



BAN CLUSTER BOMBS

REPORT ON ACTIVITIES
WELLINGTON CONFERENCE ON CLUSTER MUNITIONS
18-22 FEBRUARY 2008



Acknowledgments

This report covers the activities of the **Cluster Munition Coalition** (CMC) during the **Wellington Conference on Cluster Munitions**, held 18-22 February 2008 in New Zealand.

The Aotearoa New Zealand Cluster Munition Coalition would like to thank its twenty member organisations for their active engagement in the Wellington Conference. Our successful actions and notable presence would not have been possible without the following supporters:

Boost New Media

Commonsense Organics

DraftFCB

Peace and Disarmament Education Trust Fund (PADET)

Global Cluster Munition Coalition and its donors

Human Rights Watch

Kai in the City

Maadi Caterers

New World Metro

Rieger's Copy Center

Trade Aid

Wellington City Council (esp. Ray Ahipene-Mercer & John Dawson)

The Aotearoa New Zealand Cluster Munition Coalition is grateful to its coordinator **Oxfam New Zealand**, especially ANZCMC coordinator Mary Wareham and Wellington Conference coordinator Jamila Hodayun. The coalition would like to thank its team of dedicated volunteers for their critical work in organising strong civil society engagement in the Wellington Conference: Mette Eliseussen, Rachel Good (HRW), John Howse, Fiona McAlister, Midge Murray, Jessica Phillips, John Rodsted, Raechel Rees and Ed Tonkin. Thank you to CMC staff for their hard work: Thomas Nash, Samantha Bolton, Laura Cheeseman, Natalie Curtis, and Serena Olgiati. We are also grateful for the cooperation received from the New Zealand government, especially the Ministry of Foreign Affairs and Trade and Immigration New Zealand.

This report was prepared by the Oxfam New Zealand (Mary Wareham and Jessica Phillips) on behalf of the Aotearoa New Zealand Cluster Munition Coalition. To reduce printed materials, this report has been produced on a CD-Rom for dissemination at the Dublin Diplomatic Conference on Cluster Munitions. An updated version of this report as well as films and photographs from the Wellington Conference are available online at: www.banclusterbombs.org.nz

© **Aotearoa New Zealand Cluster Munition Coalition**, Wellington, April 2008

Table of Contents

Overview of the Wellington Conference.....	1
Formal Programme.....	6
List of Statements by the Cluster Munition Coalition.....	10
Selected Statements by the Cluster Munition Coalition.....	11
Wellington Declaration	16
Wellington Declaration Endorsements.....	18
Draft Convention Explanatory Notes.....	19
Draft Cluster Munitions Convention.....	24
List of Public/Other Events	39
Public Talk: Action Against Cluster Bomb Manufacturers.....	40
Public Talk: Cluster Munitions in South Lebanon.....	56
NZ Parliamentary Questions.....	66
Press Releases by the Cluster Munition Coalition.....	68
Questions & Answers.....	72
Media Coverage of the Wellington Conference	75
List of Government Participants	81
List of Civil Society Participants	89
Biographies of Civil Society Participants.....	93
Annex	109



Overview of the Wellington Conference

By Mary Wareham, Oxfam NZ/Aotearoa New Zealand Cluster Munition Coalition

The Wellington Conference on Cluster Munitions took place at the Wellington Town Hall from 18-22 February 2008. The purpose of the meeting was to discuss and build support for the draft treaty to prohibit the use, production, transfer, and stockpiling of cluster munitions, as well as clear contaminated areas and assist to victims of the weapon. This fourth global meeting of the Oslo Process followed conferences held during 2007 in Vienna, Austria (on 4-5 December), Lima, Peru (23-25 May), and Oslo, Norway (22-23 February), where the diplomatic initiative to tackle cluster munitions was launched.

The principal outcome of the Wellington Conference was a declaration endorsed by 82 governments on the final day of the meeting. The **Wellington Declaration** commits states to negotiate the treaty to ban cluster munitions that pose unacceptable harm to civilians in Dublin, Ireland from May 19-30, using the draft treaty text developed in Wellington as the basis for negotiations. More countries were expected to support the declaration in the lead-up to the Dublin Diplomatic Conference on Cluster Munitions (there were 102 endorsers as of 29 April 2008).



Despite New Zealand's isolated location turn-out was impressive; the Wellington Conference was the largest multilateral disarmament meeting ever convened in the country. A total of 106 governments attended the meeting, while twenty more states registered, but could not participate due to last-minute travel and visa challenges.



Although some of the main users of cluster munitions, such as Israel, the United States, and Russia, did not attend the conference, three-quarters of the world's cluster munitions stockpilers were present, and most of the producers and past users. Nine of the region's twelve Pacific island nation states attended, participating for the first time in the Oslo Process (Cook Islands, Fiji, Marshall Islands, Niue, Palau, Papua New Guinea, Samoa, Tonga, and Vanuatu). Six governments that have not yet joined

the 1997 treaty prohibiting antipersonnel mines participated and endorsed the Wellington Declaration: Bahrain, Finland, Kyrgyzstan, Lebanon, Morocco, and Nepal.

Over the course of the Wellington Conference in intense plenary and break-out sessions, several countries submitted proposals to amend the draft treaty text. Most attempts to weaken the proposed treaty focused on three key issues as a handful of states with stockpiles of the weapon sought to: 1) exempt certain types of cluster munitions or technologies from the ban altogether; 2) delay when the treaty would take effect though the inclusion of a “transition period” during which the banned weapons could still be used, and 3) delete or weaken the provision that prohibits states from “assisting” with the use of cluster munitions by armed forces that are not part of the treaty (so-called “interoperability” concerns). Some governments also pushed to delete a provision that calls on user states to help with the clearance of cluster munitions from conflicts that pre-date the treaty.



The most objectionable proposals for exceptions were put forward by France, Germany, Japan, and Switzerland; for a transition period by Germany and Japan (with notable support from the United Kingdom); and for interoperability by Canada, Germany, and Japan (with notable support from Australia). Other states vocal in their support of provisions to weaken the treaty included the Czech Republic, Denmark, Finland, Italy, the Netherlands, Slovakia, Spain, and Sweden.

Despite the fact that none of their proposals were included in the final draft treaty text, all of these so-called like-minded countries decided to endorse the Wellington Declaration signalling their intent to participate fully in the Dublin negotiations. Until the last moment, it appeared many governments would refuse to endorse, as some diplomatic representatives had privately threatened to walk away for the treaty process if their demands were not met. On the positive side, there was notable movement in the right direction in many of these countries on these and other issues during the course of the week, giving confidence that a strong treaty will emerge from Dublin. States affected by clusters, particularly Cambodia, Laos, and Lebanon, spoke out strongly in favour of the Wellington treaty text, as did others in the developing world, notably Indonesia.



The chair of the Wellington Conference--New Zealand's Ambassador to the United Nations Conference on Disarmament in Geneva Don MacKay--acknowledged the concerns expressed and placed the proposals together in a 'Compendium' that will inform the Dublin negotiations on the draft text. The Compendium does not, however, carry the same weight as the treaty text.

In Wellington, governments also considered the draft “**Rules of Procedure**” for the negotiations. If approved in Dublin, these rules will continue the precedent of allowing non-governmental organisations (NGOs) inside the formal talks with official observer status. Even more importantly, according to the rules any state wishing to amend the draft text will require support from a two-thirds majority of governments participating in the negotiations for the proposed amendment to be accepted. This divergence from consensus-based decision-making follows the historic precedent set by the 1997 Mine Ban Treaty negotiations, where the majority vote rule guided deliberations, but in the final outcome no actual voting took place.

The New Zealand government played a critical role as host of the Wellington Conference. Ambassador MacKay skilfully chaired the conference and refused to buckle under considerable pressure from the group of “like-minded” countries. New Zealand’s Minister of Disarmament and Arms Control Hon. Phil Goff, formally opened the conference and issued strong statements challenging the governments to meet the Oslo Process ban treaty objective.



Representatives of the local indigenous *iwi* (tribe), Te Atiawa, conducted a traditional Maori *powhiri* or welcome ceremony, while Wellington Mayor Kerry Prendergast hosted a reception to welcome the conference participants to the city. The NZ Defence Force engaged in both the formal talks and side events. In Parliament, the Green Party helped sharpen the domestic debate by calling on the New Zealand Superannuation Fund’s to divest from its investments in companies involved in the production of cluster bombs.

