

10th anniversary of the Mine Ban Treaty (Ottawa Convention)

European Parliament resolution of 13 December 2007 on the 10th anniversary of the 1997 Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

The European Parliament,

- having regard to its previous resolutions on landmines, and in particular that of 7 July 2005 on a mine-free world¹,
 - having regard to the 1997 Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction,
 - having regard to the Nairobi-Action Plan, adopted in December 2004,
 - having regard to the Eighth Meeting of the States Parties to the Ottawa Convention, held in Jordan in November 2007, the Ninth Meeting of the States Parties, to be held in 2008, and the Second Review Conference, to be held in 2009,
 - having regard to the International Campaign to Ban Landmines (ICBL), which operates in over 70 countries all over the world,
 - having regard to Regulation (EC) No 1724/2001 of the European Parliament and of the Council² and Council regulation (EC) No 1725/2001³,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas, as of November 2007, there were 156 States Parties to the Ottawa Convention,
- B. whereas a series of national parliaments and the European Parliament have launched initiatives to promote the further development of actions to control and ban landmines,
- C. whereas only a few countries still produce anti-personnel mines (APM) and APM trade has virtually come to a halt; whereas, since 1999, around 41,8 million APMs have been destroyed by States Parties to the Ottawa Convention,
- D. whereas, between 1999 and 2004, 4 million APMs and 1 million anti-vehicle mines (AVMs) were cleared and over 2 000 km (equivalent to the area of Luxembourg) of contaminated land were cleared of landmines,
- E. whereas nevertheless it is estimated that over 200 000 km² worldwide (equivalent to the area of Senegal) are contaminated with mines and unexploded ordnance,

¹ OJ C 157 E, 6.7.2006, p. 473.

² OJ L 234, 1.9.2001, p. 1.

³ OJ L 234, 1.9.2001, p. 6.

- F. whereas this means that more than 90 countries are still burdened with mines and unexploded ordnance,
- G. whereas the number of reported casualties has fallen from 11 700 (2002) to 5 751 (2006),
- H. whereas nevertheless the estimated number of unreported victims of landmines and unexploded ordnance is still 15 000 to 20 000 per year,
- I. whereas, for the first time, more mines are being destroyed and cleared than laid,
- J. whereas government use of anti-personnel mines has declined further, with only Myanmar/Burma and Russia continuing to lay new mines, and whereas armed non-state actors have decreased their use of anti-personnel mines or improvised explosive devices, although they still use them in at least eight states,
- K. whereas, as of December 2007, 35 armed non-state actors have committed to a total ban on anti-personnel mines through the Deed of Commitment under Geneva Call for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action,
- L. whereas it is estimated that 78 countries still have some 250 million landmines stockpiled and that 13 states not party to the Ottawa Convention still produce or retain the right to produce anti-personnel mines,
- M. whereas stockpiles of APMs must be destroyed as soon as possible, and no later than the end of the four-year limit stipulated by the Ottawa Convention,
- N. whereas nine States Parties to the Ottawa Convention have yet to destroy their stockpiles within four years of acceding to the Convention,
- O. whereas extra support must be given to the States Parties to the Ottawa Convention in order to encourage the maximum number of States Parties to fulfil their obligations to clear all mines within 10 years of acceding to the Convention,
- P. whereas, since the beginning of the 1990s, the international community has allocated over USD 3,4 billion to mine action programmes (mine clearance and victim aid) and the European Union has spent nearly EUR 335 million,
- Q. whereas nevertheless expenditure on such programmes worldwide sank to EUR 250 million in 2005, and although it increased to EUR 316 million in 2006, the process is far too slow,
- R. whereas the European Union is committed to long-term leadership on and funding of mine action in order to achieve full universalisation and implementation of the Convention,
- S. whereas in 2007 the Commission committed a total of EUR 33 million to mine action in ten countries (Belarus, Bosnia-Herzegovina, Cambodia, Cyprus, Ethiopia, Guinea-Bissau, Jordan, Lebanon, Senegal and Sudan),
- T. whereas the Strategy Paper 2005-2007 highlights the benefits of a specific anti-personnel landmines (APL) budget line in order to provide the capacity to 'respond to acute and

unplanned needs', 'to reinforce and strengthen the efficiency and effectiveness of mine actions undertaken within long-term humanitarian and socioeconomic development programmes' in cases where 'the CSP (Country Strategy Paper), NIP (National Indicative Programme) or corresponding instruments cannot legally support APL-related activities or in cases of political sensitivity or interest for the EC', and to support non-governmental organisations,

