

LANDMINES POLICY

The Public Health Association of Australia notes that:

1. Landmines (anti-personnel mines, anti-vehicle mines), explosive remnants of war (ERWs) including UXOs (unexploded ordinances) are an abhorrent and indiscriminate weapon. They have been used not only to target opposing forces but have also been widely used to terrorise civilians or control their movement.
 - Further, in contemporary wars landmines have not only been used by armed groups but also by civilians.
 - Long after the conflict has ended, landmines continue to claim victims, many of whom are civilians. In 2005 for example, the Landmine Monitor identified at least 7,328 new landmine and explosive remnants of war (ERWs and UXOs) casualties, 11 per cent more than in 2004.
 - Eighty- one per cent of these casualties were civilians. Those most likely to encounter landmines are the rural poor who live far from adequate medical, treatment and rehabilitation facilities.
 - As well as death and injury, the continued presence of landmines restricts access to basic services, productive land and sustainable livelihoods. Often despite the known dangers people place themselves at risk because of the imperatives of daily living. Most post conflict accidents occur to people who are aware of the presence and risk of landmines. This makes abolition of landmines a most urgent humanitarian emergency.
2. Specific examples include:
 - In 1977, Poland reported that since the end of World War II over 15 million mines had been disposed of, almost 4,000 civilians had been killed and 9,000 injured by mines, 30-40 persons were still being killed each year and most of the victims were children;
 - Fourteen countries are known to still have the capability to manufacture landmines and up to 200 million mines still lie in the ground around the world;
 - The latest figures for 2007-2008 from Cambodia document that there were 334 casualties from landmines, explosive remnants of war and Improvised Explosive Devices (IEDs) with 173 casualties from landmines and 151 casualties from ERWs. 18 per cent of victims were killed, another 18 per cent had to have amputations and 64 per cent were injured. The majority of casualties were men (54 per cent) and young boys (33 per cent).
 - A landmine costs about \$3-\$15 to make; it costs up to \$1,000 to clear landmines and the whole process is far from simplistic involving a number of factors.
3. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (The Ottawa Convention) was signed at Ottawa in December 1997 and Australia has signed, ratified and is implementing this treaty. The treaty has to date been ratified by 144¹ countries and eight other countries are signatories¹. However, there is still no international agreement to ban or limit the destructive potential of anti-vehicle mines.

4. Specifically the PHAA notes that:
 - anti-vehicle mines have the same injurious effects on people and access to land as do anti-personnel mines; in fact being more powerful they are more likely to kill rather than maim;
 - anti-vehicle mines have an indirect effect on human activity by stopping or delaying movement of both local trade, essential goods and humanitarian aid by interrupting transport;
 - by interrupting humanitarian aid, anti-vehicle mines increase cost of aid (e.g. by necessitating the airlifting of aid) and so increase the number of people who die and suffer in humanitarian crises;
 - like anti-personnel mines, the anti-vehicle mines affect civilians as well as military personnel. For example, between January 2001 and January 2003 Landmine Monitor and press reports,¹ reported that 159 civilians, peacekeepers and de-miners were killed and 83 injured by anti-vehicle mines.
 - anti-vehicle mines can be set up to be triggered by pressures as light as children, so in effect making them anti-personnel mines; and
 - anti-vehicle mines can be fitted with anti-handling devices, making them dangerous to mine clearance personnel.

5. The PHAA notes and applauds the foreign policy priority given to and the efforts Australia is making in funding Humanitarian Mine Action programmes (UXO clearance) internationally in regions, such as Cambodia, Laos, Afghanistan, Iraq, Mozambique and Vietnam. The PHAA regrets that the Australian Defence Force (ADF) efforts in this area are being scaled back. The enormity of the problem is such that more needs to be done. The PHAA notes that more needs to be done if states that are signatories to the Ottawa Convention are to fulfil their commitments.

6. The PHAA notes that while Australia does not use landmines, the ADF will give protection to other forces who are laying landmines.¹

The Public Health Association of Australia resolves:

7. To immediately urge the Australian government:
 - in the short-term, to seek to have use of anti-handling devices banned under international law;
 - to join with other states that believe anti-vehicle mines that can be detonated on contact by a person are in effect anti-personnel mines and therefore should be banned under the existing Ottawa Convention (1997); and
 - in the longer term, to work in appropriate fora to outlaw the production, transfer and use of anti-vehicle mines in the same manner as anti-personnel mines.

8. To urge the Australian Government to continue to engage in efforts to ban the production, use and trade of landmines as a priority foreign policy initiative and particularly to:
 - lobby nations which have not done so to accede and ratify the Ottawa Convention (1997); and
 - urgently work to raise the issue of the implementation of the Ottawa Convention in the UN Conference on Disarmament.

9. To urge the Australian Government to continue to foster Australian capabilities in landmine clearing and to fund and develop indigenous capacities to manage and implement Mine Action programmes as a needed activity that can be a valuable form of technical assistance to a large number of developing countries, including many in our region, such as Cambodia, Laos, Vietnam and Iraq. As with peacekeeping activities, this would be a particularly welcome and positive use of military forces and expertise.

10. To urge the Australian Government to cease its practice of protecting other combatants who are laying landmines and using these mines then as protection for ADF personnel.
11. To urge the Australian Government, particularly to shift the cost of mine clearance operations from the overseas aid budget to the defence budget, regardless of whether the OECD Development Assistance Committee classifies this as development aid.
12. To urge the Australian Government to implement, in so far as action is not already covered or is not contrary to the PHAA's policy, the recommendations concerning landmines of the 5th Report of the Joint Standing Committee on Treaties (February 1997).
13. To encourage the Australian Government to continue to support programs of assistance and training, in the treatment and rehabilitation of landmine survivors and mine-affected communities.

References:

1. Mark Zirnak, Australian Co-ordinator, Australian Network to Ban Landmines, personnel communications.

ADOPTED 1993, REVISED AND RE-ENDORSED IN 1997, 2001, 2004, 2005 AND 2008
FIRST adopted at the 1993 Annual General Meeting (AGM) of the Public Health Association of Australia, revised and re-endorsed at the 1997 AGM, 2001 AGM, 2004 and 2005 AGMs. Most recently revised and re-endorsed as part of the 2008 policy revision process.

Updated and revised by

- Ms Jo Durham: Associate Lecturer, Centre for International Health, Curtin University & formerly Country Director of the Mines Advisory Group, Lao PDR
- Dr Jaya Earnest: Senior Lecturer, Centre for International Health, Curtin University, Western Australia