As Minister Hon. Phil Goff noted in his remarks on the final day of the Conference, civil society, in particular the Cluster Munition Coalition, played a critical role in ensuring the successful outcome of the meeting. Throughout the conference civil society maintained a strong presence both inside and outside the formal meeting. Convened under the umbrella Cluster Munition Coalition, a delegation of 142 civil society participants from 43 countries participated in the Wellington Conference (a quarter of them New Zealanders).

Representatives of the Cluster Munition Coalition made interventions on all the major articles and issues considered by the Conference, distributing briefing papers, fact sheets, and other materials to bolster their arguments for a strong and effective treaty. Working regionally as well as in smaller teams, campaigners lobbied governments on key issues and were particularly instrumental in encouraging states to speak up and endorse the Wellington Declaration.



The delegation of cluster munition survivors from Afghanistan, Iraq, Serbia, and Tajikistan formed a strong lobby team and engaged in significant public outreach.

The Aotearoa New Zealand Cluster Munition Coalition (ANZCMC), a group of twenty local NGOs established in March 2007 and coordinated by Oxfam New Zealand, played a central role in the Wellington Conference. Oxfam NZ handled all logistics for the international civil society guests, successfully helping to obtain New Zealand visas for every participant that required one. The global coalition expanded to the Pacific with the participation in the Conference of leading disability rights activists and small arms campaigners from Fiji, Papua New Guinea, Tonga, and Vanuatu.



On behalf of the coalition, Oxfam NZ made a concerted effort to help the CMC ensure that the environmental impacts of the campaign's participation in the Wellington Conference were minimised. Sustainability activities included a financial donation for "Manawa Karioi," an ecological restoration project in Wellington that aims to increase biodiversity in the area. Civil society participants were booked into accommodation within walking distance of the conference venue and encouraged to use local public transportation and shop at local businesses. Most materials were printed on recycled materials and the amount of paper was significantly reduced by disseminating through the ANZCMC website and email alerts, as well as on flash drives.

Members of the domestic Cluster Munition Coalition carried out an array of side events on cluster munitions for conference delegates, members of the public, and interested media. International and New Zealand speakers talked on a range of topics at lunchtime



and evening talks including on efforts to divest pension funds and banks from companies engaged in the production of cluster munition manufacturers, on new developments in demining research and technology, on the post-conflict recovery of cluster munition-contaminated Lebanon, and on the use of media tools to achieve advocacy objectives. 1997 Nobel Peace Laureate Jody Williams of the Nobel Women's Initiative

spoke at a breakfast event in Auckland. She also gave a lecture in memory of John Head, the founder of the New Zealand Campaign Against Landmines (CALM) who passed away in February 2007.

Local youth played an especially supportive role. Amnesty International arranged a series of school talks to help build support for the cluster bomb ban among Wellington's youth. The United Nations Youth Association of NZ convened a breakfast event to welcome some of the younger CMC members to Wellington. A team of student writers helped the ANZCMC to issue a daily newsletter, *Cluster Ban News*, on



activities both inside and outside the formal conference.

The principal mobilisation moment came midway through the conference with a demonstration against cluster munitions held in Civic Square, directly outside the venue. More than 1,000 people heeded the call to participate in the petition-gathering exercise



that saw diplomats and campaigners, children and office workers, and others lie down on the pavement to have their chalk silhouette outline drawn. The stunt was carried out with the assistance of creative agency DraftFCB, whose pro-bono assistance to the ANZCMC included distinctive “Ban Cluster Bombs” posters that were visible all over the city from bus shelters to the public library. On the evening of the stunt action, Minister Hon. Phil Goff accepted a total of 3,367 ANZCMC petitions presented to him by the

delegation of cluster munition survivors at a parliamentary reception.

The stunt attracted substantial media interest due to the dedicated efforts by the CMC’s media team. There was good global coverage of the conference by print media, including wire services, while other radio and television media coverage was less strong (in part because many broadcasters are waiting for the “main” story to unfold in Dublin). A team of filmmakers produced short pieces on the conference that were made available online, while several online media providers and bloggers covered developments at the conference. Domestically there was near daily coverage of the conference by Wellington’s main newspaper (*Dominion Post*), as well as good coverage on the major national television networks, and articles in local papers around the country.



Daily information on the conference and civil society activities was uploaded to two New Zealand websites. The official Conference website hosted by the Ministry of Foreign Affairs and Trade has statements, the list of participants, and other formal documents from the meeting: www.mfat.govt.nz/clustermunitionswellington/ The ANZ CMC website lists all civil society actions and documents relating to the conference, as well as this report on activities: www.stopclusterbombs.org.nz/



Since the conclusion of the conference, local interest in the cluster ban has not waned. On 4 April 2008, the NZ Superannuation Fund bowed to public pressure and announced its intent to divest from companies engaged in the production of cluster munitions. More than 85 faith leaders and representatives of faith groups signed up to a call to ban cluster munitions, that was published in the national *Sunday Star Times* newspaper on 20 April 2008.

Formal Programme

Provided by MFAT, <http://www.mfat.govt.nz/clustermunitionswellington/>



Wellington Conference on Cluster Munitions

NEW ZEALAND
18 – 22 February 2008

NEW ZEALAND MINISTRY OF
FOREIGN AFFAIRS & TRADE
MANATŪ AORERE

New Zealand Government

Programme

Sunday 17 February

1700 – 1900 Registration of Participants

Monday 18 February

0800 – 1730 Registration of Participants

0900 – 0915 Delegates seated for briefing on the protocol for the powhiri (Maori welcome)

0915 – 1000 **Powhiri**

1000 – 1025 *Refreshment break*

1025 Delegates seated for opening ceremony

1030 – 1130 **Opening ceremony**

1030 Opening of the Conference by Hon Phil Goff, New Zealand Minister for Disarmament and Arms Control

1045 Opening panel convened by H.E. Don MacKay, Chair of the Wellington Conference

- Sam Sotha, Secretary General of the Cambodian Mine Action Authority, as a representative of an affected country
- Soraj Ghulam Habib, cluster munition survivor, Afghanistan
- Branislav Kapetanovic, cluster munition survivor, Serbia
- Steve Goose, Cluster Munition Coalition
- Hilde Johnson, Deputy Executive Director, UNICEF

1130 – 1215 **Reports on recent developments on cluster munitions**

- Vienna Conference, H.E. Mr. Wolfgang Petritsch, Ambassador of Austria for Disarmament
- Cluster Munition Coalition, Mr Thomas Nash
- Development of Draft Convention, H.E. Mr. Daithi O’Ceallaigh, Ambassador of Ireland for Disarmament

1215 – 1300 General obligations and scope of application

- Co-chairs: New Zealand and Mexico

Discussion

1300 – 1500 *Lunch break*

1315 – 1430 *Briefing for delegates new to the Oslo Process (Eng/Fr/Sp).*
Details tba.

1500 – 1730 General obligations and scope of application; definitions

Co-chairs: New Zealand and Mexico

Discussion

1730 – 1900 **Reception** – Renouf Foyer, Michael Fowler Centre

- Offered by Mayor of Wellington

Tuesday 19 February

0900 – 1730 Registration of Participants

0930 – 1300 Definitions

- Co-chairs: New Zealand and Mexico

Discussion

1300 – 1500 *Lunch break*

1500 – 1800 Definitions

- Co-chairs: New Zealand and Mexico

Discussion

Wednesday 20 February

0900 – 1730 Registration of Participants

0930 – 1300 Clearance of unexploded ordnance from cluster munitions

Co-chairs: Ireland and Austria

Discussion

1300 – 1500 *Lunch break*

1500 – 1800 **Victim assistance**

- Co-chairs Austria and Peru

Discussion

1830 – 2000 **Parliamentary reception** – Grand Hall, Parliament Building

Thursday 21 February

0900 – 1730 Registration of Participants

0930 – 1130 **Storage and stockpile destruction**

- Co-chairs Norway and Ireland

Discussion

1130 – 1300 **International cooperation and assistance**

- Co-chairs Mexico and Norway

Discussion

1300 – 1500 *Lunch break*

1500 – 1630 **Transparency and compliance**

- Co-chairs Peru and Austria

Discussion

1630 – 1800 **National implementation, settlement of disputes, meetings of the parties and final provisions**

