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Tied Campaigns: Cluster Munitions, Explosive Remnants of War and Anti-personnel Landmines

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Abatement, which utilizes country assessments. As an enhancement to the standard assessment process, the WBA program seeks to develop concurrent plans, in coordination with the various country hosts, to assist using a fast-track approach so that serious threats can be addressed as much more expeditiously than with other methods. Under this methodology, as country assessments reveal threats, the information is shared with the host country and discussions include possible solutions to the threats. As the assessments continue, the solution sets are fine-tuned, and it quickly becomes obvious which option is best to mitigate the specific threats. Once the solution is mutually agreed upon by the Department of State and the host country, the same teams that are conducting the assessments can be expanded to handle the implementation. 

The benefits of this improved approach are numerous but include faster response to identified threats, a cost-effective mitigation of threats, a fast-tracked timeline (the same teams expand to handle the solution; there is a minimal learning curve for personnel) for response, and ongoing host-country buy-in to the solution. The Department of State has done an admirable job in constructing a highly efficient, responsive, accurate and timely program for weapons removal and abatement. In conclusion, there is an irrefutable relationship between landmines and other remnants of war. Their origins are complexly independent; their technology and cost components are quite different; their general manufacturing and deployment sources are different; but both excel as weapons since the effectiveness of any weapon depends upon two factors:

1. Its ability to damage or destroy men and material
2. The morale effect of its use, or threat thereof, upon the enemy

Both of these threats have many names, and I am certain someone somewhere is thinking up a new name for landmines and other explosive remnants of war. Regardless of the new tortured phrase we will be forced to endure, let us not forget that “A rose by any other name would smell as sweet,” but these threats are the thorns of the rose. See Endnotes, page 109

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Richard H. Dugger is President, CEO and Chairman of Va.-based UXB International, Inc. and of all UXB subsidiaries in Afghanistan, Africa, Asia, the Balkans, Panama and the United Arab Emirates. UXB develops and applies new technologies to safely remove and destroy some of the most lethal weapons in existence. Dugger has been with UXB for over 20 years.

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The cluster munitions campaign, following the precedent of the International Campaign to Ban Landmines, is beginning to make an impact on state views of banning or restricting cluster munitions. This article examines the history behind the fight to ban or restrict cluster munitions and its ties to the ICBL. The author also discusses the most recent developments in the process to ban or restrict cluster bombs.

by Robin Collins (World Federalist Movement-Canada)

The end of the Cold War has a lot to do with the greater attention the world now gives to humanitarian grievances. The Unexploited ordnance impact data mass has been accumulating, but without the precedent of the anti-personnel mine campaign and the Ottawa Convention, the Belgians would probably never have considered banning cluster munitions in 2006.

Most of the ICBL’s 1,400 members have limited themselves to APM eradication, victim assistance and other Convention goals, but have not yet rallied in similar numbers to the cluster munitions effort. The Cluster Munition Coalition, formed in late 2003, has approximately 178 members. Many of the CMC’s members and leadership, however, are seasoned campaigners. Familiar to ICBL-watchers are Handicap International, Human Rights Watch, Landmine Action (UK), Mines Action Canada and Pax Christi, who are among those sitting on CMC’s 10-member steering committee.

The ICBL and its dynamic partnership with like-minded APM bans eases (the Ottawa Process) was an innovative and collaborative way of quickly moving the ban agenda forward. Disappointment with the existing Convention on Certain Conventional Weapons’ consensus rule (where a single recalcitrant state can dilute or block Convention provisions supported by the majority) led to the new parallel process.

The parties to the Ottawa Process focused on the idea that humanitarian impact can trump military utility. This idea was not new because international humanitarian law and an array of treaties from the mid-1800s onwards already referred to obligations towards civilians during conflict, containing such ideas as proportionality, discrimination, military necessity and humane treatment.

The ICBL effort has followed the precedent of the ICBL, struggling through the slow CCW process and challenging the stragglers. If cluster-munition campaigners were unprepared for the inadequacy of the prevention measures of the Convention’s Protocol V, that were agreed to by governments, they have sober expectations about their

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prospects now at the CCW. At a minimum, preventing UXO meant establishing ac-
ceptable safety standards and finding con-
figurations and destroying aging systems. It also meant that mechanisms to prevent UXO (including cluster munitions) appeared in the final text. Instead, it stated, “Each High Contracting Party is encour-
aged to take generic preventive measures aimed at minimizing the occurrence of ex-
ploration and use issues. …[A] new pro-
cess should be established….”

The targeting and use issues. The mandate and the humanitarian and socio-economic disaster prevention of UXO meant establishing ac-
ceptable boundaries of the contagion, but not all
clusters—anti-personnel mines and APMs, anti-
grenades, booby traps and even missiles. Hand-
ing devices, artillery shells, bombs, and or-
der explosive remnants of war.”26

Emotional Remnants of War
Even before the Ottawa Convention was signed (in December 1997) and its
opponents began to call for a moratorium on landmines,28 other
organizations recognized as self-evident a danger from weapons with similar char-
teristics: anti-personnel mines.3

An issue with the result—an area-effect weapon, readily admitted as
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complexion of the cluster munitions campaign, field-based evidence, it also confirms actual at the University of Melbourne Law School, having distributed its own task-force report in advance of the CCW, seems to be will- ing to consider major changes in its arsenal. For the first time in a long time, a significant international restriction on certain cluster munitions appears to be within reach.

