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*One Day Symposium on Landmines to Mark the 10<sup>th</sup> Anniversary of the  
Signing of the Anti-Personnel Mine Ban Convention*

**The Oslo/Ottawa Convention on the Prohibition of Anti-Personnel  
Mines  
A Model for a New Active Peace Policy?**

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**We can make a difference:  
The Cooperation between Civil Society and States –  
the example of the Oslo/Ottawa Treaty and beyond**

Es ist mir eine grosse Freude heute in Berlin an diesem Symposium anlässlich des 10. Jahrestages der Unterzeichnung des Oslo/Ottawa Minenverbots Abkommens teilzunehmen. Ich danke herzlich für die Einladung, da sie mir die einmaligen Gelegenheit gibt, nicht nur über die humanitären Herausforderungen der Landminen und die seit zehn Jahren erreichten Resultate zu sprechen, sondern auch die noch wichtigen offenen Fragen zu diskutieren und die beispielhafte und sehr erfolgreiche Zusammenarbeit zwischen Bürgergesellschaft und Staaten zu würdigen. Nicht nur im Bereiche der Antipersonen-Minen, aber auch in der allgemeinen Förderung von menschlicher Sicherheit, wie auch Abrüstung und humanitäres Völkerrecht !

Ich möchte aber beginnen mit einigen Erinnerungen über Momente und Persönlichkeiten, die diese unvergesslichen und intensiven Zusammenarbeit von Bürgergesellschaft mit Regierungen charakterisiert hat. ... und hoffe, dass mein Gedächtnis mich nicht im Stich lässt.

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I still ask myself how was it possible to achieve a powerful legal instrument on the total ban of anti-personnel landmines. We wanted to have an agreement that should combine provisions on disarmament, humanitarian action, human rights and human security in general !

One of the merits of NGOs acting inside ICBL and the Red Cross and Red Crescent Movement, assembled around the ICRC, was to be able to move the media into the advocacy role. For me this started with the press conferences of April 1993 – at the occasion of the Montreux Symposium – and the one of February 1994, when I called for a total ban of anti-personnel landmines. The whole Red Cross Movement was immediately behind the ICRC with the same advocacy. The direct engagement of Red Cross and Red Crescent Societies was indeed essential.

Political interventions at different levels and in so many different countries did become a priority for me. I never forgot my visits to Presidents and Prime Ministers when I discussed the position of their country on the landmines issue. After my advocacy campaign with G7 countries, starting with Prime Minister Chrétien of Canada, it was a great satisfaction to find in the Presidential statement of the G7/G8 meeting of 10 July 1994 in Naples following strong sentence : “ .. *We assign priority to the problems of anti-personnel landmines, including efforts to curb their indiscriminate use, halt their export, and assist in their clearance worldwide. ...*”.

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The negotiations of the revised Protocol II of the CCW and their outcome, left many of us very disappointed. This was to be expected because of the consensus practice: it was jeopardizing any significant progress ... as it will also be in the future. The advocacy went on very strongly – few governments, among them Canada, Norway and also Germany and the Belgian Parliament were reflecting at new steps. Kofi Annan came on board as soon as he initiated his first term as Secretary General of the UN at the beginning of 1996.

But let's stop for a while at the Canadian-sponsored Conference of early October 1996. At that gathering, 50 pro-ban key actors – states, international organisations and NGOs – formally elaborated a strategy towards achieving a total ban on landmines. They adopted a relatively weak Declaration and a Plan of Action and some practical commitments were made by participants. But the hoped strong dynamics towards the total ban was missing. Too many so-called “friends of Canada” had reservations.

However, the key event of that Conference happened at the very end. In a rare intuitive and visionary declaration the Hon. Lloyd Axworthy, Chairman of the Conference and Minister of the Foreign Affairs of Canada, invited his colleagues Foreign Ministers of the world to come to Ottawa before the end of 1997 to sign a total ban treaty.

Here allow me to open a parenthesis and disclose somehow a well preserved secret : if I am not mistaken, the idea for this appeal transpired from a brief informal gathering, one hour before the final meeting, between Lloyd Axworthy, Jody Williams, Jill Sinclair and myself. Struggling for the parenthood of this initiative and the related scenario is not relevant here; what is pertinent is the quality jump it brought up in the process, signalling ‘ .... *the beginning of the end of the global epidemic of anti-personnel landmines*’.

