

International Campaign To Ban Landmines  
Australian Network Inc.



GPO Box 9830, Adelaide 5001

13 October 2006

The Secretary  
Joint Standing Committee on Treaties  
Department of House of Representatives  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

Dear Secretary,

I am writing on behalf of the Australian Network to Ban Landmines, to support the Australian Government taking the necessary treaty action to be bound by *Protocol V on Explosive Remnants of War of the Convention on Prohibitions or restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to have Indiscriminate Effects* (CCW). We further request that the Joint Standing Committee on Treaties recommend that the practices of the ADF, through its doctrine, orders, manuals and standard operating procedures are made compliant with the technical annex of Protocol V.

There is a need for all countries that are States Parties to the CCW to ratify Protocol V so as to move towards an international norm in which explosive remnants of war (ERW) are cleaned up as quickly as possible after a conflict. Like landmines, unexploded munitions continue to kill and maim long after conflicts end. At least 90 countries have problems with unexploded munitions, resulting in thousands of civilian casualties every year and long-term impediments to economic development. The International Committee of the Red Cross (ICRC) reported that in Afghanistan 42% of post-conflict civilian casualties have been from cluster munitions, booby traps and unexploded ordnance (UXO) and 49% from landmines. In Kosovo 36% of post-conflict civilian casualties have been from submunitions, grenades and other UXO and over 52% from landmines. ICRC data from the post-conflict period in Kosovo found that cluster bombs were responsible for five times as many victims under the age of 14 than anti-personnel landmines.

Laos has an estimated 9 million pieces of ERW left from the Vietnam war, which are believed to have killed or injured 11,000 people since 1973.

The impact of ERW depends on the type of contamination and the social and economic circumstances of the affected communities, rather than the munition type. However, greater problems are caused where there is a density of contamination, or where ERW is below the surface of the ground.

In November 2002 the Australian Network to Ban Landmines adopted a policy to support the development of a Protocol to the *Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects* to cover explosive remnants of war and containing the following elements:

Email: [australia@icbl.org](mailto:australia@icbl.org)

Website: <http://australia.icbl.org>

Contacts for National Coordinator  
Tel: (03) 9251 5277 Fax:(03) 9251 5241

- (i) That the parties to any conflict promptly clean up, or arrange for clearance of, all unexploded ordnance, bearing full responsibility for the munitions that they have generated where that can be determined;
- (ii) Include in agreements to terminate hostilities, peace negotiations and other relevant military technical agreements provisions allocating responsibility, standards and procedures for signing off land as cleared of unexploded ordnance;
- (iii) Parties to the conflict are to inform demining and/or unexploded ordnance clearance agencies of where specific sites of munitions strikes have been made and technical data on all munitions used to enable the unexploded munitions to be rendered safe or destroyed;
- (iv) Parties to the conflict are to provide appropriate information, including pictures, and warnings to civilians, both during and after the conflict about the dangers of unexploded ordnance;
- (v) A prohibition on the use of weapons with large amounts of submunitions in or near concentrations of civilians;
- (vi) That all munitions have high quality fuses and detonation systems that ensure explosion on impact, self-destruct within seconds of impact or that render munitions safe if they fail to detonate; and
- (vii) A moratorium on the manufacture, transfer and use of munitions with submunitions until such munitions can be demonstrated to have failure rates no worse than other munitions that do not cause large amounts of unexploded ordnance (an indicative figure would seem to be 1%). The moratorium should particularly apply to submunitions that have already been demonstrated to generate large humanitarian problems in places where they have been used. Based on experience in the field, these submunitions include the BLU 26 (US), RBL 755 (UK), BLU 97 (US), Multiple Launch Rocket System M77 submunition (US), BL755 (UK), Mk 118 'Rockeye' (US), and the Mk 6/7 'Rockeye' (US).

Thank you for your consideration of this submission.

Yours sincerely,

Dr Mark Zirnsak  
National Coordinator  
Australian Network to Ban Landmines