USD apiece. Landmines have been commonly used weapons of war because of their relative inexpensiveness, the ease with which they can be employed – no technical training or years of combat training are needed to bury landmines under the soil - , and their brutal effectiveness as both defensive and offensive weapons of war. The United Nations, through the General Assembly First Committee and related agencies, including the Security Council and the International Court of Justice, must seek to expand on already extant multistakeholder dialogues to clear the world of these remaining landmines and prevent their use in the future.

### **Keeping the children at home**

Landmines are indiscriminate killing machines because once they are laid they do not differentiate between soldiers and civilians. The tragedies that these inexpensive mines cause are clearly not limited to wartime, either. Mines can kill or maim their victims decades after wars have ended and the human faces of these landmine victims are frequently children. According to the International Campaign to Ban Landmines (ICBL), “over 80 percent of the 15,000 to 20,000 landmine victims each year are civilians, and at least one in five are children.”<sup>3</sup> Children often mistake the landmines for toys or other objects that stimulate their curiosity and then they find themselves crippled or killed. UNICEF Executive Director Carol Bellamy has noted that “in part because they are physically smaller than adults, children are more likely than adults to die from landmine injuries. An estimated 85 percent of child victims of landmines die before reaching the hospital.”<sup>4</sup> Even the children who survive are often amputees and some are rendered incapable of having children of their own in the future. These child victims also frequently have to leave school and find very few job prospects open to them; they are also often the victims of discrimination, including a sustained lack of public services because they are often unable to access them. When landmines kill adults, their children are often orphaned and thus face many pressures and responsibilities at early ages; in cases where their parents or primary caregivers are maimed but not killed, children often have to assume considerable responsibility for caring for their disabled parents or caregivers and for feeding their families. Governments, UN agencies, including UNICEF, and related civil society stakeholders then have to provide relief and sustaining assistance for these families that have been devastated by these indiscriminate instruments of death.

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<sup>2</sup> The Canadian Landmine Foundation <http://www.canadianlandmine.org/landmineProb.cfm>

<sup>3</sup> News-Medical.Net, “Landmines are a deadly attraction for children” December 3, 2004 [http://www.news-medical.net/print\\_article.asp?id=6617](http://www.news-medical.net/print_article.asp?id=6617)

<sup>4</sup> News-Medical.Net, “Landmines are a deadly attraction for children” December 3, 2004

## **Watch your step, there are mines all over the place**

While landmines can be found on almost all of the continents, they are overwhelmingly found in poorer countries that have been ravaged by years of exceedingly violent conflicts, often in especially savage civil wars. The countries that have the most landmines still scattered throughout their territories include: Afghanistan, Angola, Bosnia, Cambodia, Colombia, Iraq, Laos, Mozambique, Somalia, Sri Lanka, and Sudan – all countries that have faced, and in several cases continue to face, extremely high levels of violence in recent years. Landmines can be deployed not only by governments, but also by rebel groups fighting governments, and even by criminal syndicates who wish to protect their territories and assets. In Colombia, left-wing *guerrillas* fighting the government and the drug traffickers with whom they sometimes forge alliances of convenience plant landmines “to protect the coca plantations as well as the trafficker once the produce has been collected. The landmines are part of the escape plan and help protect the *guerrillas* after they have attacked villages....The mines are planted in rural areas where farmers and their families have become victims of an armed conflict of rebellion that has been going on in Colombia for the past 50 years.”<sup>5</sup> In Angola, despite important progress made in recent demining operations, “hundreds of square kilometers remain uncleared, and perhaps more importantly, many of the roads in Angola are still peppered with mines. It is during the wet season that more mine accidents tend to happen. When the soil gets softer, drivers are tempted to leave the roads and drive on the verges to avoid water-filled pot-holes.”<sup>6</sup>