- Co-chairs Ireland and Norway

Discussion

Friday 22 February

0800 – 1730 Registration of Participants

0930 – 1300 **Further discussion: review of progress made on key issues**

- Co-chairs New Zealand and Ireland

1300 – 1500 *Lunch break*

1500 – 1600 **Wrap up of work**

- Co-chairs New Zealand and Ireland

1600 – 1800 **Closing ceremony**

- Process through to Dublin Diplomatic Conference
 - Arrangements for Dublin, H.E. Mr. Daithi O'Ceallaigh, Ambassador of Ireland for Disarmament
 - Wellington Declaration
 - Closure of the Conference
-



List of Statements by the Cluster Munition Coalition

Opening Ceremony

- Steve Goose, Human Rights Watch/Cluster Munition Coalition
- Soraj Ghulam Habib, Ban Advocate from Afghanistan
- Branislav Kapetanovic, cluster munition survivor from Serbia

Reports on Recent Developments

- Thomas Nash, Cluster Munition Coalition

Definitions

- Ahmed Yassin Najem, Ban Advocate from Iraq
- Sladjan Vucovic, Ban Advocate from Serbia
- Steve Goose, Human Rights Watch

National implementation

- Cluster Munition Coalition

Clearance of cluster munitions

- Cluster Munition Coalition

Victim assistance

- Dejan Dikic, Ban Advocate from Serbia
- Dusica Vucovic, Ban Advocate from Serbia
- Ken Rutherford, Landmine Survivors Network

Closing Plenary

- Mary Wareham, Aotearoa New Zealand Cluster Munition Coalition
- Thomas Nash, Cluster Munition Coalition



Selected Statements by the Cluster Munition Coalition

Opening Statement

Delivered by Steve Goose, Human Rights Watch/Cluster Munition Coalition
18 February 2008

Delegates, colleagues and friends,

Let us have the strength and courage and conscience to live up to the words we have just heard from cluster munition survivors Soraj and Branislav. We thank them for their willingness to share the truth of their experiences.

For the **Cluster Munition Coalition (CMC)** our main hope and expectation this week is that all governments present will be prepared to endorse the Wellington Declaration by the end of the week and to forward the strong draft treaty text to Dublin for formal negotiation in May.

Let there be no doubt about the importance of what we are engaged in here. With landmine use now under control, cluster munitions pose the gravest danger to civilians of any conventional weapon. This treaty may be the most effective and far-reaching measure that states can take to protect civilians both during and after armed conflict.

You are to be congratulated for your efforts to date. Governments are answering the call of civil society on a humanitarian imperative. Governments are being responsive to the demands of the people they represent. This effort is in no way anti-military, it is simply pro-humanity.

This is a powerful mix of disarmament and humanitarian law, created by a self-selecting group dedicated to ending the suffering caused by cluster munitions—to preventing future suffering. Again, you are to be congratulated.

We understand that there are still differences about what should and should not be included in the future cluster munition treaty. That is natural; you have not yet reached the point of formal negotiations. The CMC is pleased with some of the treaty text changes from **Lima** to **Vienna** to Wellington, and not pleased with others. Language can be clarified and strengthened in some areas, including victim assistance, clearance, cooperation and assistance, transparency, and the definitions. We have concerns about the 6-year stockpile destruction deadline and the lengthy 10-year extension period.

But overall, the draft text is very strong. The CMC believes that the existing text forms an excellent basis for the negotiations in Dublin and should be forwarded as such. There is room for improvement, to be sure, but our bigger concerns are possible weakening amendments, particularly in three areas: exemptions to the ban, a transition period, and interoperability.

Some of the proposals that have been floated or discussed on these matters would cause the CMC to withdraw its support for the treaty and the Process.

Some are talking of broad exceptions for submunitions with self-destructing mechanisms – but all evidence shows that self-destructing mechanisms themselves fail far too often and still leave unacceptable risks for civilians.

Some are talking of a maximum failure rate requirement – but all evidence shows that there is no relationship between the failure rate under testing conditions and the failure rate in combat. A failure rate approach cannot be effectively monitored, or verified, or uniformly implemented; it is fatally flawed.

Some are talking of a transition period, during which banned cluster munitions could still be used. Whether it is ten years or one year, this concept fundamentally undermines the integrity of the treaty. How can you keep using a weapon you have agreed must be banned because it causes unacceptable harm to civilians?

Some are talking of deleting or seriously compromising the prohibition on assistance with any banned act. This reflects concerns about joint military operations with a state not part of the treaty who might use cluster munitions, notably the United States. We believe there are practical solutions to these “interoperability” concerns, based on the Mine Ban Treaty experience, but gutting the treaty text, and implying acceptance of ongoing use, is not among them.

The integrity of the treaty is the key. Some speak of a “trade-off” between the strength of the treaty and who is willing to sign. But this is a trade with a high price. In a very real sense, it is just trading away the lives and limbs of future cluster munition victims.

So dare to be strong, to be bold, to strive for the treaty that will make the biggest difference in protecting civilians from the ravages of war. Dare to resist the diplomatic impulse to seek the comfortable compromise that may allow you to slap each others’ backs in self-congratulation, but not to look cluster munition survivors in the eye and say you are proud of what you have done.

The Oslo Process has been different and must remain so. You have done stunningly effective work in an almost unthinkable short period of time. Let us bring the effort to fruition with the strongest possible treaty without loopholes and without delays.

Thank you.

Report on Recent Developments

Delivered by Thomas Nash, Cluster Munition Coalition
18 February 2008

Thank you Ambassador for the opportunity to outline the CMC’s key recent and ongoing areas of activity and for the way you have included civil society in the work of this conference.

As you’ve noted, the role of CMC is to raise global awareness of this issue in the broader public and to help shape the international political process so that responds to the needs of affected communities and meets the humanitarian imperative.

As a broad coalition with members in around 70 countries we speak with one voice that reflects our many, many different backgrounds as survivors of cluster munitions, former military personnel, clearance and victim assistance practitioners from countries that have used or produced or stockpile cluster munitions, from countries affected by cluster munitions.

It is true that thankfully cluster munitions are not part of the everyday life of most people in most countries but this simply shows the real promise of this process which is its preventive nature. It may not be an everyday issue for all countries but it is still very relevant to all for a number of reasons, including for the Pacific Island states joining us here for the first time and who we warmly welcome. It's relevant because no country wants to be a victim of cluster munitions and as Branislav reminded us so poignantly earlier today cluster munitions can quickly become relevant if they get used in your country. For most countries and for entire regions like Africa and Latin America this weapon is simply not acceptable. It's also relevant because it's a chance for all countries, big or small, to register their vote in the international community to make a difference. As the civil society campaign the CMC is strongly committed to raising awareness amongst these and all countries.

Since Vienna we have been focused on our preparations for Wellington in different countries around the world and especially here in New Zealand where the Aotearoa/New Zealand CMC has been doing phenomenal work and has set up a series of public events this week that are outlined in these flyers. For this meeting, the CMC has also produced a series of policy papers and a CMC commentary on the convention. Our 160 CMC participants are also prepared for a week of intensive engagement with government delegates this week.

In our work with governments in capitals, we have been seeking to promote national actions while the international process goes on. We already have national prohibition law in Austria and Belgium and a moratorium in Hungary, Norway, and now in a most welcome development Bulgaria has just announced a moratorium. Serbia and Croatia are also completing the domestic measures to allow them to adopt a moratorium. We're confident that our work around the world will result in more announcements of national measures such as this in the months to come.

In our work we have also been promoting an evidence-based approach to the debate. Many of our member organisations are not only advocacy organisations but also undertake work on a daily basis to change lives and save lives in areas affected by cluster munitions. We have been trying to close the gap between the reality on the ground, faced by humanitarian organisations and affected communities and the policy-making framework internationally. Too often the field reality has been divorced from the policies adopted in international affairs. The research into the performance in Lebanon of the M85 with self-destruct undertaken by Norwegian Defence Research Establishment, Norwegian People's Aid and Colin King is one example of this. Ongoing research is being undertaken by Handicap International, Human Rights Watch, Landmine Action and the ICBL's Landmine Monitor will also now be undertaking work on cluster munitions in the period ahead.

We have been raising awareness through public outreach activities such as the petition coordinated by Handicap International which continues to gather signatures and has more than 500,000 so far. Here in Wellington on Wednesday members of the public will be invited to lie on the ground and have a chalk silhouette drawn around them as a petition to raise awareness of the victims of cluster munitions. Public stunts such as this action will be taking place over the months ahead. The increasing involvement of worldwide member-based organisations and movements such as Amnesty International and the Red Cross and Red Crescent societies will substantially increase the reach and influence of the campaign.

