



Press Release

### **The Cook Islands legislates, ratifies the ban on cluster bombs**

(Wellington, 29 August 2011): The Cook Islands' ratification of the international convention banning cluster munitions and its new implementation law sets a positive example for other Pacific nations that need to take these actions, the Aotearoa New Zealand Cluster Munition Coalition (ANZCMC) said today.

“By ratifying the Convention and legislating to enforce its provisions, the Cook Islands has set a very positive example for other signatories to follow,” said Mary Wareham, ANZCMC Coordinator.

Last Tuesday, 23 August, the Cook Islands deposited its instrument of ratification to the 2008 Convention on Cluster Munitions with the United Nations in New York. Prior to its ratification of the Convention, the Cook Islands enacted a national law to implement the Convention's provisions, making it the second Pacific nation to do so after New Zealand (2009) and the 14<sup>th</sup> globally. The Cluster Munitions Act of 2011 was signed into law by Governor-General Sir Fredrick Goodwin on 14 July 2011. It prohibits the use, production, transfer, and stockpiling of cluster munitions and establishes sanctions for violations of up to 10 years imprisonment and/or a fine of \$10,000 for an individual, or a fine of \$20,000 for a corporation.

The Cook Islands joined the Oslo Process in February 2008 and actively supported efforts to create a strong treaty text during the Dublin negotiations. Minister of Foreign Affairs, Wilkie Rasmussen, signed the Convention on Cluster Munitions in Oslo, Norway on 3 December 2008. The Cook Islands has stated on several occasions that it does not use, develop, produce, or stockpile cluster munitions.

A total of 109 countries have signed the Convention of which 60 have ratified, and one state has acceded. The Cook Islands is the 61 State Party to the Convention and fourth Pacific Islands Forum (PIF) member to ratify after New Zealand (22 December 2009), Samoa (28 April 2010) and Fiji (28 May 2010).

“We call on the leaders of all Pacific nations to support the international movement to eradicate cluster munitions, an indiscriminate weapon that causes unacceptable harm to

civilians,” said Mary Wareham. “There are two excellent opportunities for Pacific leaders to demonstrate their commitment to the global ban on cluster munitions in the next few weeks - at the PIF Leaders’ Meeting in Auckland, and by participating in the Convention’s annual meeting which welcomes observers from states that have not yet ratified it.”

PIF members Australia, Nauru, and Palau have signed the Convention, but not yet ratified it. Australia must enact national implementation legislation before it can ratify, a process that is believed to be nearing completion. Several Pacific states participated in the Oslo Process, but have not acceded to the Convention, including the Marshall Islands, Niue, Papua New Guinea, and Tonga. Domestic processes to approve accession to the Convention are believed to be underway in the Solomon Islands and Vanuatu.

The 42nd Pacific Island Forum Leaders’ Meeting is taking place in Auckland, New Zealand from 6-9 September 2011. The Second Meeting of States Parties to the Convention on Cluster Munitions will be held in Beirut, Lebanon on 12-16 September 2011.

The Convention on Cluster Munitions comprehensively prohibits cluster munitions, provides strict deadlines for clearance of areas contaminated by cluster munition remnants and for the destruction of stockpiles, and requires assistance to victims of the weapon. No PIF states are believed to have used, produced, or stockpiled cluster munitions so for these states, compliance with the Convention requires two relatively simple actions: 1. Domestic measures, such as implementing legislation, to enforce the Convention’s provisions, and 2. Submission of a transparency measures report on measures taken to implement the Convention.

For more information,

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- ANZCMC website: <http://www.stopclusterbombs.org.nz>
- List of countries that have joined the Convention: <http://www.stopclustermunitions.org/treatystatus/>

## ADDITIONAL INFORMATION

### **Cluster munitions**

A cluster munition (or cluster bomb) is a weapon containing dozens or hundreds of small explosive submunitions or bomblets. Cluster munitions are dropped from the air or fired from the ground and designed to break open in mid-air, releasing the submunitions over an area that can be the size of several football fields. This means they cannot discriminate between civilians and soldiers. Many of the submunitions fail to explode on impact and remain a threat to lives and livelihoods for decades after a conflict.