While the ultimate goal is to remove all of the existing landmines and to destroy them safely, many landmine fields still need to be marked. An additional cruel irony can compound the difficulties that the civilian populations of some of these countries confront; extreme weather, including floods and tsunamis, can move landmines from one area to another, thus introducing further uncertainty into the lives of people desperate to stay safe and to protect their families. In the wake of December 2004 South Asian tsunami, the dangers to ordinary Sri Lankans “have been made more acute because the tsunami has picked up the mines and deposited them across whole villages, making many more areas unsafe for locals.”<sup>7</sup> 2005 was a banner year in many ways for landmine clearance as more square kilometers were cleared than any previous year and nearly 4 million landmines and explosive devices were removed and destroyed. The joy that would normally accompany such positive news was tempered, however, by the fact that casualties from landmines rose by 11% in 2005 to nearly 7,400, with civilians accounting for 80% of those casualties.<sup>8</sup> Further delays in demining countries will only increase the number of victims and lay the foundations for further decades of misery, deprivation, and conflict.

### **Why dig when you can launch mines?**

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<sup>5</sup> Juanes, “Mines and drugs: ‘An evil business’” *BBC News* April 5, 2006.

<sup>6</sup> Adam Mynott, “Angola’s landmine legacy” *BBC News* November 29, 2004.

<sup>7</sup> Nick Ravenscroft, “Tsunami awakens fears of mines” *BBC News* January 14, 2005.

<sup>8</sup> *BBC News*, “Record area cleared of landmines” September 13, 2006.

While global momentum for land mine clearance has strengthened, those desperate to cling to or claim power may resist this momentum. In the conflict in Libya between Colonel Muammar Qaddafi's regime and the so-called Libyan rebels, Libyan forces loyal to Qaddafi have been accused by the rebels and the North Atlantic Treaty Organization (NATO) of deploying scatterable antitank mines that can be launched in rockets with ranges of up to 4 miles.<sup>9</sup> Libya has not acceded to the Ottawa Convention banning the use of landmines but these actions have nonetheless brought further condemnation of the Qaddafi regime and the Libyan armed forces, particularly as they surfaced after evidence of the use of cluster munitions by Libyan forces.<sup>10</sup>

### **Slow, costly, dangerous and necessary: demining the world**

Clearing the world of landmines is a daunting task; there are tens of millions of unexploded mines littered throughout the world and mine clearance is a potentially deadly and very expensive proposition. In Angola, "deminers working in reasonable conditions can cover about 30 square m[meters] a day."<sup>11</sup> The process is so time consuming in part because most demining operations involve using simple metal detectors to locate potential mines and then having the deminers gently prod the sides of the metal object to determine if it is in fact a landmine. If it is a landmine, they then have to gently remove it and render it harmless. In many cases, the demining personnel have some rudimentary training but they may lack safety equipment. In the wake of the Asian tsunami of December 2004, many villagers in Sri Lanka worked to clear mines from the area but in a number of instances "a pair of flip-flops were the only protection" many of these villagers had.<sup>12</sup> The UN, through its Inter-Agency Coordination Group for Mine Action (IACG-MA), "encourages governments to provide mine action personnel with appropriate insurance or compensation in the event of injury, disability or death in accordance with internationally recognized best practices."<sup>13</sup> The UN recognizes that village demining will occur in certain circumstances but the UN does not generally favor this practice. "Where village demining occurs, the United Nations advises the authorities to regulate such activities, if possible, to support the implementation of mine risk education programmes, review the prioritization of areas to be cleared and re-assess clearance capacities."<sup>14</sup> Demining operations can also be very technologically sophisticated but these missions are extremely expensive and must be supported by larger and more powerful states as well as through the fundraising activities of NGOs such as the United Nations Association (UNA-USA) through its Adopt-a-Minefield program.

Demining operations cannot be successful if the personnel undertaking them are not safe. In July 2011, 4 Afghan demining personnel were killed in the western Afghan

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<sup>9</sup> C.J Chivers, "Land Mines Descend on Misurata's Port, Endangering Libyan City's Supply Route" *New York Times* May 6, 2011.

<sup>10</sup> C.J. Chivers, "Qaddafi Troops Fire Cluster Munitions into Civilian Areas" *New York Times* April 16, 2011.

<sup>11</sup> Adam Mynott, "Angola's landmine legacy" *BBC News* November 29, 2004.