For me, as ICRC President, it was fundamental to continue to speak out constantly, stigmatising anti-personnel landmines in the public conscience and supporting international, regional, national and civil society efforts to address the mine problem. International Humanitarian Law helped me a lot (in particular art. 35 of Add. Prot I to the Geneva Conventions) insisting also on the customary law role of this provisions also for non international conflicts.

Negotiations passed through Geneva and Brussels and many regional Seminars, mostly promoted by the ICRC. They were concluded – with heavy involvement of ICRC legal experts - in the Diplomatic Conference in Oslo on 18 September 1997 with the adoption of the text of the Mine Ban Convention. Human security was in the forefront: security of men, women and children, before the traditional concept of security of the state and preservation of its territorial integrity and sovereignty against military attacks !

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The Ottawa process has produced incredible results in a very short time. Today 155 countries have ratified the Convention. Although 40 and more States have not signed or ratified it - among them Russia, China, United States, Pakistan, India and several Middle Eastern countries – the Convention develops swiftly to a universal norm – and will do more so with the joint efforts of States Parties and NGOs towards universalisation.

The Anti-Personnel Mine Ban Convention has become a norm of International Humanitarian Law much faster than we could expect it ten years ago.

I consider this to be the biggest achievement of the cooperation between States and the Civil Society.

It is important to note that the Convention has even changed the behaviour of those who have not yet signed it. And even non-state actors – a particular category of civil society - have started to take commitments not to use anti-personnel landmines.

These developments are heart-warming and confirm to us the rightness of our common drive. But what is really at stake, beyond the formal aspects of the Treaty?

How do States and Civil Society cooperate in order to achieve the goals set in the key obligations of the Anti-Personnel Mine Ban Convention?

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There are important issues on which States and Civil Society need to cooperate in order to make the Convention an effective treaty while improving the daily life of children, women and men in mine and ERW-affected countries.

States and Civil Society need to vigorously support the work aimed at reducing the number of casualties from landmines and to assist survivors. Figures have dropped from 20'000 casualties a year to 10'000 to 15'000 a year, but much more needs to be done, in particular by creating new ways of integrating survivors in their socio-economic reality.

In general, Civil Society and States must also cooperate on achieving the objective of destroying stockpiled mines and in involving Non State Armed Groups (NSAG) in complying with the key humanitarian principles of the Convention. Finally, the enormous efforts underway, both by States, international and non-governmental organisations, to meet the ten-year clearance deadline in 2009 for 20 mine and ERW-affected countries have indeed become the overriding challenge to be addressed.

And let us in this connection finally recall Art. 6 of the Convention that clearly states that each Contracting Party has the right to seek and receive assistance from other State parties. These are important commitments not to be forgotten, also for future negotiations on arms control as for example cluster munitions ! This is the strong legal message of global responsibility !

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Liebe Freunde der menschlichen Sicherheit, der Abrüstung und des humanitären Völkerrechts, ich werde es immer wieder betonen; wir müssen bereit sein, als Vertreter von Staaten, Internationalen Organisationen und Zivilgesellschaft, für mehr Menschlichkeit für die Menschheit gemeinsam zu handeln.

Eine Priorität dafür ist, unser Einsatz für neue verpflichtende Rechtstexte im Bereich von leichten Waffen, von Streubomben, von Kindersoldaten und anderen Gebieten mit Bezug auf menschliche Sicherheit.

Die humanitäre Zielsetzungen des Oslo/Ottawa Abkommens müssen die Zusammenarbeit zwischen Regierungen und nicht Regierungsorganisationen aller Art, aber auch Wirtschaftskreise positiv und dynamisch zu neuem Erfolg helfen. So kann man in der Tat -zusammen-Veränderungen in der Gesellschaft beeinflussen und erzielen!

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Dear friends of human security, disarmament and international humanitarian law, I shall say it again and again - we have to be prepared to act more and more together, as representative of States, Civil Society or any groupings interested in the pursuit of a better world for all human beings.

And we must act even more for the negotiation of new legally-binding treaties, be it on small arms and light weapons, preventing children to become soldiers, human trafficking or any other topics relevant to the safety and well-being of each human being on earth.

The humanitarian principles contained in the Oslo/Ottawa Accord shall be guiding also the exchanges and discussion not only among States, but also between these States and the Civil Society, the latter including the totality of voluntary civic and social organisations and institutions that are part of our society.

And I would go even one step further, by affirming that also commercial institutions, multinational corporations and any type of economic actor need to be included in the pursuit of a more peaceful world.

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Berlin, 29.11.2007