

SUPPLEMENTARY MATERIAL

**NAMING AND PRAISING
IN HUMANITARIAN NORM DEVELOPMENT**

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APPENDIX 1: Measures of early state support for the prohibitions of antipersonnel landmines and cluster munitions

To measure state support, I use points where it can be positively identified. The earliest support for the prohibitions comes from state statements or national policies favoring a comprehensive prohibition of landmines or cluster munitions.

Support before the tipping point

Landmines

The data on landmines are based on ICBL lists indicating the respective months when statements were made or policies adopted. For the period August 1994 – October 1995, the points are the following, month/year (number of supporting states): 08/1994 (4), 12/1994 (7), 01/1995 (11), 03/1995 (12), 06/1995 (13), 07/1995 (15), 09/1995 (18), 10/95 (21) (ICBL 1995, 110, 99-109).

For the period December 1995 – October 1996: 12/95 (23), 1/96 (24), 3/96 (26), 4/96 (34), 10/96 (50) (ICBL 1996a, 30, 34; ICBL 1996b).

The number of states having shown support for a ban on landmines or CMs at the time when the alternative processes were announced was roughly 30 in both cases. In the landmine case, after it became clear that a comprehensive prohibition would not be adopted at the CCW, on 22 April 1996 Canada made known its decision to organize a strategizing meeting about possible ways to deal with the issue. At this point, 29 states (15% of all states) had made statements in support of an immediate (rather than eventual) ban. By the time the decision was formally announced, 34 states were counted in the pro-ban group (*CCW News*, 22, 25, and 30 April 1996 in ICBL 1996a, 34, 38, 52).

Cluster Munitions

In the CM case, early indications for support of a cluster munition ban were fewer. The Belgian Senate adopted a law prohibiting CMs in July 2005 (which passed the Chamber in February 2006). In October 2005, in Norway came to power a government with an election program including a pledge to work for an international ban on CMs (in June 2006, it also adopted a moratorium on use). At the end of the CCW meeting in September 2006, 6 states (Austria, Holly See, Ireland, Mexico, New Zealand, Sweden) proposed a negotiating mandate on CMs bringing the number of states having shown support of an international instrument on CMs to 8 (CCW/GGE/XV/WP.1).

Over the course of 10 days at the CCW Review conference in November 2006, 30 states came to support an international instrument, just before Norway announced its initiative. The number results from the combined count of the countries supporting a declaration by Sweden and Austria for a CCW negotiating mandate on cluster munitions and another declaration in support of “international negotiations” (CMC 2006).

Support after the tipping point

The official invitations to attend the first conferences of the two processes required commitment to working for humanitarian bans on the weapons. The Ottawa invitation included “a commitment to work together to ensure: the earliest possible conclusion of a legally-binding international agreement to ban anti-personnel mines; progressive reductions in new deployments of anti-personnel mines with the urgent objective of halting all new deployments of anti-personnel mines” (ICBL 1996b, 45).

The number of states attending the launch conference of the landmine process in October 1996 is 50 (observers excluded) (ICBL 1996b).

For the cluster munition process, the measure is more specific, since the first meeting of the process concluded with an Oslo Declaration that states had to endorse individually. It read, “Recognising the grave consequences caused by the use of cluster munitions and the need for immediate action, states commit

themselves to: 1. Conclude by 2008 a legally binding international instrument that will: (i) prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians” (Oslo Declaration 2007). In February 2007, 46 states supported this declaration (Harrison 2007a).

The next measure is the number of signatures for declarations committing states to support the processes. In the landmine process, the Brussels Conference in June 1997 concluded with the endorsement of the Brussels Declaration by 97 states (Handicap International and ICBL 1997).

In the Oslo Process, at the time of the Lima conference in May 2007, 65 states had signed the Oslo Declaration (Harrison 2007b). Another interim point was the Wellington Conference in February 2008, which concluded in February 2008 with the endorsement by 82 states of the Wellington Declaration, which committed states to the final negotiations based on the treaty draft text agreed so far (New Zealand Government 2008).

The number of countries signing the treaties at their signing ceremonies in December 1997 and December 2008 is respectively 122 for the MBT and 94 for the CCM.

Finally, new signatures are counted over the 12 months following the signing ceremonies – in total, 8 for MBT and 10 for CCM. Sources:

<https://www.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=B587BB399470269441256585003BA277&action=openDocument>;

<https://www.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=00E3441C08D5B5B9C12574C6002EE0D3&action=openDocument>

References:

CCW/GGE/XV/WP.1 Proposal for a Mandate to Negotiate a Legally-Binding Instrument that Addresses the Humanitarian Concerns Posed by Cluster Munitions. Presented by Austria, Holly See, Ireland, Mexico, New Zealand, and Sweden. 6 October 2006, Group of Governmental Experts to the States Parties to the CCW, 15th Session, Geneva, 28 August – 6 September 2006.

CMC. 2006. NGOs Call on States to Join Norwegian Initiative for New Cluster Munition Treaty. Press release, November 17. At

<http://web.archive.org/web/20071121013745/http://www.stopclustermunitions.org:80/news.asp?id=43>.

Handicap International and ICBL. 1997. Conference Report: Brussels International Conference for the Total Ban on Anti-Personnel Landmines, 24-27 June 1997.

Harrison, Katherine. 2007a. “Report from the Oslo Conference on Cluster Munitions.” March. At

<http://web.archive.org/web/20070610153157/http://www.wilpf.int.ch/disarmament/ClusterMunitions/clustersindex.html>.

Harrison, Katherine. 2007b. Report from the Lima Conference on Cluster Munitions, 25-27 May. At

<http://web.archive.org/web/20080523180206/http://www.wilpf.int.ch/disarmament/clustermunitions/LIMA/limareport.html>. Accessed 22 April 2018.

ICBL. 1995. Report on Activities: Review Conference on the Convention on Conventional Weapons, Vienna, 25 September-13 October.

ICBL. 1996a. Report on Activities: Review Conference on the Convention on Conventional Weapons, Geneva, 22 April – 3 May.

ICBL. 1996b. Report on Activities: Towards a Total Ban on Anti-Personnel Mines, International Strategy Conference, Ottawa, 3-5 October.

New Zealand Government. 2008. Cluster munitions - More than 80 countries sign Declaration. Press Release, Disarmament and Arms Control Minister, Phil Goff, February 22. At

<https://www.beehive.govt.nz/release/cluster-munitions-more-80-countries-sign-declaration>. Accessed 20 May 2018.

Oslo Declaration. 2007. Oslo Conference on Cluster Munitions, 22 – 23 February 2007,

<http://web.archive.org/web/20150914162140/http://www.clusterconvention.org/files/2012/11/Oslo-Declaration-final-23-February-2007.pdf>.