<sup>12</sup> Nick Ravenscroft, "Tsunami awakens fears of mines" *BBC News* January 14, 2005.

<sup>13</sup> Inter-Agency Coordination Group on Mine Action (IACG-MA), "Mine Action and Effective Coordination: The United Nations Inter-Agency Policy" June 6, 2005 p. 8.

<sup>14</sup> IACG-MA, "Mine Action and Effective Coordination" p. 14.

province of Farah, prompting the UN to condemn these actions<sup>15</sup>; unfortunately, this was not the first time that deminers were killed in recent years in Afghanistan.<sup>16</sup> 3 Cambodian deminers died in May 2011 attempting to disarm an unexploded shell left over from the Cambodian civil war of the 1980s.<sup>17</sup> Accidents will continue to occur, even with trained deminers, but the international community must strive to improve the safety of their work as well as protect their physical safety if there is to be real hope for successful removal of all the mines that still threaten tens of millions of the world's most vulnerable peoples.

### **Power to the People: NGOs and landmine action**

UN and governmental actions in clearing landmines have been absolutely necessary and critical to success but it is equally clear that non-governmental organizations (NGOs) have played an extremely valuable part in not only achieving the entry into force of the Ottawa Convention in March of 1999 but also in providing essential funding for landmine action. The UN has particularly recognized the crucial contributions of the International Committee of the Red Cross (ICRC), the Geneva International Centre for Humanitarian Demining (GICHD), and the International Campaign to Ban Landmines (ICBL). Many national NGOs, including UNA-USA, have partnered effectively with the UN as well as with international NGOs and governments to undertake critical demining initiatives. The IACG-MA noted that “often working with affected communities prior to United Nations involvement in a mine-affected country, NGOs are important partners in the development and implementation of integrated, coherent, and cost-effective mine action programmes.”<sup>18</sup> NGOs will continue to play extremely vital roles in mine action throughout the world, including providing relief and assistance to the victims of landmines and ERWs. On a lighter note, Angola hosted its first “Miss Landmine Survivor” beauty pageant in the capital Luanda on April 2, 2008, allowing these landmine survivors to show their compatriots and the world that landmines cannot destroy the overwhelming beauty of truly dignified lives.<sup>19</sup>

### **Pieces of paper that save lives**

All governments can strive to limit the horrible effects of these weapons by ratifying the appropriate international treaties, including: 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; and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. These treaties, and especially the Convention on Anti-personnel Mines, hereinafter referred to as the Landmine Treaty or the Ottawa Convention, have won widespread acceptance by many governments and have also effectively validated the work of non-governmental organizations (NGOs) and individuals. Many governments initially resisted repeated pleas to voluntarily cease production of and the use of anti-

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<sup>15</sup> UN News Centre, “UN mission in Afghanistan deplores killing of de-miners” July 11, 2011.

<sup>16</sup> *Reliefweb*, “5 deminers killed, 7 others injured by militant attacks in N. Afghanistan” March 24, 2008.

<sup>17</sup> *The China Post*, “3 Cambodian deminers killed disarming old shell” May 16, 2011.

<sup>18</sup> IACG-MA, “Mine Action and Effective Coordination” p. 12.

<sup>19</sup> Mary Harper, “Angola to host landmine pageant” *BBC News* March 26, 2008.

personnel mines until they were goaded into action by the persistence and temerity of Jody Williams.

Empowering individuals to act globally is one of the newer foci of the UN System, even at a time when it remains primarily an organization of states. In many cases, individual citizens have acted in ways that have forced their own governments, and governments around the world, to moderate their rhetoric and behavior. Jody Williams, the 1997 Nobel Peace Prize winner, is a dynamic and persistent woman who has spurred politicians and generals around the world to confront the tragic consequences of their willingness to use anti-personnel mines. Williams currently heads up the International Campaign to Ban Landmines (ICBL) and the Ottawa Convention has been signed by 158 countries and ratified or accepted by all but 2 of those signatories. Ms. Williams has yet to see her native United States sign and ratify the treaty, however. She worked quite well with former Canadian Foreign Minister Lloyd Axworthy as well as with officials from many other governments, the UN, and from civil society, the business community, and interested NGOs. During her acceptance speech in Oslo, Norway, Williams noted that her work with Canada and other governments proved that “small and middle powers can work together with civil society and address humanitarian concerns with breathtaking speed.”<sup>20</sup> Williams and the ICBL continue to push for all governments to sign the treaty and to outlaw the production of landmines as well as to destroy their existing stocks before those stocks are employed or sold off to generate much-needed hard currency revenues. The UN General Assembly reiterated this essential point in January 2011 when it passed Resolution 65/48 (A/RES/65/48) which calls for all states that have not signed the treaty to do so without delay and also urges states that have signed the Convention but have not yet ratified it to do so immediately.<sup>21</sup>

