



ICRC

Diplomatic Conference on Cluster Munitions

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The International Committee of the Red Cross (ICRC) is honoured by the opportunity to contribute to the work of this urgent diplomatic conference.

The need for this historic conference and for a specific treaty on cluster munitions has been demonstrated far too often. For decades, these weapons have killed and injured many thousands of civilians in Laos, Cambodia, Vietnam and Afghanistan. Only last month, ICRC staff met a family at a hospital in Phonsavan, Laos. The mother and two young children had just been severely injured and their son and brother killed, after accidentally detonating a buried cluster submunition near their house. That device was dropped more than forty years ago. Cluster munitions used in more recent conflicts have claimed hundreds of civilian casualties in Kosovo, Serbia, Eritrea, Ethiopia, Iraq and Lebanon. Civilians have paid dearly for the unreliability and inaccuracy of cluster munitions delivered in massive numbers over vast areas. Their lives are the story of the "unacceptable suffering" these weapons inflict. Their loss and our humanity must motivate us to collectively put an end to the ghastly pattern of cluster munition use followed by years or decades of suffering for civilian populations. Unfortunately, for many, our efforts come too late.

The ICRC is very optimistic that your work will culminate in the adoption of a Cluster Munitions Convention in two weeks time. This would ensure that these weapons were no longer considered, legally or morally, to be "just another weapon," the use of which is subject to the discretion of the user under the general rules of international humanitarian law. Indeed, the use, production, transfer and stockpiling of all cluster munitions, as defined in the future Convention, would be prohibited. In adopting such prohibitions, States will have collectively created a new international norm that will have a major impact on the producers and stockpilers of cluster munitions that are part of this process. I am confident that in time the Convention will also have a positive impact on the policies and practices of non-party States and will begin to reverse the steady increase in new users of these horrendous weapons.

As you finalize the text of the new Cluster Munitions Convention, the ICRC would urge you to keep in mind the humanitarian imperatives that underlie your efforts and those of the Oslo process. For us this has a number of implications:

- Negotiations should be conducted with a real sense of urgency and an awareness of the unique opportunity that the Dublin Diplomatic Conference represents.
- The Conference must find solutions to the key remaining issues that will provide the strongest possible protection for civilians against cluster munitions and will be effectively implemented by armed forces, including those in this process that have been producing, stockpiling or using these weapons.
- What can be achieved here in the coming two weeks should not be sacrificed in the name of what can not be achieved.

For decades, there was no international movement on the humanitarian problems caused by cluster munitions. The last two years have brought vastly increased awareness of the problem, along with proposals for ambitious and realistic solutions. The participation here today of more than a hundred States, United Nations agencies and civil society, represented through the Cluster Munition Coalition, is a testimony to the commitment and tireless efforts of many of you in this room. This includes clearance operators, military officers, diplomats, technical specialists and humanitarian workers. If this conference is to adopt a Convention in two weeks time, it will be the result of continued cooperation and communication among all of you in the name of protecting those who should never pay the price for armed conflict, but who so often do.

As you well know, the ICRC's objectives in promoting this new treaty are to achieve a complete ban on the production, stockpiling, transfer and use of inaccurate and unreliable cluster munitions, together with a firm commitment to clearance and victim assistance. Following the successful conferences in Oslo, Lima, Vienna and Wellington, and regional meetings in many parts of the world, we believe this objective is now within reach.

For some, the focus on prohibiting inaccurate and unreliable cluster munitions may appear too modest. For others, such prohibitions will mean the painful decision to eliminate a type of weapon in their current stockpiles. But for the ICRC, unreliability and inaccuracy, combined with massive numbers, are the features of those cluster munitions causing the most widespread civilian casualties. It is these casualties who make the prohibition of such weapons a humanitarian imperative. We also believe that this proposal is by no means modest. To prohibit inaccurate, unreliable cluster submunitions delivered in large numbers would forever stigmatize the vast majority of existing cluster munitions. It would eliminate those that have caused the recurrent humanitarian problem. For civilian populations, this would be a tremendous achievement, one that merits all our efforts. It would demonstrate that the suffering of cluster munition victims has moved the world.

In closing, I would like to commend all those States that have come to the threshold of adopting a historic agreement here in Dublin. Ten days is a short period for negotiating a new treaty of this type. It will require an intense focus on the humanitarian task at hand, together with persistence, flexibility and difficult choices. I appeal to you to make the judgements that will provide the strongest possible protection to civilian populations. Ten days may not seem like much time to us. But for those awaiting medical treatment following a cluster munition accident, it can seem like an eternity. And victims often wait far longer than ten days for treatment. Indeed, they and the world have waited more than forty years for this Convention.

In negotiating and adopting this new Convention, you will be keeping alive the spirit of the St Petersburg Declaration adopted 140 years ago. In renouncing the use of bullets that explode in the human body, the Declaration constituted the first prohibition of a weapon in modern international humanitarian law. The International Military Commission that adopted that Declaration, in its own words, "fixed the technical limits at which the necessities of war ought to yield to the requirements of humanity". Your challenge and responsibility is to set those limits for cluster munitions in 2008. The International Committee of the Red Cross is convinced that you can, must and will rise to this challenge. We are honoured to join with you in this task.