The media have been increasingly interested in this process as it gets closer to its final objective of a new treaty of international law. Both this week and in the months ahead we'll be working to ensure coverage across all regions and in all languages.

The CMC is facilitating a growing parliamentary network which is particularly active in Canada, France, Germany, the Netherlands, Sweden, Switzerland where there is broad cross-party engagement. We are working to place this issue on the agenda of the IPU, and will also be undertaking a series of briefings in national parliaments of key countries between Wellington and Dublin.

Another area of important work relates to disinvestment. More and more banks and fund managers are rejecting producers of cluster munitions from their portfolios in countries like Norway, the Netherlands and Belgium where investments have been prohibited by national law.

If I might refer to some specific actions in countries recently: in Australia the Cluster Munition Coalition Australia held a campaign launch with public events last week together with ongoing engagement with government officials. In the UK Landmine Action met recently with the Ministers of Foreign Affairs, Defence and International Development. We are confident that the strength of the civil society commitment in these and other countries will ensure they make the right decisions in Dublin and in Oslo when the treaty is open for signature. In Canada, the 10 year anniversary events highlighted the need for action on cluster munitions as well as landmines. In France the Minister of Foreign Affairs recently issued a strong statement in response to the concerted advocacy from Handicap International. In the Netherlands a report has just been issued analysing the position of the government and this will be closely followed.

The CMC will also be actively promoting and participating in the various regional and international meetings coming up including in Zambia and Bangkok and seeking to ensure the participation of survivors from these regions.

Finally we are preparing the next Global Day of Action to Ban Cluster Bombs on April 19, where we will hold a coordinated series of public activities around the world in countries where CMC is active. This will be a call to action exactly one month later all states will be expected to be in Dublin, having endorsed the Wellington Declaration and standing ready to negotiate a strong ban treaty.

As we look back at the anticipation in the room in Oslo on that cold Friday this time last year we can genuinely say that this process has become truly unstoppable. We are

moving closer to our final goal and our message to all delegates is to stand firm this week, *kia kaha* in Maori, have strength.

Thank you.

Closing Statement

Remarks by Thomas Nash, Cluster Munition Coalition
22 February 2008

Thank you Mr. Chair,

We would like to express our admiration for the leadership shown by you and your co-chairs this week and for all the hard work you have been putting in.

We also appreciate your efforts to involve NGOs in this work and we are grateful for the support that many delegations have expressed to the CMC today.

We would also like to thank the translators whose outstanding work this week has been some of the best we have heard in the Oslo Process so far.

As a broad coalition of people from many different backgrounds and many different countries we have been clear this week that this comprehensive new treaty is urgent and that it needs to be strong.

We appreciate and commend the groundswell of support for this objective from a wide range of states including affected, producer and stockpiler states, big states and small states who have all endorsed the Wellington declaration and the draft convention today.

We have come here with a number of survivors of cluster munitions who have a profound wish to turn their suffering into a force that will ensure nobody has to suffer as they have. Their voices are a crucial reminder of our purpose here and offer an inspiration to us in our work.

Guided by the experiences of these individuals Mr Chairman, the goal of this new treaty is to protect civilians and support people and communities who have been affected but the goal is also to stigmatise this weapon. To ensure that it is never again used. To ensure it is never again used by the future states parties but also never used by those that may not sign the treaty.

We are convinced that the only way to achieve this stigma is with a comprehensive and immediate prohibition. We are confident that the common spirit and determination of states, organisations and individuals in this room will allow us to succeed in the momentous and historic effort that lies ahead of us.

We very much welcome the clarifications of policy positions and the explanations we have heard this week of why these policies are held. We believe that while there are still clearly differences on difficult issues, we are moving in the right direction and we believe the gaps can and will be bridged.

The CMC will spare no effort in the weeks and months ahead to raise this endeavour to the top of the global agenda and to ensure that Ireland is successful in bringing about the treaty to which we are all committed in Dublin in the month of May.

Wellington Declaration

Available online at: <http://www.mfat.govt.nz/clustermunitionswellington/conference-documents/Wellington-declaration-final.pdf>

Declaration of the Wellington Conference on Cluster Munitions

States met in Wellington from February 18 to 22, 2008, to pursue an enduring solution to the grave humanitarian consequences caused by the use of cluster munitions. They are convinced that this solution must include the conclusion in 2008 of a legally binding international instrument prohibiting cluster munitions that cause unacceptable harm to civilians.

In that spirit they affirm that the essential elements of such an instrument should include:

- A prohibition on the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians,
- A framework for cooperation and assistance that ensures adequate provision of care and rehabilitation to survivors and their communities, clearance of contaminated areas, risk education, and destruction of stockpiles.

The following States:

encouraged by the work of the Wellington Conference, and previous Conferences in Vienna, Lima and Oslo;

encouraged further by numerous national and regional initiatives, including meetings in Brussels, Belgrade and San José, and measures taken to address the humanitarian impact of cluster munitions;

encouraged by the active support given to this subject by the United Nations, and in other fora;

encouraged, finally, by the active support of the International Committee of the Red Cross, the Cluster Munition Coalition and numerous other Non-Governmental Organisations;

welcome the convening of a Diplomatic Conference by the Government of Ireland in Dublin on 19 May 2008 to negotiate and adopt a legally binding instrument prohibiting cluster munitions that cause unacceptable harm to civilians;

also welcome the important work done by participants engaged in the cluster munitions process on the text of a draft Cluster Munitions Convention, dated 21 January 2008, which contains the essential elements identified above and decide to forward it as the basic proposal

for consideration at the Dublin Diplomatic Conference, together with other relevant proposals including those contained in the compendium attached to this Declaration and those which may be put forward there;

affirm their objective of concluding the negotiation of such an instrument prohibiting cluster munitions that cause unacceptable harm to civilians in Dublin in May 2008;

invite all other States to join them in their efforts towards concluding such an instrument.

Wellington Declaration Endorsements

As of 29 April 2008, a total of 102 countries had endorsed the Wellington Declaration.

Please check the MFAT website for the current list of endorsers:

<http://www.mfat.govt.nz/clustermunitionswellington/index.php>

List of countries subscribing to the Declaration of the Wellington Conference on Cluster Munitions

Albania	France	Montenegro
Algeria	Germany	Morocco
Angola	Ghana	Mozambique
Argentina	Guatemala	Nauru (28 March)
Australia	Guinea (25 April)	Nepal
Austria	Guinea-Bissau (21 April)	The Netherlands
Bahrain	Holy See	New Zealand
Belgium	Honduras	Nicaragua (23 April)
Belize	Hungary	Nigeria
Benin	Iceland	Niue
Bosnia and Herzegovina (14 March)	Indonesia	Norway
Botswana (16 April)	Ireland	Palau
Brunei Darussalam	Italy	Papua New Guinea
Bulgaria (19 March)	Japan	Paraguay
Burundi (14 April)	Kenya	Peru
Cambodia	Kuwait	Philippines
Cameroon (17 April)	Kyrgyzstan	Portugal
Canada	Laos	Samoa
Chile	Lebanon	Senegal
Comoros (17 April)	Lesotho (27 March)	Serbia (3 March)
Congo (7 April)	Liberia (25 April)	Sierra Leone
Cook Islands	Liechtenstein (11 April)	Slovakia
Costa Rica	Lithuania	Slovenia
Côte d'Ivoire (14 April)	Luxembourg	South Africa
Croatia	Macedonia	Spain
Czech Republic	Madagascar	Sudan
Democratic Republic of Congo	Malawi	Sweden
Denmark	Malaysia	Switzerland
Dominican Republic	Mali	Tajikistan (23 April)
Ecuador	Malta	Tanzania (31 March)
Fiji (7 March)	Marshall Islands	Uganda
Finland	Mauritania	United Kingdom
	Mexico	Uruguay
	Moldova	Vanuatu
		Venezuela (24 April)
		Zambia

Draft Convention Explanatory Notes

Provided by MFAT, <http://www.mfat.govt.nz/clustermunitionswellington/>

Draft Cluster Munitions Convention

Explanatory Notes

Preamble

The Oslo Process is premised on concern about the humanitarian impact of cluster munitions and the need to end the suffering and casualties they cause among civilians. A Preamble setting out the context and background supporting international efforts to address the humanitarian concerns posed by cluster munitions has been incorporated into the text.

