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For Immediate Release

Seize the Opportunity to Ban Cluster Bombs in Dublin

(Dublin, Ireland: 19 May 2008) On the opening of the negotiations of the cluster munition treaty, the Aotearoa New Zealand Cluster Munition Coalition today challenged New Zealand and more than 120 other governments in attendance to create a strong and effective prohibition on the weapon.

“The Dublin talks represent a unique opportunity to make a real difference and prevent future casualties from cluster munitions,” said Mary Wareham of Oxfam New Zealand, coordinator of the Aotearoa New Zealand Cluster Munition Coalition (CMC). “From New Zealand and the other governments participating in these talks we expect nothing less than a total prohibition on cluster munitions with no exceptions, no loopholes and no delays.”

The two-week long Dublin Diplomatic Conference on Cluster Munitions marks the most critical point in the diplomatic process launched by New Zealand, Norway, and other nations one year ago to conclude a treaty prohibiting cluster munitions ‘that cause unacceptable harm to civilians.’ A total of 106 governments have endorsed the Wellington Declaration adopted at the last meeting of the process in February 2008, reaffirming their commitment to achieve the ban agreement in Dublin.

“New Zealand’s Ambassador Don MacKay will play a crucial role in the Dublin talks and we expect him to stand strong in the face of what will surely be immense pressure to water down the draft treaty text,” said Wareham.

The draft treaty prohibits cluster munitions, establishes a deadline for destruction of all existing stocks of the weapon, requires clearance of contaminated areas, and includes specific legal obligations for to ensure assistance to survivors of the weapon. The negotiations are expected to be contentious as certain states may seek exceptions in the treaty text for their own cluster munitions or a “transition period” during which they would still be able to use banned cluster munitions or deletion or weakening of a provision in the treaty that prohibits treaty members from assisting non-treaty members to use of cluster munitions in joint military operations.

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- Hi-res images are available at: www.flickr.com/photos/anzclusters/

Questions & Answers - Cluster Munition Treaty Negotiations

Dublin, Ireland - 19-30 May 2008

What are cluster munitions?

Cluster munitions are weapons that open in mid-air and randomly scatter dozens or hundreds of individual submunitions (or “bomblets”) over a large area. Submunitions released by air-dropped cluster bombs are most often called “bomblets,” while those delivered from the ground by artillery or rockets are usually referred to as “grenades.” Countries are agreeing to ban them because they kill and injure too many civilians both during attacks—because of their indiscriminate wide-area effect—and long after attacks—because so many fail to explode on impact but remain dangerous, functioning like antipersonnel mines.

What is the Dublin Diplomatic Conference on Cluster Munitions?

A total of 128 countries have registered to attend the Dublin conference from 19-30 May 2008, where they will negotiate the cluster munition treaty and agree to the final language of the treaty. The negotiations will be based on a draft Wellington treaty text that sets out a comprehensive ban on the weapon, establishes a deadline for destruction of all existing stocks, requires clearance of contaminated areas, and includes specific legal obligations for to ensure assistance to cluster munition survivors. If successful, the cluster munition treaty will represent the most significant advance in humanitarian and disarmament law since the the 1997 treaty prohibiting antipersonnel mines.

What's the problem with this weapon?

Air-dropped or ground-launched, they cause two major humanitarian problems and risks to civilians. First, their widespread dispersal means they cannot distinguish between military targets and civilians so the humanitarian impact can be extreme, especially when the weapon is used in or near populated areas. Many submunitions fail to detonate on impact and become de facto antipersonnel mines killing and maiming people long after the conflict has ended. These duds are more lethal than antipersonnel mines; incidents involving submunition duds are much more likely to cause death than injury.

Who has used cluster munitions?

