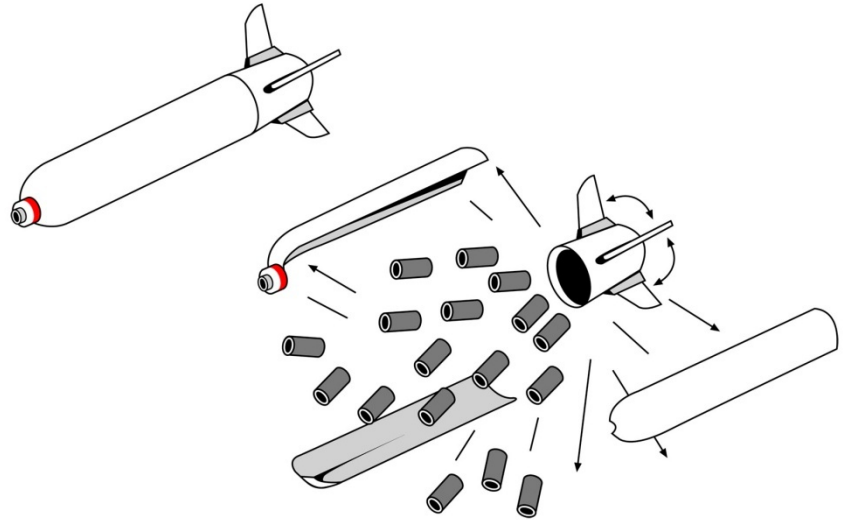


1) Auswirkungen des Scheiterns der  
Genfer-Streumunion  
Verhandlungen auf die Oslo-  
Konvention

2) Nukleare Abrüstung – neue  
Entwicklungen

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18.4. 2012



# Oslo-Konvention

- Determined to put an end for all times to the suffering and casualties caused by cluster munitions at their time of use, when they fail to function as intended or when they are abandoned;
- Concerned that cluster munitions kill or maim civilians, including women and children(...) and have other severe consequences that can persist for many years after use.

# Oslo-Konvention

- Art 1(1) „Each State Party undertakes never under any circumstances to:
  - a) Use cluster munitions;
  - b) Develop, produce, otherwise acquire, retain or transfer to anyone, directly or indirectly, cluster munitions;
  - c) Assist, encourage or induce anyone to engage in any activity prohibited under this Convention.

# Probleme mit CCW-Protokolltext

- Definition
  - Verbot pre-1980 Streumuniton + Übergangszeiten
  - Erlaubt post 1980 mit Sicherheitsvorrichtung
- Standard zu Zerstörung von Beständen, Opferhilfe und Räumung
- Investitionen in Streumuniton
- Präzedenzfall für IHVR
- (Beabsichtigte ?) Unterminierung der Oslo-Konvention

# Ö Position

- Ö hat als Kerngruppenstaat der Oslo-Konvention eine besondere Verantwortung, ihre Integrität zu bewahren. Der **Ministerrat am 25.10. 2011** zur Frage der Streumunitionsverhandlungen den Beschluss gefasst, sich „***mit Nachdruck dafür einzusetzen, dass ein Protokoll VI kompatibel mit und komplementär zu den hohen Standards der Oslo-Konvention und jedenfalls einen humanitären Mehrwert gegenüber dem Status quo darstellen muss.***“

# Ö-NOR-MEX Alternativvorschlag

(Juli/August 2011)

- Keine Definition von Streumunition
- Anerkennung des humanitären Problems
- Etablierung einer Reihe von (humanitären) Zwischenschritten in Richtung Oslo-Konvention (Zerstörung von Beständen, Opferhilfe, Räumung, Transparenz etc.)
- Überprüfungsmechanismus für zukünftige weiter reichende Maßnahmen
- Taktische Überlegungen

# Nov. 2012 Überprüfungskonferenz

- Gegensatz: Mayor Users and Producers vs. „New NAM“ + IKRK, UN-System, NGOs (AVAAZ-Kampagne)
- Keine Flexibilität – keine Revision des Ansatzes (4 Textversionen)
- Gruppe der Gegner wächst auf Grund Inflexibilität (zuletzt über 50 Staaten)
- US „last minute“ Vorschlag zu spät
- Kein Konsens – kein Ergebnis



# Bilanz

- Hohen IHVR-Standard der Oslo-Konvention bewahrt (HRW: „Oslo noch einmal verhandelt“);
- Fundamentale Gegensätze deutlich
- Zukunft wird zeigen, was dies für den Einsatz von Streumunition bedeutet (Normsetzung);
- Keine Sternstunde des Multilateralismus

# Nukleare Abrüstung – neue Entwicklungen

- NPT Artikel VI
- 1995 – Extension Conference
- 2000 – 13 konkrete Schritte
- 2000-2008 G.W. Bush neokonservativer Ansatz
- 2009 Obama Prag Rede „Vision of a World Free of Nuclear Weapons
- 2010 Neuer START
- 2010 NPT Aktionsplan

# 2010 NPT Review Conference

## Principles and objectives

The Conference resolves to seek a safer world for all and to achieve the peace and security of a world without nuclear weapons, in accordance with the objectives of the Treaty.

The Conference reaffirms the unequivocal undertaking of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI.

(...)

The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.

(...)

The Conference resolves that:

Action 1: All States parties commit to pursue policies that are fully compatible

With the Treaty and the objective of achieving a world without nuclear Weapons

(...)

# Jakob Kellenberger 2010

- The International Committee of the Red Cross firmly believes that the debate about nuclear weapons must be conducted not only on the basis of military doctrines and power politics. The existence of nuclear weapons poses some of the most profound questions about the point at which the rights of States must yield to the interests of humanity, the capacity of our species to master the technology it creates, the reach of international humanitarian law, and the extent of human suffering we are willing to inflict, or to permit, in warfare.

# 2011 Council of Delegates IRC/RC Movement

- The Council of Delegates,
  - *deeply concerned* about the destructive power of nuclear weapons, the unspeakable human suffering they cause, the difficulty of controlling their effects in space and time, the threat they pose to the environment and to future generations and the risks of escalation they create,
  - *believing* that the existence of nuclear weapons raises profound questions about the extent of suffering that humans are willing to inflict, or to permit, in warfare,
  - *convinced* that the Red Cross and Red Crescent Movement has an historic and important role to play in efforts to create the conditions for a world without nuclear weapons,
- (...)
- *finds it difficult to envisage* how any use of nuclear weapons could be compatible with the rules of international humanitarian law, in particular the rules of distinction, precaution and proportionality,
  - *appeals* to all States:
    - to ensure that nuclear weapons are never again used, regardless of their views on the legality of such weapons,
    - to pursue in good faith and conclude with urgency and determination negotiations to prohibit the use of and completely eliminate nuclear weapons through a legally binding international agreement, based on existing commitments and international obligations.