

Quaker Peace and Justice Committee
Tasmania Regional Meeting
PO Box 388 North Hobart, Tasmania, 7002

Submission to the Joint Standing Committee on Treaties

Inquiry relating to the Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010

Dear Committee Members,

The Quaker Peace and Justice Committee (Tasmania Regional Meeting) would like to commend the Australian Government on Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 as an important step for Australia to declare its opposition to these destructive weapons . We also welcome the Review as an opportunity to strengthen the Bill so that it can more effectively support the Convention on Cluster Munitions (Dublin 2008).

The current Bill is a public declaration of Australia's opposition to cluster munitions. However the Convention on Cluster Munitions goes beyond the prohibition and disarmament that is provided for by the Bill. The Convention requires State Parties to commit to the rehabilitation of victims, their families and communities, including medical care, physical rehabilitation, psychological support and socio-economic inclusion. State Parties are also required to assist, if possible, in clearing areas. In addition the Convention mandates against investment support for manufacturers involved in offshore production of cluster munitions.

The real strength of the Convention is its recognition that opposition to cluster munitions brings with it social and moral responsibilities. In so doing it impresses upon the international community the totally abhorrent nature of cluster munitions. These are weapons that affect wide areas at a time and do not discriminate between military and civilian targets. Consequently they result in high civilian death and casualty rates. Their use has incalculable social and economic impact.

If Australia is going to give full effect to the Convention and if it is to be recognised as taking a serious stand against cluster munitions then it needs to recognise the social responsibilities that come with this position. Therefore we urge you to recommend that the Bill more closely adopts the provisions of the Convention on Cluster Munitions. This would ensure that our legislation has the vision that will send out a very strong message against these weapons as well as guarantee that some measure of justice is restored.

Jennie Herrera

(CONVENOR)