

European Parliament resolution on a mine-free world

The European Parliament ,

- having regard to and confirming its previous resolutions on landmines, cluster munitions and unexploded ordnance,

- having regard to the EU Mine Action Strategy 2005-2007,

- having regard to the report of the Ad Hoc Delegation from the European Parliament to the First Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, held in Nairobi, Kenya, from 28 November to 3 December 2004,

- having regard to Rule 103(4) of its Rules of Procedure,

A. reaffirming its determination to contribute to a truly mine-free world as expressed at the joint hearing of 16 June 2005 held by the Committees on development and international trade,

B. reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill and maim thousands of people every year - mostly innocent and defenceless civilians and especially children - obstruct economic development and reconstruction, hinder the repatriation of refugees and internally displaced persons, generally violate the most basic human rights, and have other severe consequences for years after emplacement,

C. recalling that anti-personnel landmines, due to their social, economic, environmental and humanitarian consequences, constitute a grave threat to long-term human security wherever they are placed,

D. whereas, to date, the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (also known as the 'Mine Ban Treaty') has been ratified or acceded to by 144 states and signed by an additional eight, but concerned that 50 countries remain outside the Convention, including some EU Member States, and specifically concerned about the only Member State that has not signed, ratified or acceded to the Convention,

E. whereas compliance with the Convention remains strong, with 69 States Parties having completed the destruction of their stocks and more than 38.3 million mines destroyed, while another 13 are in the process of destroying them; whereas all States Parties which have reached their stockpile destruction deadlines have declared successful completion thereof,

F. whereas, in spite of this progress, it is estimated that between 180 and 185 million anti-personnel mines are still stockpiled, and that landmines still litter 83 countries around the world, including 54 States Parties,

G. whereas there are still between 15 000 and 20 000 new victims every year, most of them civilians, and many of them children, adding to the many hundreds of thousands of

mine survivors around the world in need of care and assistance for the rest of their lives, and whereas in the vast majority of mine-affected countries, assistance available to rehabilitate and reintegrate landmine survivors into society remains desperately inadequate,

H. whereas the Convention requires States Parties to ensure the destruction of all anti-personnel mines not later than ten years after its entry into force, and requires States Parties which are in a position to do so to provide assistance towards this goal,

I. recognising, therefore, the importance of the First Review Conference of States Parties to the Convention (the 'Nairobi Summit on a Mine-Free World') and the Action Plan adopted by States Parties at that Summit,

J. whereas today the majority of conflicts are internal or civil wars, and landmines may be laid in this context by both state armed forces and armed non-state actors (NSAs),

K. recognising the efforts made and the successes achieved in persuading armed NSAs to ban the use of landmines, while reiterating that this does not imply support for or recognition of the legitimacy of or their activities,

L. whereas the international community has a moral duty to seek commitments from all parties involved in conflicts, both states and armed NSAs, to cease the use of anti-personnel mines, in order to achieve a truly universal ban on these inhuman weapons; whereas the international community, and especially the main producers, exporters and users of the past, has a moral responsibility to provide assistance and resources for mine action, above and beyond the legal obligations under the Convention,

M. noting the widespread use of anti-vehicle mines in at least 56 countries, causing long-standing humanitarian problems in countries such as Afghanistan, Angola, Eritrea, Ethiopia and Sudan,

N. reaffirming that all types of anti-handling device target humanitarian clearance personnel and also represent a threat to civilian populations,

1. Expresses its grave concern at the harmful and widespread impact of landmines and unexploded ordnance on civilian populations, especially children;

2. Calls on all states that have not signed the Convention to accede to it without delay and urges all states that have signed but not ratified the Convention to do so without delay;

3. Calls on all mine-affected states that have not ratified the Convention or acceded to it to take all the necessary measures to alleviate the suffering of civilians living in mine-affected areas by undertaking clearance and providing adequate assistance to survivors and to provide, on a voluntary basis, information to make global mine action efforts more effective (the reports referred to in Article 7 of the Convention);

4. Calls on the USA to reconsider its February 2004 announcement that it will not join the Convention, that it will retain its 8.8 million "smart" (self-destructing) anti-personnel mines for use anywhere in the world indefinitely, and that it will retain its 1.2 million "dumb" (non-self-destructing) anti-personnel mines for use in Korea until 2010; further calls on the USA not to resume production, trade in or use of any munitions that would meet the definition of

anti-personnel mines under the Convention, including the so-called Spider system; calls on the USA to immediately stop delivery of anti-personnel mines to EU Member States and other friendly countries; calls on China to reconsider its production of landmines and to destroy its colossal stockpile estimated at over 100 million anti-personnel landmines, most of them lacking self-destructing, self-deactivating and detection mechanisms; calls on Russia to stop using anti-personnel mines in its conflict in Chechnya and remove any stockpiles still at the disposal of its forces in Georgia and Tajikistan;

5. Calls on the three remaining Member States of the enlarged European Union which have not yet ratified or acceded to the Convention to do so without further delay;