Several delegations at the Vienna Conference expressed a preference for the objectives of the process, as set out in the Oslo Declaration, to be highlighted within the text. A reference reaffirming the Oslo Declaration has been incorporated into the Preamble accordingly.

Article 1: General obligations and scope of application

The first part of this Article lays down the obligations of States Parties not to use, develop, produce, acquire, stockpile, retain or transfer cluster munitions as defined in Article 2. The scope of application of the treaty is “never under any circumstances”, meaning that application of the treaty does not require qualification of the level of armed conflict. The provision thus is largely similar to corresponding provisions in the Biological Weapons Convention, the Chemical Weapons Convention and the Anti-Personnel Mine Ban Treaty.

The second part of this Article specifies that the present Convention does not regulate mines as defined in Article 2 (1) of Amended Protocol II to the CCW, reflecting the discussion at the Lima and Vienna Conferences. This means that neither anti-vehicle mines nor anti-personnel mines fall under the scope of application of this Convention.

At the Vienna Conference, a number of delegations again expressed the need for detailed work on the issue of military interoperability with States not Party to the Convention with regard to Article 1 c) on assistance. In particular, a need for dedicated consideration of this issue at the Wellington Conference was identified.

Article 2: Definitions

This article identifies and describes key terms used in the Convention.

Cluster munition victims: The definition comprehensively details the elements necessary for defining cluster munition victims, clarifying (as was done in the

preambular part of the Vienna Discussion Text) that the term encompasses the directly affected person, and also his/her family and community.

Cluster munition: The definition specifies that the term includes both the “parent” munition and the explosive sub-munitions contained therein. Reflecting the discussion at Vienna, there is an exception from the term “cluster munition” for some sub-munitions which may be categorised as explosive, but which are not considered to be cluster munitions for the purposes of the Convention, such as pyrotechnical or electronic units.

Explosive sub-munition: This is a part of the definition of cluster munitions. Explosive sub-munitions falling within the definition are designed to function by detonating an explosive charge. The term “function” indicates that this definition will not cover sub-munitions that are inert, such as kinetic rods, which are not meant to function through an explosion. Explosive sub-munitions covered by the convention are designed to detonate prior to, on, or after impact. This means that the timing of the detonation does not have any bearing on whether or not an explosive sub-munition falls within the prohibition.

At the Vienna Conference, a range of views were expressed on what might constitute a cluster munition causing unacceptable harm to civilians. Some States suggested that exemptions to the definition of “cluster munition” should be based on the concepts of reliability and accuracy, although there were no specific proposals on how such an approach could be implemented, nor on how concepts of reliability or accuracy could be objectively quantified. There were, however, a number of proposals made relating to specific exemptions in addition to those referred to above. Building on work done at the Lima Conference, the list of exemptions proposed by various delegations includes: explosive sub-munitions that aim, detect and engage point targets; cluster munitions which contain fewer than a specified number of explosive sub-munitions; explosive sub-munitions with self-destruct and self-deactivation or other failsafe mechanisms, explosive sub-munitions with a tested failure rate of less than a specified percentage, explosive sub-munitions of a non-conventional nature, explosive sub-munitions above a minimum threshold for volume and mass. Other suggestions have been that the age of the sub-munitions should be relevant, and that combinations of some proposed exclusion criteria merited further consideration. Some other states opposed any possible exemptions to the definition of “cluster munitions”, expressing support for a total prohibition on all cluster munitions. It is envisaged that there will be detailed discussion of these issues at the Wellington Conference.

Unexploded cluster munitions: This definition now specifically states that both unexploded parent munitions and unexploded explosive sub-munitions are included within its scope.

Article 3: Stockpile Destruction

This Article lays down an obligation to separate cluster munitions from ordinary stockpiles while awaiting destruction. Stockpiles shall be destroyed within six

years, but there is a possibility to get an extension of that deadline. The Article contains proposed procedures for applications for extensions.

There is broad agreement that safe and secure destruction of cluster munitions is a technical and logistical challenge, and that this must be reflected in the relevant time frames. A range of views have been expressed as to what the actual deadlines for stockpile destruction should be. These views have ranged on both sides of the deadlines suggested in the discussion text.

During the consultations some delegations have raised the possibility of permitting the retention of cluster munitions and/or sub-munitions to facilitate the development of clearance and disposal capabilities. Other delegations expressed the view that such retention was neither necessary nor justified.

Article 4: Clearance and destruction of cluster munition remnants

In the light of discussions in Vienna, some revisions were made to Article 4. Paragraph 1 has been reworded to address the two different sets of circumstances in which clearance of cluster munition remnants may be required; that is clearance of cluster munitions remnants existing at entry into force of the Convention and clearance of cluster munition remnants that may be created after entry into force.

A new sub-paragraph (e) has been added to paragraph 2 to address the need for risk education. The requirement for a national plan has been included in paragraph 2(b) to reflect recent experience in clearance programmes and to be consistent with Article 6.

Paragraph 4 has been reworded in order to define more precisely the circumstances in which a State Party, whose past use of cluster munitions has created cluster munition remnants on the territory of another State Party, should provide bilateral assistance to the affected State Party. Language from CCW Protocol V has been used to describe the methodology of providing such assistance. A new sentence has been added prescribing certain elements of information that should be provided as part of such bilateral assistance.

At the beginning of paragraph 6 a new sentence has been inserted requiring that any request for an extension should be submitted to a Meeting of States Parties or a Review Conference prior to the expiry of the five year period for clearance.

There has also been some redrafting in order to ensure consistency of language throughout the Article but this has not altered the substance of the Article.

Article 5: Victim Assistance

Discussions held on assistance to cluster munitions victims throughout the consultation process in Vienna, Brussels, Belgrade, Lima and Oslo have shown unequivocal support for clear and comprehensive provisions on victim assistance to be contained in the future Convention and that a broad concept of the term victim should be employed. Provisions on victim assistance are now contained in various places throughout the text: the Preamble (paragraphs 6 to 8), Article 2, Article 5, Article 6 (paragraph 7), and Article 7 (paragraph 1, subparagraph I).

In response to points raised in Vienna, paragraph 9 of the Preamble now also expresses the resolve to avoid discrimination among victims of various types of weapons.

An explanation of the definition of “cluster munition victims” is covered in the notes on Article 2 (see above).

The slightly amended version of Article 5 now clarifies that the provision of medical care, rehabilitation, psychological support, and social and economic inclusion shall be done in accordance with international human rights law. The obligation to collect data has been slightly strengthened.

Future discussions on the issue of victim assistance might also concentrate on the importance to include victims in decision making as well as on formulating in a more concrete manner a provision on how national implementation should or could be framed including through the determination of national focal points and the elaboration of national action plans.

Article 6: International cooperation and assistance

Many delegations have highlighted the central role of this Article for the implementation of the Convention and especially supported the language regarding the assistance that shall be provided by each State Party in a position to do so, as well as the State Party that has used cluster munitions on the territory of another State Party. This obligation on the latter is already explicit in Article 4, paragraph 4, and is also referred to in paragraph 4 of Article 6.

A paragraph regarding the need for provision of emergency assistance to State Parties that may be affected by cluster munitions use has been included.

In response to several interventions made in Vienna, risk education and awareness-raising activities were included as areas for which assistance should also be provided by States in a position to do so.

Another concern expressed in Vienna, addressed in paragraph 8, is the request for assistance from States Parties in a position to do so, to contribute to the economic and social recovery needed as a result of cluster munitions use in affected States Parties.

Article 7: Transparency Measures

During the discussions held in Vienna, a growing support for transparency measures was evident. Significant differences were established between the type and quantity of cluster munitions destroyed and the type and quantity of cluster munitions remnants cleared and destroyed. The reporting requirements relating to these separate categories have been clarified.

The reports should include information regarding the status of destruction programmes, the types and quantities of cluster munitions destroyed, and the discovery of any stockpiles after the reported completion of destruction programmes.

A requirement to report on measures taken to provide risk education has also been incorporated.

Article 9: National Implementation Measures

At the Vienna Conference, several delegations expressed concern regarding potential incompatibilities with existing national legal systems. This concern also related to the scope of jurisdiction based on nationality envisaged in the text. This Article has now been amended to replicate the equivalent provision in the Anti-Personnel Mine Ban Treaty, to clarify that national implementation measures shall be undertaken in accordance with a State Party's existing national legislative framework.

