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B5-0215/2004 }  
B5-0216/2004 }  
B5-0217/2004 }  
B5-0221/2004 }  
B5-0224/2004 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 37(4) of the Rules of Procedure, by

- Philippe Morillon on behalf of the PPE-DE Group
- Jan Marinus Wiersma and Giovanni Claudio Fava on behalf of the PSE Group
- Bob van den Bos and Johan Van Hecke on behalf of the ELDR Group
- Nelly Maes and Matti Wuori on behalf of the Verts/ALE Group
- Luisa Morgantini and Yasmine Boudjenah on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PPE-DE (B5-0215/2004),
- ELDR (B5-0216/2004),
- GUE/NGL (B5-0217/2004),
- Verts/ALE (B5-0221/2004),
- PSE (B5-0224/2004),

on preparations by the European Union for the Review Conference on the Ottawa Treaty on anti-personnel mines

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## **European Parliament resolution on preparations by the European Union for the Review Conference on the Ottawa Treaty on anti-personnel mines**

*The European Parliament,*

- having regard to its resolutions of 17 December 1992 on the injuries and loss of life caused by mines, of 29 June 1995 on landmines and blinding laser weapons and on anti-personnel landmines: a murderous impediment to development, of 18 December 1997 on the 1997 Convention on the prohibition and destruction of anti-personnel mines, of 25 October 2000 on anti-personnel landmines, of 6 September 2001 on measures to promote a commitment by non-State actors to a total ban on anti-personnel landmines, and of 13 February 2003 on the harmful effects of unexploded ordnance (landmines and cluster submunitions) and depleted uranium ammunition,
  - having regard to paragraph 40 of its resolution of 4 December 2003 on the Council and Commission statements on the preparation of the European Council in Brussels on 12-13 December 2003, in which it 'calls on the Council to ask the present and future Member States to accede to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction as soon as possible, in order to allow the European Union to play a full and active part in the First Review Conference on the Convention in 2004 in support of its universalisation, consolidation and full implementation',
  - having regard to the Communication from the Commission to the European Parliament and the Council on action against anti-personnel landmines: reinforcing the contribution of the European Union, and to the proposal for a European Parliament and Council Regulation concerning action against anti-personnel landmines (COM(2000)111),
  - having regard to the 1997 Convention on the prohibition and destruction of anti-personnel mines (the Ottawa Convention),
  - having regard to the EU Mine Action Strategy 2002-2004,
  - having regard to Rule 37(4) of its Rules of Procedure,
- A. reaffirming its determination to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,
- B. whereas to date the 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 141 states and signed by an additional nine,

- C. concerned at the fact that 44 countries remain outside the Mine Ban Treaty<sup>1</sup>,
- D. whereas adherence by States Parties to the Mine Ban Treaty remains strong, with 68 States Parties having destroyed more than 31.5 million mines, while another 13 are in the process of doing so; all States Parties which have reached their stockpile destruction deadlines have declared successful completion thereof; and the compliance rate of States Parties in meeting their initial transparency-reporting requirement is more than 90%,
- E. whereas, in spite of this progress, it is estimated that 78 countries still have between 200 and 215 million anti-personnel mines stockpiled, and that there are still between 15 000 and 20 000 new landmine victims per year, while landmines still litter 82 countries around the world,
- F. recognising, therefore, the importance of the First Review Conference of States Parties to the Convention, to be held from 29 November to 3 December 2004 in Nairobi, Kenya (the 'Nairobi Summit on a Mine-Free World'),
- G. whereas today the majority of landmines are laid in the context of armed conflict and/or civil war, in which both state armed forces and non-state armed groups may be involved in the use of landmines,
- H. whereas the international community has a moral duty to seek commitments from all parties involved in such conflicts, both states and armed non-state actors, to cease the use of anti-personnel mines, in order to achieve a truly universal ban on these inhumane weapons,
- I. recognising the efforts made by governments, international organisations and NGOs to encourage armed non-state actors to ban the use of anti-personnel landmines,
- J. whereas this does not imply support for or recognition of the legitimacy of armed non-state actors or their activities,
- K. recognising that armed non-state actors should show their respect for the humanitarian norm established by the Ottawa Convention in a number of concrete ways, such as: stopping the use and production of and trade in anti-personnel landmines; signing the Geneva Call Deed of Commitment; making public declarations; and facilitating demining, mine risk education, victim assistance and humanitarian mine action in areas under their control,
1. Calls on all states that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction to accede to it without delay and in any case before the First Review Conference of the Convention;
  2. Urges all states that have signed but not ratified the Convention to ratify it without delay;

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<sup>1</sup> Armenia, Azerbaijan, Bahrain, Bhutan, China, Cuba, Egypt, Estonia, Finland, Georgia, India, Iran, Iraq, Israel, Kazakhstan, North Korea, South Korea, Kuwait, Kyrgyzstan, Laos, Latvia, Lebanon, Libya, Micronesia, Mongolia, Morocco, Myanmar (Burma), Nepal, Oman, Pakistan, Palau, Papua New Guinea, Russia, Saudi Arabia, Singapore, Somalia, Sri Lanka, Syria, Tonga, Tuvalu, United Arab Emirates, USA, Uzbekistan and Vietnam.

