



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS



Lunch seminar „Protecting Civilians from Cluster Munitions – The Role of Parliamentarians“

Side event organized at the 131st IPU Assembly, Tuesday 14th October 2014, Room 18, CIGG, Geneva

Organized by the Cluster Munition Coalition and the Parliamentary Forum on Small Arms and Light Weapons

Participation

A total of 54 people attended the event including; 28 members of parliament, members of international networks such as Parliamentarians for Non-proliferation and Disarmament (PNND), Parliamentary Assembly of Turkic Speaking Countries, members of the Permanent Missions of Iran and Costa Rica, and parliamentary staff members of the parliamentarians were present (list of participants attached)

Chair's introduction – Peter Weiderud, Secretary General, Parliamentary Forum on SALW

Mr. Weiderud briefly welcomed the participants attending the Seminar and proceeded to give a brief history of the activities, goals and work of the Forum. The Forum was founded in 2002 in the Spanish Congress and today joins over 200 parliamentarians from 70 countries in Africa, Latin America, North America, Europe and the Middle East. He emphasized the role of the Forum as a platform for debate where MPs can join forces and contribute to the advancement of the small arms and armed violence reduction agenda. Mr. Weiderud highlighted the strong stand that the Forum has taken in supporting the process towards an Arms Trade Treaty, both for its adoption and ratification. Members of the Forum have contributed to reaching the 50 ratification needed which makes the entry into force by Christmas this year possible. He proceeded to briefly introduce the topic of the seminar, cluster munitions, and the 2008 Convention on Cluster Munitions.

Cluster munitions a globally banned weapon – Lynn Bradach, Cluster Munition Coalition

Lynn Bradach presented the key facts why cluster munitions should be banned, the importance of ratifying and acceding to the Convention on Cluster Munitions (CCM) and the benefits of joining the convention. In her presentation, she emphasized the fact that cluster munitions are outdated weapons, counterproductive to modern warfare. She outlined that given their wide area of destruction it is very difficult and often impossible



to use cluster munitions in a manner that can discriminate between a civilian or a military target. In addition, cluster munitions are notoriously unreliable, leaving very dangerous unexploded submunitions after conflicts end, becoming a long-term risk for the civilian population and denying the access to land and resources. Cluster munitions are banned under international humanitarian Law. Until today, 115 countries have joined the CCM, from these 27 states still need to ratify. However, 82 countries are yet to join the CCM, meaning that more efforts have to be made to convince states to join the convention. Under the Convention, states are prohibited to use, produce, stockpile and transfer cluster munitions. State parties must destroy stockpiles (within 8 years), clear contaminated areas (10 years), assist victims, provide technical, material and financial assistance to State Parties affected by cluster munitions, promote universalization of the Convention and the ban norm. Ms Bradach remarked the important role that parliamentarians could have in pushing for the prohibition of cluster munitions.

Short film: “*Living In Danger: Iraq’s Cluster Bomb Legacy*”

The [film](#) portrayed the post-conflict impact that cluster munitions continue to have on Iraq’s civilian population, highlighting the mid and long term consequences on their daily lives. The film also showed the positive results of mine risk education and clearance to avoid further harm from cluster munitions. The film is collaboration between the Cluster Munition Coalition and Mines Advisory Group (MAG).

An Iraq perspective: Ala Talabani, MP Iraq and President of the Parliamentary Forum on SALW

The President of the Parliamentary Forum on SALW, Ala Talabani, provided a brief introduction on why the CCM was created. She explained why Iraq decided to join the CCM and how cluster munitions in Iraq serve as an example on the suffering and disruptions they create in the areas they were used. Ms Talabani concentrated on four major fields from which we could analyse the problem of cluster munitions in Iraq.

In the legal/policy field, Iraq is a State Party of the CCM since 2013, it was a producer of such weapons until 2003, but as obligated by the convention it does not produce nor has stockpiles of such weapons.

In the field of contamination, Iraq is one of the countries most heavily contaminated by cluster munitions remnants in the world, as a result from the war with Iran, the Gulf War in 1991 and the 2003 invasion by the US lead coalition. During the Gulf War, US, France and the United Kingdom dropped 61, 00 cluster bombs containing some 20 million submunitions on Iraq and Kuwait in 1991. In 2003, an estimated 13,000 cluster munitions containing an estimated 1.8 million to 2 million submunitions were used. In 2004, Iraq’s National Mine Action Authority identified 2,200 sites of cluster munitions contamination



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along the Tigris and Euphrates river valleys. In 2003, cluster munitions killed more civilians than any other type of US weapon. Substantial clearance of explosive submunitions had been undertaken but more needs to be done. Iraq is working to produce a comprehensive estimate of the remaining mine/cluster munitions/ERW problem.

On the issue of casualties, Ms Talabani explained that an estimate between 5,500 and 8,000 people have died from cluster munitions in Iraq since 1991. Recorded victims, which are always lower than the estimated total number, reached the 3019 in Iraq by the end of 2013 (1,165 people were killed from cluster munition remnants and submunitions, while 1,437 were injured). Approximately, a quarter of these casualties were children. Under the CCM; Iraq and all other State Parties have a legal obligation to ensure that these victims are provided with adequate assistance, including medical care, physical and psychological rehabilitation, and support for economic and social inclusion.

