



Australian Federation of Graduate Women Inc.

PO Box 224, Enmore NSW 2042

www.afgw.org.au

11 March 2011

The Hon. Stephen Smith MP,
Minister for Defence,
Parliament House,
Canberra,
ACT 2600

Dear Mr. Smith,

Re The Convention on Cluster Munitions

In October 2010 the Australian Federation of University (now Graduate) Women wrote to congratulate you on the Government's decision to sign the UN Treaty to Ban the Use of Cluster Bombs, citing the following Resolution passed unanimously at the August 2010 Triennial Conference of the International Federation of University Women: **IFUW and its National Federations and Associations (NFAs) urge their respective governments to ratify and take concrete action to implement the Convention on Cluster Munitions (Dublin Convention).**

Those voting for the Resolution were convinced that cluster bombs contravene Human Rights law, in that, like landmines, they constitute an indiscriminate use of deadly force affecting civilian populations, especially women and children.

We are pleased to see that the Government is now proceeding towards ratification of the Treaty by bringing forward legislation to bring Australia into line with the provisions of the Convention.

We note that most submissions made to the Senate Inquiry into the legislation welcomed it as a positive advance. However, we share some of the concerns expressed by those making submissions to the Inquiry and now being aired in press reports (e.g. in *The Age* 28 February and 4 March 2011).

One of these concerns, namely that Australian troops might be implicated in the use of these weapons in joint actions with other countries or parties who, like the US, have not signed this Treaty, was a matter on which we sought your reassurance in our letter of October 2010. Further concerns are that the legislation as proposed would not prevent the stockpiling of weapons on Australian soil by an allied nation, nor would it prevent the investment by Australian companies in companies involved in the production of these bombs, a matter raised recently as an objection by the Australian Council of Super Investors.

We support the request made in the Austcare Submission to the Inquiry, that the legislation should be amended to make it clear that it would be an offence not only for ADF personnel to use cluster munitions but also to assist or provide support in the production, transfer, and stockpiling of the weapon, and also the proposal by Australian Network to Ban Landmines to extend the offence to cover not just ADF personnel but 'any Australian'.

We urge the Government to make this legislation as strong as possible to prevent the use of this unacceptable weapon,

Yours sincerely

Dr Jane Baker, President