3. Invites all states that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;
4. Calls on the four remaining Member States of the enlarged European Union which have not yet ratified or acceded to the 1997 Mine Ban Treaty to do so without further delay and in any case before the First Review Conference of the Convention;
5. Calls on all States Parties to the Convention to participate at the 'highest possible level' in the Nairobi Summit, as called for at the Fifth Meeting of States Parties in Bangkok, Thailand, in September 2003;
6. Calls upon all states and other relevant actors to renew their commitments to the humanitarian aims of the Convention in advance of the Nairobi Summit, to ensure that the First Review Conference will be a significant milestone in marking achievements and assessing challenges that remain, and to declare at the Summit their unwavering determination and commitment to put an end to the suffering caused by anti-personnel mines;
7. Welcomes the statement of 13 February 2004 by the Presidency, on behalf of the European Union, in advance of the 2004 Nairobi Summit on a Mine-Free World, according to which: 'the First Review Conference should not only take stock of what has been achieved but should also focus on the future. The EU hopes that the 2004 Nairobi Conference will succeed in agreeing on a clear and practicable Plan of Action, containing concrete steps that are necessary to make significant progress in the 2004 to 2009 period';
8. Believes that the First Review Conference in Nairobi should be structured to emphasise progress to date in the pursuit of the four core aims of the Ottawa Convention, clearing mined areas, assisting victims, destroying stockpiles of anti-personnel mines and universalising the Convention;
9. Calls on the Nairobi Review Conference of the Ottawa Convention to make a strong commitment calling on all NSAs (Non-State Actors) to sign the 'Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Landmines and for Cooperation in Mine Action' under the Geneva Call; and calls for increased resources to be made available for humanitarian demining, mine risk education and the care, rehabilitation and social and economic reintegration of mine victims, and for mine-affected states to establish appropriate and adequate assistance for landmine survivors in areas under state control or under the de facto control of armed non-state actors;
10. Insists that the Review should also assess progress and challenges related to key matters essential for achieving these aims, particularly resource mobilisation, the exchange of information, measures taken to prevent and suppress prohibited activities, and measures to facilitate compliance; in advance of the Review Conference, urges States Parties to establish national implementing legislation (as required under Article 9), including penal sanctions, to prevent or suppress any activity prohibited under the Convention undertaken by persons or on territory under their jurisdiction or control;

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11. Recalls that the European Community has pledged EUR 240 million for the period 2002 - 2009, that its mine action strategy focuses on five mutually reinforcing components (advocacy to stigmatise the use of anti-personnel mines and support for a total ban on them; mine risk education; mine clearance; victim assistance; and stockpile destruction), and that it prioritises its financial aid towards those countries which adhere to the principles and obligations of the Mine Ban Convention;
12. Recalls, however, that the European Union may consider providing financial support also to states not party to the Mine Ban Convention, should humanitarian emergencies arise; as in the past, this support must be contingent on the proven political will of the recipient country to move towards accession to the Convention;
13. Invites the Council and the EU Member States to speak with one voice at the Review Conference;
14. Urges the Council and the Commission to continue to support the efforts to commit NSAs (Non-State Actors) to a landmine ban; whereas this does not imply support for, or recognition of the legitimacy of, Non-State Actors or their activities;
15. Recalls that an ambitious aspect of the Mine Ban Treaty was the setting of targets for mine clearance world-wide, and that the first deadlines for mine clearance will occur in 2009; notes with regret that the slow pace of clearance and the new use of landmines in conflicts mean that these targets will not be met unless there is a clear demonstration by all States Parties of reinforced political will and resource commitments; calls on all mine-affected States Parties to establish and implement strategic and achievable national mine action plans that are consistent with the time frames outlined in the Convention;
16. Requests, in order to allow continuous monitoring of the European Union's actions and to ensure its leading role in these actions, that a delegation of the European Parliament be included in the EU's delegation to the Nairobi Summit on a Mine-Free World;
17. Instructs its President to forward this resolution to the Commission, the Council, 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 of the United States of America, the Russian Federation and the People's Republic of China, and the President-Designate of the First Review Conference of States Parties to the Convention.