- U. whereas nevertheless the APL budget line of the Commission was repealed by the Instrument for Stability at the end of 2006, the EC Mine Action Strategy and Programming comes to an end in 2007 and programming will be almost entirely carried out by EC delegations on the basis of guidelines to be drafted by the Commission and by integrating mine action into Country and Regional Strategy Papers; whereas furthermore it will be up to the EC's mine-affected partners to decide the degree of importance to be assigned to mine action in their overall lists of assistance priorities in their financial assistance requests to the Commission,
 - V. whereas, although the Commission states that it remains firmly committed to supporting the Ottawa Convention, concern can be and has been expressed about future financial levels of EC mine action,
 - W. whereas victim aid and socioeconomic inclusion of mine victims as called for in Article 6 of the Ottawa Convention must be improved; whereas there are an estimated 450 000 to 500 000 survivors in the world and the number of people who have survived a landmine or unexploded ordnance accident and need care and rehabilitation is growing; whereas three quarters of recorded casualties were civilians and 34% of civilian casualties were children,
 - X. whereas it is necessary to strengthen international humanitarian law as it applies to mines other than anti-personnel mines through the Convention on Certain Conventional Weapons (CCW), taking into account that anti-vehicle mines which are equipped with sensitive fuses and anti-handling devices that can be triggered by the unintentional act of a person are already banned by the Ottawa Convention as they form a deadly threat to vulnerable communities and humanitarian aid workers as well as mine-clearance personnel,
 - Y. whereas time is running short for 29 countries with treaty-mandated clearance deadlines in 2009 or 2010 and whereas in particular one EU Member State has failed to even begin clearance operations despite the treaty obligation to complete all clearing operations by 2009, and another Member State only began operations in October 2007,
 - Z. whereas funding for survivor assistance comprises only 1% of total mine action funding and progress toward meeting the needs and respecting the rights of survivors has to be regarded as insufficient; whereas at least 13 countries are in urgent need of new or additional mine risk education programs,
1. Urges all states to sign and ratify the Ottawa Convention in order to universalise the Convention so as to attain the common goal of a mine-free world;
 2. Underlines in particular the importance of the accession of USA, Russia, China, Pakistan and India to the Ottawa Convention;

3. Encourages the two EU Member States which have not yet acceded to the Convention or completed the ratification process to do so before the next Ottawa Convention Review Conference in 2009;
4. Urges all armed non-state actors to show their respect for the humanitarian norm established by the Ottawa Convention by stopping the production and use of anti-personnel landmines and to sign the Geneva Call Deed of Commitment;
5. Calls on the Council and the EU Member States and candidate countries to immediately start the preparation of the 2009 Ottawa Convention Review Conference and to make a proposal for planned joint action in this context;
6. Calls on all States Parties to fully and rapidly implement all their obligations under the Ottawa Convention;
7. Encourages all Member States, candidate countries and States Parties to the Ottawa Convention to pay close attention to the possible impact of the widely recognised opinion of the International Committee of the Red Cross that any mine which is likely to be detonated by the presence, proximity or contact of a person is an anti-personnel mine prohibited by the Convention; notes that, specifically, this would mean that tripwires, break-wires, tilt-rods, low-pressure fuses, anti-handling devices and similar fuses would be prohibited for States Parties to the Convention;
8. Requests the Member States and candidate countries to take immediate measures to ensure that anti-vehicle mines which are likely to be detonated by the presence, proximity or contact of a person are destroyed in accordance with the provisions of the Ottawa Convention;
9. Calls on the Commission to fully maintain its determination and continuity of effort to financially assist communities and individuals affected by landmines through all available instruments, including in territories under the control or influence of armed non-state actors, and calls on it to appear before Parliament early in 2008 to clarify its action in this context;
10. Calls on the Commission to reinstate a specific anti-personnel mine budget line for the financing of mine action, victim assistance, and stockpile destruction required of States Parties that cannot be funded through the new funding instruments; urges the Commission to ensure that sufficient resources are made available after 2007;
11. Calls on the Commission to maintain sufficient staff posts to ensure the effective implementation of its policy on banning anti-personnel mines, including by ensuring that mine action is explicitly included in mine-affected States Parties' Country Strategy Papers and National Indicative Programmes and by keeping track of total funding for mine action through the different funding instruments;
12. Calls on States Parties to the Convention, particularly EU Member States and candidate countries, to ensure that their funding for mine clearance contributes to the development of a national mine clearance capacity so as to ensure that mine clearance activities are continued until all areas known to contain, or suspected of containing, mines are cleared;

13. Urges the Council and the Commission to continue to support the efforts to commit armed non-state actors to a landmine ban, which does not imply support for, or recognition of the legitimacy of, armed non-state actors or their activities;
14. Calls on mine-affected countries and international donors to give greater priority to the physical and economic rehabilitation of survivors, as their needs are not being adequately addressed;
15. Calls on its competent committees closely to monitor and participate in CCW meetings, to report on Member State initiatives on landmines and to report on other international measures concerning such weapons;
16. Recalls that each State Party to the Ottawa Convention undertakes never under any circumstances to assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the Convention;
17. Calls on State Parties to ensure that they do not allow the financial institutions active on their territory and/or subject to their legislation to invest in companies involved in anti-personnel landmine production, stockpiling or transfers;
18. Calls on the EU, the Member States and candidate countries to ban any kind of direct or indirect financial support by private or public financial institutions active on their territory and/or subject to their legislation to companies involved in the production, stockpiling or transfer of anti-personnel landmines; considers that this ban should be incorporated in EU and national legislation;
19. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and candidate countries, the UN Secretary-General, the Secretary-General of the Organization for Security and Co-operation in Europe, the International Committee of the Red Cross, the International Campaign to Ban Landmines , Geneva Call, the ACP-EU Joint Parliamentary Assembly, the Governments of the United States of America, the Russian Federation, the People's Republic of China, Pakistan and India and the President-Designate of the Ninth Meeting of the States Parties to the Ottawa Convention and of the Second Review Conference.