At least 14 countries have used cluster munitions: Eritrea, Ethiopia, France, Israel, Morocco, the Netherlands, Nigeria, Russia (USSR), Saudi Arabia, Sudan, Tajikistan, UK, US, and FR Yugoslavia. A small number of non-state armed groups have used the weapon (such as Hezbollah in Lebanon in 2006). Billions of submunitions are stockpiled by some 76 countries. A total of 34 states are known to have produced over 210 different types cluster munitions. More than two dozen countries have been affected by the use of cluster munitions including Afghanistan, Albania, Angola, Azerbaijan, Bosnia and Herzegovina, Cambodia, Chad, Croatia, DR Congo, Eritrea, Ethiopia, Grenada, Iraq, Israel, Kuwait, Laos, Lebanon, Montenegro, Saudi Arabia, Serbia, Sierra Leone, Sudan, Syria, Tajikistan, Uganda, and Vietnam, as well as Chechnya, Falkland/Malvinas, Nagorno-Karabakh, and Western Sahara.

Why is a ban on cluster munitions necessary?

Simply put, cluster munitions kill and injure too many civilians. The weapon caused more civilian casualties in Iraq in 2003 and Kosovo in 1999 than any other weapon system. Cluster munitions stand out as the weapon that poses the gravest dangers to civilians since antipersonnel mines, which were banned in 1997. Yet there is currently no

provision in international law to specifically address problems caused by cluster munitions. Israel's massive use of the weapon in Lebanon in August 2006 resulted in more than 200 civilian casualties in the year following the ceasefire and served as the catalyst that has propelled governments to attempt to secure a legally-binding international instrument tackling cluster munitions in 2008.

What are the most controversial issues for the Dublin negotiations?

There will be tough negotiations on a number of controversial issues in Dublin, most importantly on the issues surrounding joint military operations with states outside the treaty that may use cluster bombs; the definition of a cluster bomb and calls for exceptions from the ban; and calls for a transition period where states could continue to use the weapons for years after they have been banned. A number of mainly European producer or stockpiler states have taken positions on these issues that would significantly weaken the treaty. But there is also widespread support amongst a broad range of countries to keep the treaty strong. The negotiation of these controversial issues will determine the strength and effectiveness of the treaty.

What is the Oslo Process?

In February 2007, 46 governments met in Oslo to endorse a call by Norwegian Foreign Minister Jonas Gahr Støre to conclude a new legally binding instrument in 2008 that prohibits the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians and provides adequate resources to assist survivors and clear contaminated areas. Subsequent [Oslo Process](#) meetings were held in Peru (May 2007), Austria (December 2007), and New Zealand (February 2008).

Why is New Zealand involved?

[New Zealand](#) is one of six governments leading the Oslo Process to secure the international treaty banning cluster munitions (the other Core Group members are Austria, Ireland, Mexico, Norway and Peru). New Zealand's engagement on this issue is led by its Geneva-based Ambassador Don MacKay, respected for his leadership in the recently concluded Disability Rights Convention. New Zealand has extensive experience in the clearance of unexploded ordnance including cluster munitions (currently two dozen NZ Defence Force personnel are clearing cluster bomblets in Lebanon). From 18-22 February 2008, New Zealand hosted the Wellington Conference on Cluster Munitions, which was the largest disarmament meeting ever convened in the country with 106 governments in attendance. On the closing day a total of 82 countries adopted the [Wellington Declaration](#) committing them to negotiate the ban treaty on the basis of the draft text discussed in Wellington. The Aotearoa New Zealand Cluster Munition Coalition coordinated the civil society delegation to the conference and undertook an array of public events.

What is the campaign to ban cluster munitions?

The [Cluster Munition Coalition](#) (CMC) is a global network of 200 civil society organisations working in 50 countries to end the harm caused by cluster munitions. Founding members include Human Rights Watch and other leaders from the Nobel Peace Prize-winning [International Campaign to Ban Landmines](#) which secured the 1997 Mine Ban Treaty. Launched November 2003, the CMC is campaigning for the diplomatic Oslo Process to result in a strong international treaty prohibiting cluster munitions. The [Aotearoa New Zealand Cluster Munition Coalition](#) is a group of approximately twenty local non-governmental organizations coordinated by Oxfam NZ that supports the call to stop cluster munitions from harming civilians. www.banclusterbombs.org.nz