6. Calls on all States Parties to fully and thoroughly implement the Nairobi Action Plan, to achieve the Convention's humanitarian and disarmament aims in the period 2005-2009, which entails:

a) accelerating mine clearance and ensuring that mine-affected States Parties will be able to meet their 10-year deadlines for clearing all anti-personnel mines, which will begin to expire in 2009,

b) fulfilling the duty to provide immediate, adequate and appropriate assistance to mine survivors and their families,

c) providing comprehensive annual transparency reports as required under the Convention, and including in these information on: victim assistance, the intended purposes and actual use of mines under Article 3, steps taken to ensure that claymore mines can only be used in a command-detonated mode, and foreign stockpiles of anti-personnel mines,

d) reaching a common understanding among all States Parties on the implementation of Articles 1, 2 and 3 of the Convention, as these relate to joint operations, anti-vehicle mines with sensitive fuses, and mines retained for training and development, and in particular that any mine which is likely to be detonated by the presence, proximity or touch of a person is an anti-personnel mine, prohibited by the Convention; it is imperative that this definition include tripwires, breakwires, tilt-rods, low-pressure fuses, anti-handling devices and similar fuses,

e) developing and adopting national implementation measures to prevent and suppress activities prohibited by the Convention, including by the use of penal sanctions as required under Article 9;

7. Calls on the Commission to mainstream accession to, and compliance with, the Convention into development programmes with third countries in cases where anti-personnel landmines stand in the way of economic and social development; calls on the Member States to create specific incentives for countries where anti-personnel landmines do not directly affect economic and social development to accede to, and comply with, the Convention;

8. Calls on the Member States that are States Parties to the Convention to push for the broadest possible interpretation of the concept of 'anti-personnel landmine' to include all those landmines that can be set off unintentionally by a person, independently of the technical category ('anti-vehicle', 'anti-personnel landmine') to which they belong;

- 9.** Reiterates its point of view that a 'mine-free world' can only be achieved if all mines are banned and not only specific types of landmine; stresses that this includes all types of anti-vehicle mine; calls on the EU and its Member States to take the lead in attaining this goal;
- 10.** Calls on the EU to strengthen European leadership in global disarmament, with a view to replicating the success story of the Convention in other areas, namely in the domain of anti-vehicle mines, cluster munitions and small arms and light weapons;
- 11.** Calls on all mine-affected States Parties to ensure that mine action and victim assistance are included in their national priorities and, where relevant, in their national, subnational and sectoral development plans and programmes;
- 12.** Calls on States Parties and the Commission to strengthen their assistance to States Parties in need, particularly to improve and increase assistance provided to mine survivors and their families, to ensure that the first mine clearance deadlines in 2009 are met and to destroy stockpiles which may represent a particular challenge because of the type or quantity of mines to be destroyed and the locations/conditions of stockpiles, and also to make such assistance available in areas under the control of NSAs;
- 13.** Calls on all NSAs to sign the Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action, and urges the Council and the Commission to continue in their efforts to persuade NSAs to enter into commitments in this area;
- 14.** Calls for increased resources to be made available for humanitarian demining, stockpile destruction, mine risk education and the care, rehabilitation and social and economic reintegration of mine victims in areas under the control of NSAs;
- 15.** Calls on all states in a position to do so to support politically and diplomatically the work done by specialised NGOs dealing with NSAs, like Geneva Call and the national campaigns of the International Campaign to Ban Landmines;
- 16.** Calls on states concerned by an internal conflict to facilitate the work done by such NGOs and calls especially on the Government of Colombia to facilitate humanitarian demining programmes and related activities in the context of local or regional humanitarian agreements, for the sake of the civil population; considers that failure to facilitate a verification process in respect of humanitarian demining is a violation of the humanitarian spirit of the Convention;
- 17.** Welcomes the EU's pledge of EUR 140 million for the period 2005 / 2007 for its new mine action strategy; urges the EU to ensure that these resources are confirmed by the yearly budgetary decisions and that sufficient resources are made available after 2007;
- 18.** Calls on States Parties to ensure transparency in the implementation of the Convention, especially by involving national parliaments and the general public;
- 19.** Calls on States Parties, particularly those which are EU Member States, to ensure that their funding of mine clearance is partially allocated to the development of a national mine clearance capacity and that demining assistance continues until all known or suspected mine areas are cleared;

20. Recommends, moreover, that the EU should consider providing financial support to states not party to the Convention in the event of humanitarian emergencies; reiterates that this support must be conditional on the proven political will of the recipient country to move towards accession;

21. Calls on the EU and its Member States to prohibit through appropriate legislation financial institutions under their jurisdiction or control from investing directly or indirectly in companies involved in production, stockpiling or transfers of anti-personnel mines and other related controversial weapon systems such as cluster sub-munitions;

22. Calls on the EU and its Member States to ensure compliance with the legislation prohibiting investment in companies involved in anti-personnel mines, by creating effective control and punishment mechanisms; considers that this implies the obligation for financial institutions to adopt a policy of full transparency regarding the companies in which they invest;

23. Instructs its President to forward this resolution to the Council, the Commission, the Governments of the Member States, the UN Secretary-General, the OSCE Secretary-General, the International Committee of the Red Cross, the International Campaign to Ban Landmines, the ACP-EU Joint Parliamentary Assembly, the Governments and Parliaments of the United States of America, the Russian Federation and the People's Republic of China, the President of the Nairobi Summit on a Mine-Free World, the African Union and the Pan-African Parliament.

Thursday, 7 July 2005