

CHECK AGAINST DELIVERY



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ADDRESS TO THE DIPLOMATIC CONFERENCE ON CLUSTER MUNITIONS Dublin, 19 May 2008

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on behalf of the UN Mine Action Team*

Excellencies, Ladies and Gentlemen, distinguished state representatives, advocates and supporters of this important event.

It is an honour for me to deliver this opening address on behalf of the United Nations Mine Action Team, a coalition of 14 UN agencies. Allow me to join the Secretary-General in thanking the Government of Ireland for hosting this conference. I would also like to express my appreciation to Austria, Costa Rica, Belgium, Mexico, New Zealand, Norway, Peru and Serbia and to the Holy See for their leadership and hard work throughout the Oslo process and for garnering the support from the many other states here today.

Your level of engagement from such a broad group of past and current producers and stockpilers of cluster munitions and affected states is remarkable especially given that the initiative was launched just over one year ago. It is indeed a welcome response by Member States to the repeated calls to immediately address the atrocious and inhumane effects of cluster munitions. This remarkable event however, would not have occurred without the tireless efforts of civil society and, in particular, the Cluster Munitions Coalition. Let me express my deep gratitude for their vigor, dedication and for showing the road. Together we are building an inclusive and constructive partnership for disarmament, development and the protection of civilians.

I would now like to focus on two issues that should be central to a new treaty to ban cluster munitions: impact and proliferation.

First, cluster munitions are a blow to development. Cluster munitions kill and maim individuals - not only at the time of use but for generations afterwards. International Humanitarian Law seeks to provide protection for civilians. But the imprecise and scattered effect of cluster munitions - sometimes the area of several football fields - as well as unexploded sub-munitions, present grave challenges to the implementation of the law and protection of civilians during and after armed conflict.

Globally, according to Handicap International¹, cluster munitions have caused over 13,000 injuries and deaths so far. The vast majority of the injuries and deaths are concentrated in five countries: Afghanistan, Iraq, Laos, Lebanon and Viet Nam. This is unacceptable. The wars of

¹ The Handicap International report "Circle of Impact" released in May 2007 reported on 25 countries and territories affected by cluster munitions

today often are not dominated by infantry and battalions advancing across front lines in remote areas. In today's conflicts the line between combatants and civilians is more and more blurred. Combat frequently takes place in civilian areas - in cities, towns and villages - with civilians caught in cross-fire and sadly, often used as human shields.

Cluster munitions leave behind large numbers of unexploded sub-munitions. In addition to causing loss of life, land and shelter, the wide area-effect of cluster munitions contaminates arable land and kills livestock. Individuals' rights to adequate standards of living, to personal safety, to health and to education are undermined and barriers are created to economic recovery and development. In short, in affected countries, unexploded sub-munitions are yet another obstacle to the achievement of the Millennium Development Goals.

Take the example of Nang Wan. One month ago, the world of 35-year-old Nang Wan was turned upside down while she was digging a shallow drainage ditch around her house, in Phieng Chan village in Lao PDR. A BLU 26 sub-munition dropped 35 years ago exploded, killing her five-year-old son instantly. Two of her other children are still in the intensive care of the Phonsavanh Provincial Hospital with shrapnel wounds to their bodies and faces.

When cluster munitions are used in combat situations by troops under pressure, the outcome bears no relation to pre-testing under controlled conditions. The available evidence on the ground shows that these weapons are indiscriminate and unreliable: in places like Cambodia, Lao and Vietnam, the injustice of these weapons has been felt across generations. Who can turn a blind eye to the fact that a third of casualties from unexploded sub-munitions are children? Why should they pay the price of conflict? Why should they be denied the dividends of true peace, walking freely and playing joyously?

There is no excuse for using cluster munitions that cause unacceptable harm to civilians; there is no middle ground between their use or non-use; there is no reason for allowing these weapons to continue killing and maiming days or even decades after a conflict has been settled or peace has been agreed. Protecting human rights, providing accountability for violations and remedy for victims of violations does not go together with the use of these cluster munitions. Cluster munitions that cause unacceptable harm to civilians should not be used, nor produced, transferred or sold. That is what we call on you to address in the negotiations.

In doing so future generations will be protected. Now, at least 75 countries collectively stockpile billions of cluster sub-munitions. If these stocks were to proliferate, including among non-state armed groups, and be used in ongoing and future armed conflicts, the consequences would be devastating and surpass that known from antipersonnel mines. A strong and comprehensive treaty could stop the proliferation and use of these cluster munitions by prohibiting transfers and ensuring that stockpiles of cluster munitions are subject to prompt and safe destruction.

On behalf of the United Nations Mine Action Team, I encourage you to rise above differences in politics and ideology, in favour of human rights, development and global security for future generations. The participation in this unstoppable drive of developing countries affected by cluster munitions and Member States not traditionally active in the field of humanitarian and disarmament work illustrates that there is a real commitment to change and to work together towards shared interests and solutions.

I urge you to conclude a legal instrument prohibiting the use, development, production, stockpiling and transfer of cluster munitions that cause unacceptable harm to civilians. This

instrument should require rapid destruction of current stockpiles. It should provide for activities to clear munitions, mitigate risks and assist victims. Complementary to the Convention on the Rights of Persons with Disabilities which recently entered into force, the Cluster Munitions Convention should ensure that all victims of cluster munitions receive the assistance necessary to overcome the crippling damage done to themselves, their families and their communities. And it should provide for measures to advance cooperation, transparency and compliance.

Excellencies, Ladies and Gentlemen, let us ensure that agreement is found to prohibit cluster munitions that cause unacceptable harm to civilians. Let us make Dublin the place where States, civil society and international organizations succeeded, in record time, to conclude a treaty prohibiting an insidious weapon. As part of the United Nations' efforts to work with Member States and civil society to find solutions to humanitarian and development challenges, I am happy to convey that the Secretary-General has agreed to accept depositary duties for a treaty concluded on cluster munitions. We stand ready to assist negotiating States in the preparations for adoption and opening of the treaty for signature, ratification and accession. And together with you, we will actively work to make a Cluster Munitions Convention a reality for every community on this planet.

Thank you and I wish you every success with the negotiations.

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