



**ICRC**

**Third Meeting of States Parties  
to the  
Convention on Cluster Munitions**

Oslo, Norway, 11 September 2012

Statement by Mrs Christine Beerli, Vice-President,  
International Committee of the Red Cross

Excellency, Ladies and Gentlemen,

It is a pleasure to be here in Oslo, Norway, a city which has a special significance for the Convention on Cluster Munitions. It was here in February 2007 that 46 governments decided that the time had come to end the brutal legacy of cluster munitions and to launch a process to prohibit these weapons because they cause "unacceptable harm" to civilians. It was here that the Convention was opened for signature 22 months later. By convening the Third Meeting of States Parties in Oslo, the Convention has, in many respects, come back to where it was born.

Our work on cluster munitions returns to Oslo at a moment when the Convention is a strong and maturing instrument of international humanitarian law. This is reflected first and foremost in the steady increase in the number of States party to the Convention. Seventy-five States have now formally adhered to the treaty. This represents an increase of 14 States since the Meeting of States Parties held last year in Beirut, Lebanon. Many signatory States have also announced that their process of ratification is underway or about to begin. As a result, the number of States Parties will surely continue to grow with as many as two dozen States set to become States Parties in the very near future.

The increasing maturity of this Convention is also seen in the progress being made in the implementation of the Convention's time-bound commitments. It is encouraging that more and more of the work of the Convention is focusing on the operationalization of its main provisions. As reflected in the Beirut and Oslo Progress Reports, States Parties and signatories have taken significant steps to destroy their stockpiles and clear contaminated land. In concrete terms, this has meant the destruction of tens of millions of explosive submunitions and the clearance and release of many kilometers of previously contaminated land. States with cluster munition victims also continue their efforts to enhance accessibility to medical and rehabilitation services. This Convention has already moved the world much closer to ending the deadly legacy of cluster munitions and ensuring that these weapons do not continue to inflict "unacceptable harm" on populations around the world.

An essential aspect of the Convention, and a further sign of its evolution, is the extent to which it has helped to stigmatize any use of cluster munitions. As ratifications continue to increase and more and more States take steps to eliminate cluster munitions, the use of these weapons by any country or armed group is increasingly perceived as deplorable. This includes cases where cluster munitions are used by States that are not a party to the Convention and thus are not legally bound by its comprehensive prohibitions.

In its short life, the Convention on Cluster Munitions has had a substantial impact in stigmatizing cluster munitions. In nearly every instance where these weapons have been used since 2008, States Parties and civil society organizations have expressed dismay about their use and the media has highlighted their humanitarian impact. On several occasions States involved in an armed conflict where cluster munitions were used have sought to distance themselves from the deployment of the weapon. This has occurred even though it would have been within their legal right to use cluster munitions as they were not a party to the Convention. In other recent instances, States acknowledged using cluster munitions but subsequently agreed to review their policies on these weapons. In short, the use of a weapon that was once widely perceived as a legitimate and essential piece of military hardware just a few years ago, is increasingly being questioned with more and more States considering it to be an unacceptable weapon of war.

This stigmatization effect plays an important role in international humanitarian law. History has shown that international humanitarian law treaties prohibiting weapons do

restrain subsequent use by non-party States. For example, the use of poison gas and chemical weapons was confirmed in only 3 of the hundreds of armed conflicts in the nine decades since the adoption of the 1925 Geneva Protocol prohibiting the use of asphyxiating or poisonous gases. Following the outcry against the use of such gases in World War I and the subsequent adoption of the Protocol, there was a clear reluctance by States, including major military powers not bound by the Protocol, to use such weapons. The stigmatization of poison gas and chemical weapons has been furthered with the adoption of the Convention on the Prohibition of Chemical Weapons. A similar restraining effect can also be seen with regard to biological weapons and anti-personnel mines.

Much has changed since we last gathered in Oslo to address the issue of cluster munitions. At that time the Convention was a brand new instrument of international humanitarian law seeking to "put an end for all time to the suffering and casualties caused by cluster munitions." With the commitment and support of States, the Cluster Munition Coalition, the United Nations and the Red Cross and Red Crescent Movement, the casualties are being reduced and the suffering addressed.

Yet, despite these encouraging results, we must also recognize that great challenges remain on the ground. With each Meeting of States Parties, the timetable to meet the deadlines for clearance and stockpile destruction grows shorter. Many States need to increase planning and mobilize resources to meet these deadlines. States with cluster munition victims must also increase their efforts. In addition, more vigilance is needed to ensure that States Parties involved in multinational military operations adopt national implementing legislation that is consistent with both the letter of the Convention and its object and purpose. This Meeting of States Parties is an important moment for States and organizations to examine and consider how best to address these challenges. The International Committee of the Red Cross looks forward to working with you all to ensure that the full potential of this Convention is realized through the work of this meeting and through its implementation in the months and years ahead.

Thank you.