### **Convention on Cluster Munitions**

The 2008 Convention on Cluster Munitions bans the use, production, stockpiling and transfer of cluster munitions and requires countries to clear affected areas within 10 years and destroy stockpiles of the weapon within eight years. The Convention also includes groundbreaking provisions requiring assistance to victims and affected communities. Opened for signature in Oslo in December 2008, the Convention entered into force and became binding international law on 1 August 2010. Since the Convention entered into force on 1 August 2010 countries must join through a process of accession, which is a one-step process combining signature

and ratification, meaning it often requires both government and parliamentary approval. The convention is widely regarded as the most significant international disarmament treaty since the 1997 Mine Ban Treaty.

**A total of 109 countries have joined the convention, of which 61 have ratified**

*Afghanistan, Albania, Angola, Antigua and Barbuda, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, DR Congo, Republic of Congo, Cook Islands, Costa Rica, Côte D'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Fiji, France, Gambia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Lao PDR, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Macedonia FYR, Madagascar, Malawi, Mali, Malta, Mauritania, Mexico, Republic of Moldova, Monaco, Montenegro, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Portugal, Rwanda, Samoa, San Marino, Sao Tomé and Príncipe, St. Vincent and Grenadines, Senegal, Seychelles, Sierra Leone, Slovenia, Somalia, South Africa, Spain, Sweden, Switzerland, Tanzania, Togo, Tunisia, Uganda, United Kingdom, Uruguay, Zambia.*  
(Italics indicates signatories that have not yet ratified)

**New Zealand and cluster munitions**

New Zealand is one of six governments that led the 2007-2008 diplomatic Oslo Process that created the Convention on Cluster Munitions. New Zealand hosted a crucial meeting of the Oslo Process in Wellington on 18-22 February 2008 and chaired the negotiations on the definition of cluster munitions. It signed the Convention in Oslo on 3 December 2008 and enacted strong legislation to implement the Convention on 17 December 2009. New Zealand ratified the Convention on 22 December 2009, becoming a State Party on 1 August 2010. Minister of Disarmament and Arms Control, Hon. Georgina Te Heuheu led New Zealand's delegation to the Convention's First Meeting of States Parties to the Convention on Cluster Munitions in Vientiane, Lao PDR in November 2010. She visited a province heavily affected by cluster bomb contamination and announced a funding contribution for clearance of cluster bombs and other explosive remnants of war in Lao PDR.

**About the Aotearoa New Zealand Cluster Munition Coalition (ANZCMC)**

The ANZCMC is a campaign of two dozen non-governmental organisations established in 2007 to support the call to stop cluster munitions from causing unacceptable harm to civilians. It is a member of the international Cluster Munition Coalition, which is the civil society engine behind the Convention on Cluster Munitions. Mary Wareham coordinates the ANZCMC, which is comprised of the following organisations: African Pacific Voices NZ, Amnesty International Aotearoa NZ, Aotearoa Lawyers for Peace, Auckland University Students' Association, Caritas Aotearoa NZ, Christian World Service, Disarmament and Security Centre (Peace Foundation), Engineers for Social Responsibility NZ, Global Focus Aotearoa, International Physicians for the Prevention of Nuclear War NZ, National Council of Women NZ, National Consultative Committee on Disarmament, Oxfam NZ, Parliamentarians for Nuclear Nonproliferation and Disarmament NZ, Pax Christi Aotearoa-NZ, Peace Foundation NZ, Peace Movement Aotearoa, Soroptimist International NZ, Umma Trust, UN Association NZ, UN Youth Association NZ, UNICEF NZ, Women's International League for Peace and Freedom Aotearoa.