Continuing Debates

From the start, many ICBL campaign- ers had difficulty condensing technical measures to address high cluster munition failure rates. They campaigned against self-destruction, self-destruction and self-destruction and explosive remnants solutions for APMs and worry that supporting technical fixes now may compromise an absolute principle defended earlier. However, what if major players refuse to join an all-out ban on cluster munitions, even if they support a comprehensive ban on anti-personnel mines?

Controversy also surrounds the debate over what an “acceptable” failure rate looks like. Less than 1-percent failure in a typical cut-off point, but is also arbitrary. A very small percentage of a very large number can still be a humanitarian disaster, albeit a much-reduced danger compared with that produced by a 10- to 30-percent failure rate.

Yes, there may be a harm-reduction im- perative to preventing destruction of certain more problematic “worst culprit” munitions, whatever the future holds for a complete ban. There is consensus within the CMC for a moratorium on use, production and trade of cluster munitions until their hu- manitarian problems have been resolved—but not everyone has been in favour of prioritising.

Does highlighting the bulk of the problem legitimise what remains? Some worry that humanitarian law will be ignored and they have suggested that cluster munitions might be acceptable morally only if their failure rates are “fixed.” Will mili- taries拒nother bombs, causing more casualities, if cluster munitions are banned entirely?

An interesting reverse-osmosis framework outlined by Landmine Action (UK) and consistent with one of the conclusions of the McCormack report is that governments should recognise all cluster munitions are assumed prohibited unless users can “opt in” with a guarantee that a particular munition can be used safely. Might that approach fit nicely with the destruction of legacy munitions with the highest failure rates?

A final point: If the failure rates of cluster munitions were reduced to nil or near nil, would there remain a humanitarian problem on a scale sufficient to warrant a campaign for a comprehensive international ban?

See Endnote, page 110

Mines and ERW

Due to the history and nature of conflicts in the Ethiopia/Eritrea area, cleanup presents specific considerations and hazards. The lessons learned by the United Nations Mission in Ethiopia and Eritrea Mine Action Coordination Centre in mine/explosive rem-nents of war cleanup are presented, as well as recommendations on clearance operations for situations with mixed mine/ ERW like that in Ethiopia and Eritrea.

by Bob Kudysa [UNMEE MACC]

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Does highlighting the bulk of the problem legitimise what remains? Some worry that humanitarian law will be ignored and they have suggested that cluster munitions might be acceptable morally only if their failure rates are “fixed.” Will militaries return to other bombs, causing more casualities, if cluster munitions are banned entirely?

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Mines and explosive remnants of war continue to affect many parts of the world. One such area is the Horn of Africa, where wars have continued for the better part of the 20th century. U.N. Security Council Resolution 1325 formally established the United Nations Mission in Ethiopia and Eritrea in November 2010. At the same time, the U.N. Security Council formally established a Mine Action Coordination Centre within the United Nations Mission in Ethiopia and Eritrea. The resolution requires the MACC to coordinate and provide technical assistance for humanitarian mine action activities in the TSZ [temporary security zone] and area adjacent to it.

History of the Mine and ERW Problem

The mine and ERW problems of Ethiopia and Eritrea stem from three historical periods. Eritrea was colonized by the Italians in the 19th century. During the Second World War, Italian and British forces fought a number of battles across Eritrea, culminating in a major siege on the town of Keren in 1941, which lasted nearly three months. These battles were fought in a conventional manner, consisting of aerial bombardments, artillery, small-arms fire and mine emplacement. Certain areas around Keren are considered hazardous today due to suspected contamination by mines and unexploded ord- nance, particularly in the hills surrounding the township. Keren was the scene of a major battle again during the independence war years between 1961 and 1991.

After the Second World War, Eritrea was governed by Great Britain until the early 1950s, when it was handed over to Ethiopia in accordance with the federalism system retained by Ethiopia. Eritrea be- came its northernmost province. There was a resurgence of Eritrean nationalism in the early 1960s when the Ethiopian population began an insurgent campaign for independence against Ethiopian forces. This rebellion gradually developed into a more conventional war as the Eritreans gained support for their cause, won key battles and held ground. This struggle for independence lasted 30 years and affected the entire country. The Eritrean struggle for independence is possibly one of the most successful examples of a liberation war. Eritreans are justifiably proud of the establishment of their country, as it was won at great cost to the population and without “outside” help or support from other nations.

After the state of Eritrea was established in 1993, following a U.N.-monitored referendum in which the population voted overwhelmingly for independence, the relationship between Eritrea and Ethiopia was cordial. This relationship continued until several issues soured it, including the introduction of a new currency, the nakfa, which replaced the Ethiopian birr. The situation eventually deteriorated into a war lasting from 1998 to 2000 over demarcated bor- ders. Then, in 2000, Algiers brokered a peace accord.

This border war was an intense conflict, with both sides em- ploying conventional war strategies that developed into a carefully planned and executed military operation reminiscent of World War I. The war was fought at terrific cost with an estimated 70,000 people killed and thousands more displaced. As a result of this conflict, the entire border area between the two countries from the Sudan in the west to the Djiboutian border in the east remains contaminated with mines and ERW today.

Interrelationships between Mines and ERW

In the context of Eritrea and the northern areas of Ethiopia remain contaminated with mines and conventional ERW. In a recent incident, a truck driver collecting stones for a build- ing site was killed when his vehicle drove over a landmine on a vacant site just off a main road near the capital, Asmara. This mine was a remnant of the independence war years, quite possibly overlooked when the area was vacated.

In examining the history of the conflicts that have engulfed the region, mines and ERW are intertwined melanges rather than separate entities. It is not safe to just walk out to unexploded ordnance or an abandoned tank and attempt to remove or destroy items without...