### **Inter-agency coordination: The United Nations System and landmines**

Comprehensive action to resolve pressing global issues invariably requires cooperation and coordination between multiple international actors, including different bodies and Specialized Agencies in the UN System. Effective comprehensive action on landmines requires considerable inter-agency coordination as well as constant cooperation between the UN, its member states, NGO's, and related civil society representatives. While the General Assembly (UNGA) and the Security Council (UNSC) are the most known UN bodies that seek to devise mine action solutions, it is crucial to note the ongoing contributions of many other parts of the UN System to mine action and clearance. The lead agency, particularly in terms of chairing the Inter-Agency Coordination Group on Mine Action (IACG-MA) is the United Nations Mine Action Service (UNMAS). The other UN agencies and departments that are routinely involved in mine action and that participate in the IACG-MA are: the Department of Peacekeeping Operations (DPKO), the Department of Disarmament Affairs (DDA), the UN Development Programme (UNDP), UNICEF, the UN Office of Project Services (UNOPS), the Food and Agriculture Organization (FAO), the Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the Special Advisor on Gender Issues

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<sup>20</sup> *BBC News*, “Landmine campaigner gets peace prize” December 11, 1997.

<sup>21</sup> A/RES/65/48 January 13, 2011.

(OSAGI), the Office of the High Commissioner for Human Rights (OHCHR), the UN High Commissioner for Refugees (UNHCR), the World Food Programme (WFP), the World Health Organization (WHO), and as an observer, the World Bank. Regional security organizations (RSOs) are also actively involved in mine clearance efforts; The North Atlantic Treaty Organization (NATO) has been particularly active in landmine clearance in Afghanistan, Albania, Belarus, and Ukraine. This coordination between these varied departments and agencies is necessary to ensure that the experiences and expertise of these disparate but complementary agencies of the UN System is as effective as possible in mine assistance and clearance.

The UN Mine Action Service (UNMAS) plays an especially vital role in coordinating effective mine action because it “ensures that mine action requirements are integrated into peacekeeping, and humanitarian programmes, and supports the mainstreaming of mine action in development.”<sup>22</sup> As a division of the Department of Peacekeeping Operations (DPKO), UNMAS is vitally involved in many peacekeeping operations as it must collect data, oversee planning, provide mine risk education (MRE), provide information to the public as well as the UN System, support initiatives to provide assistance to landmine victims, and UNMAS also “implements the Landmine and ERW Safety Project to help protect United Nations, government and NGO personnel working in mine and ERW-affected environments.”<sup>23</sup> UNMAS also coordinates donor relief efforts and contributions to the Voluntary Trust Fund for Assistance in Mine Action; donations made to the Voluntary Trust Fund between January 1, 2008 and March 15, 2010 totaled just over \$185 million USD, with the European Commission, Canada, and the Netherlands being the three largest contributors, respectively.<sup>24</sup> Encouraging governments to increase their contributions to the Voluntary Trust Fund is one of many critical steps in improving UN mine assistance and clearance.