MS Talabani closed her presentation explaining what parliamentarians can do to address the problem of cluster munitions. She emphasized that all states should join the CCM and ratify quickly if still only a signatory. The CCM is part of the overall fabric of international humanitarian law and the effort to promote human security. By joining efforts like the CCM, states reinforce each other's efforts to promote peace and security for all. Parliamentarians have an important role to play helping their country to be part of the CCM as soon as possible. For signatory states, parliamentarians need to make ratification a priority. Members of the parliament should work with fellow members, the media, and executive bodies to ensure their country understands the urgency of this task, for the protection of civilians in their own country and worldwide.

Discussion

Hon Mark Wade, Speaker of the House of Representatives of the Republic of Trinidad and Tobago commented on the introduction made by the Chair Secretary General Mr. Peter Weiderud. He highlighted the fact that Trinidad & Tobago is a state party to the Convention on Cluster Munitions (CCM) and the Arms Trade Treaty (ATT). He mentioned the fact that Barbados, Bahamas, Dominica, Guyana, Saint Lucia and Suriname have not signed the Treaty (Guyana has since acceded on 31 October 2014). He proposed to host a meeting in the region to bring together representatives from the countries that have not signed the treaty. These states have already signed the Mine Ban Treaty which could mean that they would be inclined to sign another similar disarmament treaty. Trinidad & Tobago will try to speak to their colleagues. Mr. Wade proposed to talk to Barbados National Assembly Member Michael Carrington and offered further assistance in support of the treaty.

Mr. Peter Weiderud highlighted that one of the main problems faced is the ratification of such conventions; he also stressed the fact that parliamentarians have a role to make this topic relevant at their own parliaments.



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Hon. Zargham Sadhegi, Member of the Islamic Consultative Assembly and a physician, explained that Iran was affected by explosive remnants of war and discussed side effects on civilians, particularly on families and children. He called on the parliamentarians to find a solution to this problem. Mr. Sadhegi asked the other MPs to take into account the irresponsible use of small arms and light weapons. He encouraged the development of tools for legislation and administration in every country to tackle the problem.

A member of the Jordanian delegation asked about the role of signatory countries and where their responsibilities lie. She suggested that the Cluster Munition Coalition should prioritise and direct focus towards countries that produce these weapons.

Mr. Weiderud urged that parliamentarians in each country have to act to promote the accession and ratification of the CCM.

Tamar Gabelnick, Policy Director at Cluster Munition Coalition, agreed that each state should be part of this convention. She also explained that countries that have not signed or ratified should take a higher moral ground even if neighbouring countries have not signed the treaty, by joining without delay. The CMC is willing to provide help to countries considering joining the Convention and in need of assistance. Ms Gabelnick said that states using the weapon are an urgent target to join the convention.

Given that translation into Arabic was not available, Ms Talabani made a summary for the Arabic speaking audience.

Mr. Alan Ware, from PNND asked CMC questions related to what happened after the signing of the CCM; did the parties take action to prohibit corporations that still produce cluster munitions?; do corporations that produce cluster munitions also make other weapons? and does it have an effect to ban production?

Tamar Gabelnick, explained what companies are active in the production and development of cluster munitions, and elaborated on the positive effect of signing the CCM where some companies were forced to stop its production and that the market for the weapon is drastically reduced due to the ban and the stigma. She also added that there are initiatives to limit financial assistance to the remaining companies that produce cluster munition, which is a great step towards solving the problem; in this case, she mentioned the PAX and CMC initiative “Stop Explosive Investments”.

Michael Arce, MP from Costa Rica shared his position on the issue. Parliamentarians should speak up about violations of international humanitarian law. Costa Rica will keep raising its voice to condemn cluster munitions by any user. It is a moral obligation of the governments and parliamentarians to raise their voices against cluster munitions. He noted that disarmament is the only path to diminishing the effects of cluster munitions. The paradigm is aligned with sustainable development, where the well-being of the human should be the centre of every policy.



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Ambassador Christian Guillermet, of the Mission of Costa Rica in Geneva, congratulated the Forum and the CMC for its work against the use and production of cluster munitions. He also highlighted the efforts made by Central American countries to become the first region to fully universalise the treaty this year. Ambassador Guillermet outlined Costa Rica's role presiding over the Fifth meeting of the State Parties to the Cluster Munition Convention and as current President of the treaty. Ambassador Guillermet explained that the main focus should be on the effect that these weapons have on the civilian population, as well as its mid and long term developmental consequences. He mentioned that to disarm the regions affected by cluster munitions special attention is needed. Ambassador Guillermet emphasized the goal of the Costa Rica is to increase the adherence to and universalisation of the CCM. He called on the parliamentarians to take the leadership at the national level to ratify and accede, as well as introduce legislation to implement the ban at the national level (alerting that model laws are available). Ambassador Guillermet also urged parliamentarians to work at a regional level to convince more countries to join the treaty.

Ambassador Guillermet proposed a commitment:

- Ask parliamentarians to take an active role in ratifying the CCM.
- To work at the regional level with other parliamentarians

Hon Moses Anweelo, from Namibia, stressed the importance of the convention. He outlined that Namibia signed the Convention in 2008 and was recently informed by the Minister for Safety and Security that the process to deposit the instrument of ratification is at a very advanced stage.

Zambian MP, Hon Howard Kunda, a member of the Forum since 2009, discussed the necessity for the issue to be discussed in parliaments.