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MEDIA RELEASE - for immediate release

NEW ZEALAND RATIFIES CLUSTER BOMB BAN **Early “Christmas present” follows passage of implementation law**

(Wellington, 23 December 2009) – New Zealand has ratified the international treaty banning cluster munitions one week after domestic implementing legislation was signed into law, said the Aotearoa New Zealand Cluster Munition Coalition (ANZCMC) today.

“New Zealand’s ratification is a great Christmas present for the Convention on Cluster Munitions as it helps bring the agreement one step closer to becoming international law,” said Mary Wareham, ANZCMC coordinator. “New Zealand would not have ratified so quickly had it not been for the active leadership by our Minister for Disarmament and Arms Control, broad support across all political parties, and relentless campaigning by civil society.”

On Tuesday, 22 December 2009 at 10.30 local time [NZ time - 4.30am, 23 December], New Zealand’s Permanent Representative to the United Nations in New York, Ambassador Jim McLay, deposited the government’s instrument of ratification to the Convention on Cluster Munitions. Earlier in the month—on 10 December—the New Zealand parliament unanimously passed comprehensive legislation to implement the treaty. The Cluster Munitions Prohibition Act of 2009 was signed into law on 17 December 2009.

New Zealand signed the Convention on Cluster Munitions on 3 December 2008. The agreement comprehensively prohibits cluster munitions, requires clearance of contaminated land and destruction of stockpiles of the weapon, and includes groundbreaking provisions for assistance to victims and affected communities. A total of 104 states have signed the Convention, most recently Cameroon on 15 December 2009, and thirty ratifications are needed for the Convention to enter into force and become binding international law six months later. New Zealand’s ratification was followed later on 22 December by Belgium [at 15.00 local time], making the states the 25th and 26th ratifications of the Convention respectively.

“It is fitting that New Zealand ratify the Convention today alongside Belgium as both governments have impressive track records when it comes to cooperating and leading efforts to prevent civilian harm from weapons such as antipersonnel mines and cluster munitions,” said Wareham. “Both New Zealand and Belgium have enacted strong laws to enforce the cluster munition ban domestically, including by prohibiting divestment in cluster munition

production, and we urge other states use these laws as models when they consider domestic implementation measures to enforce the Convention on Cluster Munitions.”

In February 2006, Belgium became the first country to enact a national prohibition on cluster munitions, while in March 2007 Belgium became the first country to pass specific legislation to ban investment in cluster munition producers. New Zealand’s Cluster Munitions Prohibition Act provides for penal sanctions (up to 7 years) and fines (up to NZ\$500,000) for violations of the prohibitions. Following parliamentary review and advocacy by the ANZCMC, the legislation was strengthened in several ways, including by the inclusion of a specific prohibition on investment in cluster munition production.

New Zealand is the first Pacific nation to complete ratification of the Convention on Cluster Munitions. The Cook Islands, Fiji, Nauru, Palau and Samoa signed the Convention, but have not yet ratified while five other Pacific states participated in the Oslo Process, but have not signed the agreement (Marshall Islands, Niue, Papua New Guinea, Tonga and Vanuatu).

New Zealand was a member of the seven-nation ‘Core Group’ that took responsibility for the Oslo Process, the unconventional diplomatic initiative conducted outside of traditional diplomatic fora, which resulted in the successful adoption of the Convention on Cluster Munitions. In February 2008, New Zealand hosted a pivotal meeting of the Oslo Process in Wellington attended by 106 governments and more than 140 civil society representatives. During the Dublin negotiations of the treaty, New Zealand Ambassador Don MacKay played a key role in securing diplomatic support for a comprehensive definition of the weapon.

The ANZCMC is a network of 23 non-government organisations and a member of the international Cluster Munition Coalition.

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For more information, see:

- ANZCMC Review of the Cluster Munitions Prohibition Act of 2009 – http://www.stopclusterbombs.org.nz/wp-content/uploads/2009/12/anzcmc_review_cmbill_22dec09.pdf
- Text of the Cluster Munitions Prohibition Act of 2009 – <http://www.legislation.govt.nz/act/public/2009/0068/latest/DLM2171615.html>