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104. Is determined, jointly with pan-African organisations, to ensure coherence between development cooperation policy and other fields of EU policy which have an impact on developing countries in Africa;

105. Estimates that parliamentary scrutiny and approval of development assistance packages must be a requirement for the disbursement of funds;

106. Decides to organise, together with the PAP, a Joint Parliamentary event preceding the second EU-Africa Summit planned for December 2007 in Lisbon;

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107. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the AU Commission, the AU Executive Council, the PAP, the ACP Council of Ministers and the ACP-EU JPA.

P6_TA(2007)0484

International treaty to ban cluster munitions

European Parliament resolution of 25 October 2007: Towards a global treaty to ban all cluster munitions

The European Parliament,

— having regard to its previous resolutions on the harmful effects of some types of conventional ordnance (landmines and cluster munitions, depleted uranium ammunition, phosphorus shells, unexploded remnants of war (ERW)) used by states and by non-state actors,

— having regard in particular to its resolution of 16 November 2006 on the Convention on the Prohibition of Biological and Toxin Weapons (BTWC), cluster bombs and conventional arms [1] in which the EU institutions were called upon to support the initiative to establish a comprehensive and effective convention on the banning of cluster munitions worldwide,

— having regard to Protocol V of 28 November 2003 on Explosive Remnants of War to the UN Convention on Certain Conventional Weapons (CCW) ('Protocol V on ERW'), and welcomes the fact that it entered into force on 12 November 2006,

— having regard to the Oslo Declaration, adopted on 22 and 23 February 2007 by a group of States, United Nations Organisations, the International Committee of the Red Cross, the Cluster Munitions Coalition and other humanitarian organisations, according to which it was agreed that by 2008 a legally binding international instrument would be concluded that will prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians ('the Oslo Process'),

— having regard to the draft CCW negotiation mandate on cluster munitions submitted by Germany, on behalf of the EU, to the Group of Governmental Experts of the CCW,

[1] OJ C 314 E, 21.12.2006, p. 327.

— having regard to Council Joint Action 2007/528/CFSP of 23 July 2007 in support 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, in the framework of the European Security Strategy [1],

— having regard to the new position of the United Nations on cluster munitions expressed at the meeting of UN Principals on 17 September 2007, in which the UN called on its Member States 'to address immediately the horrendous humanitarian, human rights and development effects of cluster munitions by concluding a legally binding instrument of international humanitarian law that: prohibits the use, development, production, stockpiling and transfer of cluster munitions that cause unacceptable harm to civilians; requires the destruction of current stockpiles of those munitions; and provides for clearance, risk education and other risk mitigation activities, victim assistance, assistance and cooperation, and compliance and transparency measures' and stated that 'until such a treaty is adopted, the UN calls on States to take domestic measures to immediately freeze the use and transfer of all cluster munitions',

— having regard to and welcoming the Cluster Munitions Coalition formed by about 200 specialised non-governmental organisations,

— having regard to Rule 108(5) of its Rules of Procedure,

A. whereas ERW refers to unexploded ordnance that has been primed, fused, armed or otherwise prepared for use and used in armed conflict and should have exploded but failed to do so,

B. whereas the term 'cluster munitions' refers to weapons systems that are both dropped from the air and launched from the ground,

C. whereas cluster munitions, even the most modern types, have an unacceptably high failure rate, often not exploding on impact and remaining a danger to communities long after a conflict has ended; whereas many types of cluster munition are equipped with sensitive fuses which react to a lesser degree of physical contact than anti-personnel mines,

D. whereas cluster munitions are highly inaccurate, are often used in large numbers over both rural and urban areas and cover a wide area after dispersal, producing large amounts of ERW,

E. whereas the effects of cluster munitions are highly indiscriminate, as their users do not distinguish between military personnel and civilians; whereas it has been documented that 98 % of their victims are civilians,

F. whereas cluster munitions have grave humanitarian consequences for vulnerable communities and humanitarian aid workers, and whereas the rates of fatality and injury, especially amongst children, who are attracted by the small size and the colours of these weapons, are high,

G. whereas all types of anti-handling devices target humanitarian mine clearance personnel,

H. whereas unexploded cluster munitions have a detrimental effect on development and reconstruction, with the threat of unexploded ordnance denying access to roads, buildings and critical infrastructure and making it impossible to use agricultural land, thus hampering local trade and communications and affecting food security, and can obstruct the delivery of humanitarian assistance,

I. whereas the countries known to have been affected by cluster munitions include some of the world's poorest countries, and whereas within these countries the poorest people are often the victims most affected,

[1] OJ L 194, 26.7.2007, p. 11.

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J. whereas there is evidence that cluster munitions are stockpiled in over 15 EU Member States and are produced in at least 10 of them,

K. whereas the 'Mahoux law' prohibiting the financing, manufacture, use and holding of cluster munitions was adopted by the Government of Belgium on 26 April 2007,

1. Reaffirms 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, and therefore strongly supports the Oslo Process;

2. Calls 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;

3. Calls on all EU Member States to adopt national measures that fully ban the use, production, export and stockpiling of cluster bombs;

4. Calls 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; considers that such records should be used to provide, in line with Protocol V on ERW, local populations and humanitarian aid workers with clear warnings in relation to dangerous areas;

5. Insists that under no circumstances or conditions 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;

6. Underlines 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;

7. Calls on all EU Member States which have used cluster munitions to provide assistance to affected populations;

8. Calls on the Commission urgently to increase financial assistance to communities and individuals affected by unexploded cluster munitions through all available instruments;

9. Urges all States not party to Protocol V on ERW to sign and ratify it, and to abide by its spirit in the interim period;

10. Welcomes the efforts made by the Council Presidency and the EU Member States to establish a mandate to negotiate a new protocol to the CCW that addresses all humanitarian problems associated with the use of cluster munitions, and regrets that no real progress has been made so far;

11. Calls 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 actively support the Oslo Process;

12. Points out that in order for any international instrument to be effective, it must as a minimum include the following provisions:

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

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

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

(d) an obligation to mark, fence and clear contaminated areas as soon as possible, but no later than a specified deadline, and to establish and maintain 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;

(e) 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;

13. Recommends sending representatives to the forthcoming conferences within the framework of the Oslo Process;

14. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the Common Foreign and Security Policy, the governments and parliaments of the EU Member States, the UN Secretary-General and the Cluster Munitions Coalition.

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Production of opium for medical purposes in Afghanistan

European Parliament recommendation to the Council of 25 October 2007 on production of opium for medical purposes in Afghanistan (2007/2125(INI))

The European Parliament,

— having regard to the proposal for a recommendation to the Council tabled on behalf of the ALDE Group on production of opium for medical purposes in Afghanistan (B6-0187/2007),

— having regard to its previous resolutions on Afghanistan, most recently that of 18 January 2006 [1];

— having regard to the 2006 UN Office on Drugs and Crime (UNODC)/World Bank report on 'Afghanistan's Drug Industry',

— having regard to the 2007 Annual Report issued by the UNODC in June 2007;

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[1] OJ C 287 E, 24.11.2006, p. 176.