Resolution on a global treaty to ban all cluster munitions

2007/2628(RSP) - 25/10/2007 - Text adopted by Parliament, topical subjects

The European Parliament adopted a resolution reaffirming the need to strengthen international humanitarian law as it applies to cluster munitions and speedily to adopt at international level a comprehensive ban on the use, production, transfer and stockpiling of cluster munitions. It stated its strong supports for the Oslo Process, which followed from the Oslo Declaration, adopted on 22 and 23 February 2007, according to which it was agreed that by 2008 a legally binding international instrument would be concluded that would prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians.

In order for any international instrument to be effective, it must as a minimum include the following provisions:

- a prohibition on the use, production, financing, transfer and stockpiling of cluster munitions;

- a prohibition on providing anyone with assistance in relation to the use, production, transferor stockpiling of cluster munitions ;

- an obligation to destroy stockpiles of cluster munitions within a specified period of time, which must be as short as possible ;

- an obligation to mark, fence and clear contaminated areas as soon as possible, but no later than a specified deadline, and to establish effective capacity to carry out these actions; an obligation to provide assistance with marking, fencing and other warnings, with risk education, and with clearance; users of cluster munitions should be under special obligations to provide such assistance, including provision of timely and detailed information on use;

- an obligation to provide assistance to victims through, for example, the implementation of data collection, emergency and continuing medical care, physical rehabilitation, psychological support, social inclusion, economic inclusion and/or reintegration, legal support and disability laws and policies.

Members called for an immediate moratorium on using, investing in, stockpiling, producing, transferring or exporting cluster munitions, including air-dropped cluster munitions and submunitions delivered by missiles, rockets, and artillery projectiles, until a binding international treaty has been negotiated on the banning of the production, stockpiling, export and use of these weapons. All EU Member States must adopt national measures that fully ban the use, production, export and stockpiling of cluster bombs.

Parliament called on all states which have used cluster munitions and comparable weapons that produce explosive remnants of war to accept responsibility for the clearance of these munitions and, in particular, to keep accurate records of where such munitions have been used, in order to help clearance efforts following conflict. Such records should be used to provide local populations and humanitarian aid workers with clear warnings in relation to dangerous areas. Under no circumstances should EU Member State troops make use of any type of cluster munitions until an international agreement on the regulation, restriction or banning of these weapons has been negotiated.

Parliament underlined the responsibility of a State in control of territory to provide warnings and take measures to protect the civilian population, including through education, and to provide special

information on how victims of ERW can be assisted. All EU Member States which have used cluster munitions were asked provide assistance to affected populations. Members called on the Commission urgently to increase financial assistance to communities and individuals affected by unexploded cluster munitions through all available instruments. Parliament recalled that the effects of cluster munitions are highly indiscriminate, as their users do not distinguish between military personnel and civilians, and that it has been documented that 98% of their victims are civilians.

Lastly, Parliament called on the Council to adopt a common position committing all the EU Member States to push for a strong negotiating mandate within the framework of the CCW and to support the Oslo Process.