The United Nations Development Programme’s landmine clearance assistance programs are working currently in countries such as Albania, Guinea-Bissau, Lebanon, and Yemen. The 2011 Portfolio of Mine Action Projects includes a total of 238 mine clearance projects in 27 independent countries as well as Western Sahara and the Palestinian Occupied Territories.<sup>25</sup> As is all too common throughout the UN System, funding for these vital projects is often delayed and/or insufficient; of the \$498 million USD allocated for the 2011 Portfolio projects, only \$131 million had been received by February 2011, leaving major demining projects in Africa and Asia severely underfunded.<sup>26</sup>

Examining particular cases of successful landmine and unexploded ordnance (UXO) removal will provide vital lessons for the international community. Albania’s current landmine problem largely emerged as a result of the laying of mines during the

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<sup>22</sup> IACG-MA, “Mine Action and Effective Coordination” p. 24.

<sup>23</sup> IACG-MA, “Mine Action and Effective Coordination” p. 23.

<sup>24</sup> Electronic Mine Information Network (E-MINE), “Voluntary Trust Fund” 2011.

Found at: <http://www.mineaction.org/overview.asp?o=28>

<sup>25</sup> United Nations Mine Service (Department of Peacekeeping Operations), United Nations Development Programme, United Nations Children’s Fund, “Portfolio of Mine Action Projects 2011” New York 2011. Found at: [porfoliofinal.pdf](#)

<sup>26</sup> UN Mine Service, UNDP, UNICEF, “Portfolio of Mine Action Projects 2011” New York 2011 p. iv.

1999 fighting in Kosovo; in that same year, Albania created its Albanian Mine Action Program. After Albania ratified the Ottawa Convention in 2000, it committed itself to demining Albania by 2010. Albania's continued cooperation with the UNDP and with NATO was essential to realizing this critical goal of a landmine-free Albania by November 2009.<sup>27</sup> The North Atlantic Treaty Organization (NATO) supervised Albania's destruction of its own stockpiles of landmines in 2002 and has assisted Albania in demining and the removal of explosive remnants of war (ERW); NATO's assistance in land mine removal is indubitably connected to the fact that some of the explosive remnants of war (ERW) and unexploded ordinances (UXO) are in fact bombs dropped by NATO warplanes during the 1999 Kosovo crisis. The Albanian Mine Executive estimated that over 3,000 square kilometers still remained to be demined as of the end of 2005.<sup>28</sup> NATO has also been working extensively in Belarus as an extension of its Partnership for Peace (PfP) Trust Fund projects; NATO and Belarus announced that by the end of 2006, nearly 200,000 of Belarus' reported 4 million stockpiled landmines had been destroyed<sup>29</sup>; while this initial progress must be acknowledged, Belarus was one of 3 countries cited, along with Greece and Turkey, for failing to achieve adequate progress in destroying their landmine stockpiles by the end of 2008.<sup>30</sup>

### **Defending the largely indefensible: Landmine ban holdouts**

No government wants to be seen as defending the use of excessively injurious or inhumane weapons but a number of governments have refused to sign the Ottawa Convention for a variety of reasons; as of July 2011, 37 countries had still not ratified the Ottawa Convention.<sup>31</sup> Israel's refusal is not surprising in light of its constantly iterated concerns about its security and its often hostile neighbors, some of whom, including Lebanon, Iran, and Syria, have not signed the treaty either. The United States has also refused to sign the treaty even though former President Clinton called for the world to ban landmines in 1994; more disturbing is the news that not only has the US refused to sign the Ottawa Convention but it may be preparing to produce new landmines in the near future.<sup>32</sup> One reason for the US's refusal to sign the Ottawa Convention is that is developing a new line of "smart mines" that automatically deactivate after a period of time.<sup>33</sup> International observers who were hoping for a chance in policy with the ascendance of the Obama administration are likely to remain disappointed for some time to come; in November 2009, the State Department announced that the US government

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<sup>27</sup> Andreas Sepp, "From demining to area-based development in Albania" *Development and Transition* May 2, 2011. Found at: <http://www.developmentandtransition.net/Article.35+M51a0d7fc288.0.html>

<sup>28</sup> International Campaign to Ban Landmines (ICBL), "Landmine Report 2006: Albania". Found at: <http://www.icbl.org/lm/2006/albania.html>

<sup>29</sup> North Atlantic Treaty Organization (NATO), "NATO-supported destruction of landmines on track in Belarus" December 11, 2006. Found at: <http://www.nato.int/docu/update/2006/12-december/e1205a.htm>

<sup>30</sup> *Canada.com*, "Turkey, Greece, and Belarus continue to stockpile landmines: Report" Canwest News Service November 24, 2008. (The article also notes that 15 additional countries, including the United Kingdom and Venezuela, requested an additional 10 years to meet their landmine clearance obligations.)