Article 10: Settlement of disputes

Several States noted at the Vienna Conference that reference of a dispute to the International Court of Justice would require mutual consent of the Parties. This is already reflected in paragraph 1, which refers to other peaceful means "of their choice", and also says "in conformity with the Statute of the Court".

Draft Cluster Munitions Convention

(21 January 2008)

The States Parties to this Convention,

Deeply concerned that civilian populations and individual civilians continue to suffer most from armed conflict,

Determined to put an end for all time to the suffering and casualties caused by the use of cluster munitions that kill or maim innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, delay or prevent the return of refugees and internally displaced persons, and have other severe humanitarian consequences that can persist for many years after use,

Concerned that cluster munition remnants can undermine international efforts to build peace and security, as well as implementation of human rights and fundamental freedoms,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to resolving the challenge of removing cluster munition remnants located throughout the world, and to assure their destruction,

Deeply concerned also at the dangers presented by the large stockpiles of cluster munitions retained for operational use in national inventories, and determined to ensure the speedy destruction of these stockpiles,

Determined to ensure the full realisation of the rights of victims of cluster munitions, and recognizing their inherent dignity,

Resolved to do their utmost in providing assistance for the medical care and rehabilitation, psychological support and social and economic inclusion of victims of cluster munitions,

Bearing in mind the Convention on the Rights of Persons with Disabilities which, *inter alia*, requires that States Parties to that Convention undertake to ensure and promote the full realisation of all human rights and fundamental freedoms of all persons with disabilities without discrimination of any kind on the basis of disability,

Mindful of the need adequately to coordinate efforts undertaken in various fora to address the rights and needs of victims of various types of weapons, and resolved to avoid discrimination among victims of various types of weapons,

Welcoming the global support for the international norm prohibiting the use of anti-personnel mines, enshrined in the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction,

Welcoming also the entry into force on 12 November 2006 of the Protocol on Explosive Remnants of War, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects, and wishing to enhance the protection of civilians from the effects of cluster munition remnants in post-conflict environments,

Welcoming furthermore the steps taken in recent years, both unilaterally and multilaterally, aimed at prohibiting, restricting or suspending the use, stockpiling, production and transfer of cluster munitions,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the global call for an end to civilian suffering caused by cluster munitions and recognizing the efforts to that end undertaken by the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and numerous other non-governmental organisations around the world,

Reaffirming the Declaration of the Oslo Conference on Cluster Munitions, by which States *inter alia* committed themselves to conclude by 2008 a legally binding instrument that would prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians, and to establish a framework for cooperation and assistance that ensures adequate provision of care and rehabilitation to survivors and their communities, clearance of contaminated areas, risk education and destruction of stockpiles,

Guided by the principle of international humanitarian law that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited, and in particular on the general rule that parties to a conflict must at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct their operations against military objectives only,

HAVE AGREED as follows:

Article 1 – General obligations and scope of application

1. Each State Party undertakes never under any circumstances to:
 - (a) Use cluster munitions;
 - (b) Develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, cluster munitions;
 - (c) Assist, encourage or induce anyone to engage in any activity prohibited to a State Party under this Convention.
2. This Convention does not apply to “mines” as defined by the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other

Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects.

Article 2 – Definitions

For the purposes of this Convention:

“Cluster munition victims” means persons who have suffered physical or psychological injury, economic loss, social marginalisation or substantial impairment of the realisation of their rights caused by the use of cluster munitions. They include those persons directly impacted by cluster munitions as well as their families and communities;

“Cluster munition” means a munition that is designed to disperse or release explosive sub-munitions, and includes those explosive sub-munitions. It does not mean the following:

- (a) a munition or sub-munition designed to dispense flares, smoke, pyrotechnics or chaff;
- (b) a munition or sub-munition designed to produce electrical or electronic effects;
- (c) ...

“Explosive sub-munitions” means munitions that in order to perform their task separate from a parent munition and are designed to function by detonating an explosive charge prior to, on or after impact;

“Unexploded cluster munitions” means cluster munitions that have been primed, fused, armed, or otherwise prepared for use and which have been used. They may have been fired, dropped, launched or projected, and should have exploded but failed to do so. “Unexploded cluster munitions” includes both unexploded parent munitions and unexploded explosive sub-munitions;

“Abandoned cluster munitions” means cluster munitions that have not been used and that have been discarded or dumped, and that are no longer under the control of the party that discarded or dumped them. They may or may not have been prepared for use;

“Cluster munition remnants” means unexploded cluster munitions and abandoned cluster munitions;

“Transfer” means the physical movement of cluster munitions into or from national territory or the transfer of title to or control over cluster munitions, but does not include the transfer of territory containing cluster munition remnants.

Article 3 – Storage and stockpile destruction

1. Each State Party undertakes to remove all cluster munitions from stockpiles of munitions retained for operational use and keep them in separate stockpiles for the purpose of destruction.
2. Each State Party undertakes to destroy or ensure the destruction of all cluster munitions under its jurisdiction or control as soon as possible but not later than six years after the entry into force of this Convention for that State Party. Each State Party undertakes to ensure that destruction methods comply with applicable international standards for protecting public health and the environment.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article within that time period it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such cluster munitions for a period of up to ten years.
4. Each request shall contain:
 - (a) The duration of the proposed extension;
 - (b) A detailed explanation of the reasons for the proposed extension, including the financial and technical means available to or required by the State Party for the destruction of all cluster munitions referred to in paragraph 1 of this Article; and
 - (c) A plan for how and when stockpile destruction will be completed.
5. The meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
6. Notwithstanding the provisions of Article 1 of this Convention the transfer of cluster munitions for the purpose of destruction is permitted.

Article 4 – Clearance and destruction of cluster munition remnants

1. Each State Party undertakes to clear and destroy, or ensure the clearance and destruction, of cluster munition remnants located in areas under its jurisdiction or control, as follows:
 - (a) Where cluster munition remnants are located in areas under its jurisdiction or control at the date of entry into force of this Convention for that State Party, such clearance and destruction shall be completed as soon as possible but no later than 5 years from that date;
 - (b) Where, after entry into force of this Convention for that State Party, cluster munitions have become cluster munition remnants located in areas under its jurisdiction or control, such clearance and destruction must be

completed as soon as possible but no later than 5 years after such cluster munitions became cluster munition remnants.

2. In fulfilling the obligations set out in paragraph 1 of this Article, each State Party shall as soon as possible take the following measures, taking into consideration the provisions of Article 6 of this Convention regarding international cooperation and assistance:

- (a) Survey and assess the threat posed by cluster munition remnants;
- (b) Assess and prioritise needs and practicability in terms of marking, protection of civilians and clearance and destruction, take steps to mobilise resources and develop a national plan to carry out these activities;
- (c) Ensure that all cluster munition remnants located in areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects;
- (d) Clear and destroy all cluster munition remnants located in areas under its jurisdiction or control; and
- (e) Conduct risk education to ensure awareness among civilians living in or around areas in which cluster munition remnants are located of the risks posed by such remnants.

3. In conducting the above activities each State Party shall take into account international standards, including the International Mine Action Standards.

4. This paragraph shall apply in cases in which cluster munitions have been used or abandoned by one State Party prior to entry into force of this Convention for it and have become cluster munition remnants located in areas under the jurisdiction or control of another State Party at the time of entry into force of this Convention for the latter. In such cases, upon entry into force of this Convention for both States Parties, the former State Party shall provide, *inter alia*, technical, financial, material or human resources assistance to the latter State Party, either bilaterally or through a mutually agreed third party, including through the UN system or other relevant organisations, to facilitate the marking, clearance and destruction of such cluster munition remnants. Such assistance shall include information on types and quantities of the cluster munitions used, precise locations of cluster munition strikes and areas in which cluster munition remnants are known to be located.

5. If a State Party believes that it will be unable to clear and destroy or ensure the clearance and destruction of all cluster munition remnants referred to in paragraph 1 of this Article within that time period it may submit a request to a

Meeting of States Parties or a Review Conference for an extension of the deadline for completing the clearance and destruction of such cluster munition remnants for a period of up to 5 years.

6. A request for an extension shall be submitted to a Meeting of States Parties or a Review Conference prior to the expiry of the time period referred to in paragraph 1 of this Article for that State Party. Each request shall contain:

- (a) The duration of the proposed extension;
- (b) A detailed explanation of the reasons for the proposed extension, including:
 - (i) The preparation and status of work conducted under national clearance and demining programmes;
 - (ii) The financial and technical means available to, and required by, the State Party for the clearance and destruction of all cluster munition remnants; and
 - (iii) Circumstances that impede the ability of the State Party to destroy all cluster munition remnants located in areas under its jurisdiction or control;
- (c) The humanitarian, social, economic, and environmental implications of the extension; and
- (d) Any other information relevant to the request for the proposed extension.

7. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 6 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.

8. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 5, 6 and 7 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

Article 5 – Victim Assistance

1. Each State Party with respect to cluster munition victims in areas under its jurisdiction or control shall, in accordance with international human rights law, adequately provide for their medical care and rehabilitation, psychological support and social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.

2. In fulfilling its obligation under paragraph 1 of this Article each State Party shall take into consideration relevant guidelines and good practices in the

areas of medical care and rehabilitation, psychological support as well as social and economic inclusion.

Article 6 – International cooperation and assistance

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance.

2. Each State Party in a position to do so shall provide technical, material and financial assistance to States Parties affected by cluster munitions, aimed at the implementation of the obligations of this Convention. Such assistance may be provided, *inter alia*, through the United Nations system, international, regional or national organisations or institutions, non-governmental organisations or institutions or on a bilateral basis.

3. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of clearance equipment and related technological information for humanitarian purposes.

4. In addition to any obligations it may have pursuant to paragraph 4 of Article 4 of this Convention, each State Party in a position to do so shall provide assistance for clearance of cluster munition remnants and information concerning various means and technologies related to clearance of cluster munitions, as well as lists of experts, expert agencies or national points of contact on clearance of cluster munition remnants and related activities.

5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions, and shall also provide assistance to identify, assess and prioritize needs and practical measures in terms of marking, risk education, protection of civilians and clearance and destruction as provided in Article 4.

6. Where, after entry into force of this Convention, cluster munitions have become cluster munition remnants located in areas under the jurisdiction or control of a State Party, each State Party in a position to do so shall urgently provide emergency assistance to the affected State Party.

7. Each State Party in a position to do so shall provide assistance for medical care, rehabilitation and psychological support, social and economic inclusion of all cluster munition victims. Such assistance may be provided, *inter alia*, through the United Nations System, international, regional or national organisations or institutions, the International Committee of the Red Cross, national Red Cross

and Red Crescent societies and their International Federation, non-governmental organisations or on a bilateral basis.

8. Each State Party in a position to do so shall provide assistance to contribute to the economic and social recovery needed as a result of cluster munition use in affected States Parties.

9. Each State Party in a position to do so may contribute to relevant trust funds in order to facilitate the provision of assistance under this Article.

10. Each State Party may, with the purpose of developing a national action plan, request the United Nations, regional organisations, other States Parties or other competent intergovernmental or non-governmental institutions to assist its authorities to determine, *inter alia*:

(a) The nature and extent of cluster munition remnants located in areas under its jurisdiction or control;

(b) The financial, technological and human resources required for the implementation of the plan;

(c) The time estimated as necessary to clear all cluster munition remnants located in areas under its jurisdiction or control;

(d) Risk education programmes and awareness activities to reduce the incidence of injuries or deaths caused by cluster munition remnants;

(e) Assistance to cluster munition victims; and

(f) The relationship between the Government of the State Party concerned and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the plan.

11. States Parties giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programmes.

Article 7 – Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party, on:

(a) The national implementation measures referred to in Article 9 of this Convention;

(b) The total of all stockpiled cluster munitions owned or possessed by it, or under its jurisdiction or control, to include a breakdown of their type, quantity and, if possible, lot numbers of each type;

(c) To the extent possible, all other cluster munitions that are stockpiled on its territory;

(d) The technical characteristics of each type of cluster munitions produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of cluster munitions; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information that may facilitate the clearance of cluster munition remnants;

(e) To the extent possible, the location of all areas that contain, or are suspected to contain, cluster munition remnants, under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of cluster munitions in each affected area and when they were used;

(f) The status of programmes for the conversion or de-commissioning of production facilities for cluster munitions;

(g) The status of programmes for the destruction, in accordance with Article 3 of this Convention, of cluster munitions, including details of the methods that will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;

(h) The types and quantities of cluster munitions destroyed in accordance with Article 3 of this Convention, including details of the methods of destruction used, the location of the destruction sites and the applicable safety and environmental standards observed;

(i) Stockpiles discovered after reported completion of the programme referred to in paragraph 7(h) of this Article;

(j) The types and quantities of all cluster munitions remnants cleared and destroyed in accordance with Article 4 of this Convention, to include a breakdown of the quantity of each type of cluster munitions remnants cleared and destroyed;

(k) The measures taken to provide risk education and, in particular, an immediate and effective warning to civilians living in areas under its jurisdiction or control in which cluster munition remnants are located;

(l) The measures taken in accordance with the provisions of Article 5 of this Convention adequately to provide for the medical care and rehabilitation, psychological support and social and economic inclusion of victims of cluster munitions as well as to collect reliable relevant data; and

(m) The name and contact details of the institutions mandated to provide information and to carry out the measures described in this paragraph.

2. The information provided in accordance with paragraph 1 of this Article shall be updated by the States Parties annually, covering the previous calendar year,

and reported to the Secretary-General of the United Nations not later than 30 April of each year.

3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

Article 8 – Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.

2. If one or more States Parties wish to clarify and seek to resolve questions relating to a matter of compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information that would assist in clarifying the matter.

3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.

4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.

5. Where a matter has been submitted to it pursuant to paragraph 3 of this Article the Meeting of the States Parties shall first determine whether to consider that matter further, taking into account all information submitted by the States Parties concerned. If it does so determine the Meeting of the States Parties may suggest to the States Parties concerned ways and means further to clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 5 of this Convention.

6. In addition to the procedures provided for in paragraphs 2 to 5 of this Article the Meeting of States Parties may decide to adopt such other general

procedures for clarification and resolution of instances of non-compliance with the provisions of this Convention as it deems appropriate.

Article 9 – National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

Article 10 – Settlement of disputes

1. When a dispute arises between two or more States Parties relating to the interpretation or application of this Convention, the States Parties concerned shall consult together with a view to the expeditious settlement of the dispute by negotiation or by other peaceful means of their choice, including recourse to the Meeting of the States Parties and referral to the International Court of Justice in conformity with the Statute of the Court.

2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States Parties concerned to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.

Article 11 – Meetings of States Parties

1. The States Parties shall meet regularly in order to consider and, where necessary, take decisions in respect of any matter with regard to the interpretation, application or implementation of this Convention, including:

- a) The operation and status of this Convention;
- b) Matters arising from the reports submitted under the provisions of this Convention;
- c) International cooperation and assistance in accordance with Article 6 of this Convention;
- d) The development of technologies to clear cluster munition remnants;
- e) Submissions of States Parties under Articles 8 and 10 of this Convention; and
- f) Submissions of States Parties as provided for in Articles 3 and 4 of this Convention.

2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year of entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.

3. States not parties to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross and relevant non-governmental organisations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

Article 12 – Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.

2. The purpose of the Review Conference shall be:

- a) To review the operation and status of this Convention;
- b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11 of this Convention; and
- c) To take decisions on submissions of States Parties as provided for in Articles 3 and 4 of this Convention.

3. States not parties to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross and relevant non-governmental organisations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

Article 13 – Amendments

1. At any time after its entry into force any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notifies the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.

2. States not parties to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross and relevant non-governmental organisations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.

3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties requests that it be held earlier.

4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.

5. An amendment to this Convention shall enter into force for all States Parties to this Convention that have accepted it upon deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article 14 – Costs

1. The costs of the Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.

2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 of this Convention shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

Article 15 – Signature

This Convention, done at (...), on (...), shall be open for signature at (...), by all States from (...) until (...), and at the United Nations Headquarters in New York from (...) until its entry into force.

Article 16 – Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval of the Signatories.

2. It shall be open for accession by any State that has not signed the Convention.

3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

Article 17 – Entry into force

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 20th instrument of ratification, acceptance, approval or accession has been deposited.

2. For any State that deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 20th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

Article 18 – Provisional application

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally Article 1 of this Convention pending its entry into force.

Article 19 – Reservations

The Articles of this Convention shall not be subject to reservations.

Article 20 - Duration and withdrawal

1. This Convention shall be of unlimited duration.

2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating withdrawal.

3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.

