

WELLINGTON CONFERENCE ON CLUSTER MUNITIONS

Statement by Ambassador John Duncan,
UK Ambassador for Multilateral Arms Control and Disarmament

18 February 2008

Statement on Article I: General Scope and Obligations

Mr Chairman,

The UK is very pleased to be represented here in Wellington. The UK aligns itself with the EU General Statement which will be on the Website and will be distributed separately.

It is not my intention to make a statement but to make a few brief points on the substance of the general obligations and scope.

We are now in the endgame of this process.

The United Kingdom has been engaged from an early stage. We were one of the original 46 who signed the Oslo Declaration at the Oslo meeting last year and the British Prime Minister Gordon Brown underlined our commitment to finding a solution to this problem when he said that "having led the way by taking two types of cluster munitions out of service we want to work internationally for a ban on the use, production, transfer and stockpiling of those cluster munitions which cause unacceptable harm to civilians" in his major foreign policy speech at the Guildhall last November. Two weeks ago the British Defence Secretary Des Browne in an unprecedented address to the Conference on Disarmament made clear again "our goal of securing an international instrument on Cluster munitions" as described by the Prime Minister.

The United Kingdom has always taken its international responsibilities very seriously. Britain provided the first funding to the UN to begin clearance work in Lebanon in 2006. We've provided over £3.3m for cluster munition clearance in Lebanon since then. The British funded Mines Advisory Group made 4.5 million square metres of land safe in southern Lebanon by clearing unexploded munitions.

But these responsibilities go considerably wider than post conflict effort. Today the Security Council is discussing Kosovo. This is quite relevant to our discussions in Wellington. 10 Years ago the world, and Europe particularly, was faced with yet another major humanitarian and human rights challenge.

Once again Britain stepped up to the plate. Within the space of two years Al Qaeda launched its attack on the World Trade Centre. Yet again the UK took action with others. We remain involved in combating this threat. The UK has committed \$220m to Afghanistan's Economic and Social Development. A figure nearly equal to the overall EC effort of \$256m. The UK maintains a military commitment of nearly 8000 troops and has suffered 87 soldiers killed in action to date.

But our discussion here is not a beauty contest, although sometimes it may appear so. Nor despite their undoubted and welcome contribution to this important debate will the NGO community sign any eventual agreement. NGOs are not governments and do not have the same responsibilities that governments have for ensuring international peace and security and for funding international development.

Mr. Chairman,

You and your colleagues in the core group hold the success of this process in your hands. No one should doubt the commitment of the UK to find a solution to the problem posed by those cluster munitions that cause unacceptable harm.

But you will be aware that the draft text we have before us still contains areas where there is considerable divergence. In particular the definition itself, Interoperability, and retroactivity of obligations.

We will continue to work with you to resolve these issues But these are not the type of issue that I have heard described as “diplomatic niceties”. Rather they are issues that go to the heart of nations ability to meet their international responsibilities including those of collective defence as allies to others in this room.

On the text itself:

- Article 1 will need to be specifically linked to Article 2.
- The inclusion of 1c renders coalition and multinational operations, including UN chapter VII, NATO, EU operations, difficult or even untenable with those members of the coalition who are not states parties to the convention deploy those types of cluster munition that could be prohibited under this treaty.

Mr Chairman,

You raised the issue of transition periods. We agree that if transition periods are agreed, Article I is the right place to include them. There is an argument that in the real world of delivering an improvement to those whose communities affected by Cluster Munitions that rather than having no commitment from possessing states at all, it would be better to put in place a structured plan for the removal from service of weapons systems

As we heard this morning we hope that constructive and practical proposals can overcome these difficulties. We also hope that now that status of the text has changed the core group will engage constructively with others who wish to see agreement on a new instrument.

Mr Chairman,

You can count on our support to find a way through.