<sup>31</sup> ICBL, "States Not Parties" April 23, 2008. Found at: <http://www.icbl.org/treaty/snp>

<sup>32</sup> Peter Phillips and Project Censored, "Pentagon Plans to Build New Landmines" from *Censored 200: Media Democracy in Action* pp. 74-76.

<sup>33</sup> *BBC News*, "Plea to major powers to ban mines" December 3, 2004.

would continue its existing policies regarding landmines.<sup>34</sup> Other countries that have refused to sign the Ottawa Convention to date include the People's Republic of China, Cuba, India, Myanmar, Pakistan, both Koreas, the Russian Federation, Saudi Arabia, Somalia, and Viet Nam. Many of these governments have taken positive steps even though they have not signed the treaty. A recent *New York Times* article interviewed Steve Goose of Human Rights Watch and summed up his analysis in the following manner: "despite rejecting the treaty, the major powers have stopped deploying land mines and the number of civilian casualties has been cut in half since 1997."<sup>35</sup> Persuading these countries to sign and ratify the Ottawa Convention will make the treaty truly universal, would not require them to significantly reorient their current national policies, and would also provide significant impetus to the newest drive to ban related munitions or ERWs: cluster bombs.

### **Imagine a world without cluster bombs**

Cluster bombs or munitions have gained much greater notoriety over the past few years as they have been used extensively in recent wars in Afghanistan, Iraq, Kosovo, and Lebanon. Cluster bombs are created when small bomblets, often hundreds of them are packed into artillery shells, bombs, and missiles which then scatter these bomblets over wide swathes of territory. Many of the bomblets fail to explode when they are first used but instead are activated when picked up or disturbed by unsuspecting civilians, including children. The United States has used cluster bombing extensively in its current war in Iraq and according to *The New York Times*, "the UN estimated that Israel dropped as many as 4 million bomblets in southern Lebanon during last year's war with Hezbollah, with as many as 40 percent failing to explode on impact."<sup>36</sup> Israel defended its actions by declaring that cluster bombs are legal to use. Human Rights Watch has also recently announced that Hezbollah used cluster bombs during last year's war with Israel but Hezbollah emphatically rejects these claims.<sup>37</sup> Israel's claim that cluster bombs were legal was correct and that is one of the primary reasons why forty-six countries approved a declaration on February 23, 2007 in Oslo, Norway calling for a treaty banning cluster bombs to be approved and ratified in 2008. As of July 2011, 108 countries had signed the Cluster Munitions Ban and 59 of those countries had actually ratified it; with the 40<sup>th</sup> ratification occurring in early 2010, the Convention on Cluster Munitions entered into force on August 1, 2010.<sup>38</sup>

While the Convention represents a major step forward, the primary producers of cluster bombs, China, India, Israel, Pakistan, Russia, and the United States, all declined to sign the treaty.<sup>39</sup> These countries not only produce cluster bombs, they often use them in

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<sup>34</sup> *MSNBC*, "Obama administration won't sign landmine ban" November 24, 2009.

<sup>35</sup> *The New York Times*, "46 Nations Call for Cluster Bomb Ban" February 23, 2007.

<sup>36</sup> *The New York Times*, "46 Nations Call for Cluster Bomb Ban" February 23, 2007.

<sup>37</sup> *BBC News*, "Lebanon mines 'continue to kill'" October 20, 2006.

<sup>38</sup> United Nations Treaty Collection, "Convention on Cluster Munitions" July 21, 2011.

Found at: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVI-6&chapter=26&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-6&chapter=26&lang=en)

<sup>39</sup> Shawn Pogatchnik, "111 nations, but not US, adopt cluster bomb treaty" *Associated Press* May 30, 2008.

large conflicts. Israel's use of cluster bombs against Hezbollah is not the only recent use of cluster bombs in the Middle East. Between May 1, 2003 and May 1, 2007, the United States dropped approximately 60,000 pounds of cluster bombs in Iraq<sup>40</sup>; a joint UNICEF-UNDP report released in July 2009 estimated a total of 2.66 million cluster munitions or bomblets, as well as approximately 20 million landmines, still present in Iraq.<sup>41</sup> Russia has claimed that it needs cluster bombs in the wake of previous cuts in troop strength, although they may also wish to shield themselves from liability arising from their use of cluster bombs in Chechnya in the 1990s.<sup>42</sup> As was noted above, Libyan forces loyal to Colonel Qaddafi have used cluster munitions during the spring of 2011. Furthermore, the states that have not signed the cluster bomb treaty have claimed that they cannot outlaw their use if allied countries are going to use them during joint operations— this is the “interoperability” argument associated with Article 21 of the treaty.

The arguments that these weapons are true military necessities have been assailed by human rights advocates and associated non-governmental organizations (NGOs). The Cluster Munitions Coalition (CMC)<sup>43</sup> and associated groups like Ban Advocates<sup>44</sup> have drawn heavily upon the experiences of the victims of cluster munitions to draw global attention to the horrific and indiscriminate consequences of these weapons. The efforts of victims and their advocates culminated most successfully in Article 5 of the treaty that deals with “Victim Assistance.” According to the treaty, “each State Party with respect to cluster munitions in areas under its jurisdiction or control shall, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.”<sup>45</sup>

## Conclusion

Clearing the world of landmines and cluster munitions is a moral and practical imperative. These preventable landmine and cluster munitions tragedies that plague many countries and disrupt millions of lives on a daily basis can be comprehensively addressed if national and local governments, international organizations, NGOs, and civil society representatives commit themselves to removing these indiscriminate killers as well as to providing crucial financial, medical, and psychological assistance to their victims. The General Assembly First Committee must now carry forward the critical work that Jody Williams and millions of people from around the world have initiated and implemented.

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<sup>40</sup> Nick Turse, “The Secret Air War in Iraq” *The Nation* May 24, 2007.

<sup>41</sup> United Nations Development Programme (UNDP), “Cluster munitions maim and kill Iraqis every day” November 10, 2010. Found at: <http://content.undp.org/go/newsroom/2010/november/cluster-munitions-maim-and-kill-iraqis-every-day.en>

<sup>42</sup> *RussiaToday*, “Cluster bomb ban rejected by major nations” May 29, 2008.

Found at: <http://www.russiatoday.ru/news/news/25399>

<sup>43</sup> <http://www.stopclustermunitions.org>

<sup>44</sup> <http://www.banadvocates.org>

<sup>45</sup> “Diplomatic Conference for the Adoption of a Convention on Cluster Munitions” *Convention of Cluster Munitions* Dublin, Ireland May 19-30, 2008 p. 9. Full text of the *Convention of Cluster Munitions* may be found at: <http://www.stopclustermunitions.org/wp/wp-content/uploads/2008/06/englishfinaltext.pdf>

In December 2009, Rwanda was named the first country to be completely free of landmines<sup>46</sup>; the hope is that throughout 2012 more countries will be added to the list of landmine free countries.

**Guiding Questions:**

Has your country signed and ratified the Ottawa Convention banning anti-personnel mines? If not, why has your country not signed and ratified the Convention? What steps can be taken to persuade countries to sign and ratify the Ottawa Convention?

How can the General Assembly First Committee, in consultation with related UN agencies and bodies, national governments, NGOs, and interested civil society stakeholders accelerate the pace of mine action and clearance around the world?

Has your government contributed to the Voluntary Trust Fund for Assistance in Mine Action? What initiatives has your government undertaken to clear landmines and to assist the victims of landmines?

How might the international community improve the timeliness of providing needed funds for programs such as the Portfolio of Mine Action Projects?

Did your government sign and ratify the Convention on Cluster Munitions? If not, why not? How can efforts to make this treaty banning cluster bombs universal be expedited?

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<sup>46</sup> *BBC News*, “Rwanda – ‘first landmine free country’” December 2, 2009.