4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

Article 21 – Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

Article 22 – Authentic texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

List of Public/Other Events

Wellington Conference on Cluster Munitions
February 2008

Sunday, 17 February

CMC Orientation Session & Welcome Reception @ The Boatshed

Monday, 18 February

Opening Press Conference @ Wellington Town Hall

Welcome Reception hosted by Wellington City Council @ Michael Fowler Center

Tuesday, 19 February

Lunchtime Talk on Cluster Bomb Production & Divestment hosted by ANZCMC @ Ilott Theatre

John V. Head Memorial Lecture by Nobel Laureate Ms. Jody Williams hosted by NZ Campaign Against Landmines @ Ilott Theatre

Evening Talk on Cluster Bomb Production & Divestment hosted by Pax Christi, Peace Foundation, and WILPF @ Auckland

Wednesday 20 February

Chalk Petition Demonstration @ Civic Square

Lunchtime Seminar on Demining hosted by National Consultative Committee on Disarmament @ Centre for Global Action

Reception hosted by Parliamentarians for Nuclear Non-Proliferation @ Parliament Buildings

Thursday 21 February

Nobel Breakfast hosted by Oxfam New Zealand @ Auckland War Museum

Lunchtime Talk on Cluster Bombs in South Lebanon hosted by ANZCMC @ Ilott Theatre

“Unacceptable Harm” Film Screening & Talk hosted by Development Resources Center @ Ilott Theatre

Friday, 22 February

Closing Press Conference @ Town Hall

CMC Wrap Party @ Overseas Terminal

Saturday, 23 February

CMC Evaluation Session @ The Band Rotunda

See also: <http://www.stopclusterbombs.org.nz/2008/01/20/schedule-of-public-events/>



Public Talk: Action Against Cluster Bomb Manufacturers

Public Talk Convened by Aotearoa New Zealand Cluster Munition Coalition
Ilott Theatre, Wellington Town Hall
19 February 2008

This talk was chaired by Mr. Russel Norman, co-leader of the Green Party of Aotearoa New Zealand. Norman helped author a major Green Party report issued in February 2006 that showed how the New Zealand Superannuation Fund was investing in companies engaged in the production of nuclear weapons and cluster munitions. Several local NGOs have been campaigning for the Fund to divest from weapons manufacturers and on 4 April 2008, following mounting public pressure and negative media coverage the Fund announced it will divest from cluster munitions once the treaty is opened for signature at the end of 2008.

The following transcript was prepared from a video recording of this public talk. Any errors, omissions, or inaccurate statements are the fault of the facilitator and transcriber of this talk, namely the Aotearoa New Zealand Cluster Munition Coalition (ANZCMC). If you cite any information contained in the following transcripts, please fully reference the source including the speaker's name, title/organisation and the date/location of the talk.



The ANZCMC is grateful to the chair and speakers for their preparation and interventions:

- Mark Hiznay, Human Rights Watch
- Gro Nystuen, Norwegian Government Pension Fund
- Miriam Struyk, IKV Pax Christi The Netherlands
- Stan Brabant, Handicap International – Belgium



Mark Hiznay, Human Rights Watch
“The Challenges Involved in Identifying Cluster Munition Producers”

If you Google “cluster munitions” you’re likely to be directed to Human Rights Watch reports or statements. We’ve been working on this weapon for years and are now seeing how the market for cluster munitions is changing. It is becoming harder and harder to find website information on cluster munitions produced by companies. My colleague from India just gave me a sales pamphlet from a New Delhi arms fair held earlier this week where a Slovakian company is advertising a rocket that contains 72 cluster submunitions. So the weapon is still in production and companies are still seeking sales, but information on cluster munitions is not as widely available as it used to be, in part because of our success in stigmatising it.

Let me ask a few questions of the audience. Who drive a car with a driver’s side air bag? [Most of the audience raise their hand] The company that makes holds the patent for this very small airbag is the same company that makes the airbags for the BLU-97 cluster submunition. This is a yellow-coloured submunition the size of a beer can, that when deployed an airbag pops open to make the BLU97 drop down as intended. The same company makes both types of airbags. It is very powerful. According to documents filed with the U.S. Securities and Exchange Commission, the company has produced more than 60 million airbags.



Who in the audience still uses a watch that winds up? [A few people raise their hands] The major manufacturer of those winding mechanism provides the same technology for the safe and arming mechanism on top of the DPICM cluster munition. The same company that makes the device for watches also provides for the production of components of cluster munitions. So are they a cluster munitions producer? What does it mean to produce cluster munitions?

When I come out with a list of companies that have historically been known to produce cluster munitions and try to use it as an advocacy tool, I’m asked what a cluster munition is. There currently isn’t a definition of a cluster munition. There’s a functional understanding that it is a weapon that opens up and many other weapons come out of it and fall on the ground. There is no legal definition and based on discussion here at the Wellington Conference, it’s going to be a little while before we get that point.

So there is no commonly agreed upon definition of what a cluster munition is for bankers, social responsibility researchers, journalists, and others to say we can exclude from investing in this one, but not from that one. This is one major challenge.

A second major challenge is what does it mean to produce cluster munitions? Do companies such as Bulova really know where all of their arming mechanisms and little winding mechanisms go? The manufacturing of airbags is newer, but other companies like General Electric commonly produce electronics that are made in the hundreds of thousands and sold in subsidiaries across the world. They may not know that a component is being used in Singapore to make cluster munitions. So one has to look at production on a case by case basis.

How can one determine what constitutes production in the world of military ammunition-making? I think of as production as being the process when all the pieces come together and are loaded and coherently packaged together and then given as a whole to the military for use.

My colleagues at HRW have carried out field research that shows how cluster bombs manufactured by the US for use by 1973 were actually dropped by the Israeli forces in Lebanon in 2006. More often than not, these bombs sit on the ground unexploded never having been properly deployed. The HRW researchers took some very interesting photos that illustrate some of the problems of determining cluster munition production, including figuring out what companies have done and when.

This photo of a cluster bomb on page 33 of HRW's "[Flooding South Lebanon](#)" report contains two important pieces of information. The plate describes the dispenser of the cluster munition (the container for all the bombs to fall out of) as made by a U.S. company called "Lanson Industries." This container is also used to deploy "chaff", little pieces of metal that confuse radars, as well as to deploy smoke and flares. There are many applications; it's a very multi-purpose thing that hangs on the plane and falls down and when it opens something falls out. Lanson Industries didn't make the cluster munition. They made the container.

The actual loading of the container with the submunitions that made it into a complete weapon was done at a place called the Milan Army Ammunition Plant in Milan, Tennessee in 1973. This plant is owned by the U.S. government, but it is a contractor-operated facility.

Recently a television programme doing work on this asked me who operated the plant in 1973. I have no idea and I looked pretty hard before coming here to find out. The U.S. company Lockheed Martin operates the plant today, but there is no record of who did this in 1973.



So one of the biggest challenges we face is the fact that all the cluster munitions out there have been produced already. They were made in the 1970s and 80s and 90s. So there are now large stockpiles of billions of submunitions that have already been produced. Can you really turn around to a company and say pay for the sins of your past? It's even harder to convince bankers to retroactively punish companies for what they did a long time ago.

Then there's the question of whether the company still exists anymore. I don't think that Lanson Industries exists anymore. The watchmaker sold its fuse division in the late 1990s to another company. So I can't list them as a cluster munition producer anymore, because they have divested. They sold that piece of the business.

A major European consortium called European Aeronautic Defence and Space Company (EADS) finances other companies that it owns to make cluster munitions. EADS is itself 30 percent or so owned by Mercedes in Germany. So it becomes difficult to identify where the act of production takes place. How many rings can you draw around a cluster munition producer? Can you say that Mercedes is a producer because it owns a third of EADS?

Another very frustrating factor is that in the developing world in particular we have identified 34 or so companies who are producers of cluster munitions. Most of these companies are state owned industries like the Pakistan Ordnance Factory or India's Ordnance Factories or Israel Military Industries. They are state owned. There is no way to divest them from public funds unless you are willing to take a much broader step and divest from China because China North Industries Corp (NORINCO) makes a lot of cluster munitions. Can you take it that far and still be reasonably sure that you're having an impact?

We face many challenges in naming names. When my boss and I talk about how we want to publish something that names companies, our HRW lawyers in New York immediately get concerned. We are subject to various liable laws so I have to be very sure that the company is a producer or was a producer and word it very carefully and try to do all of the due diligence that I can to get them to admit it.

In the past three years since we started campaigning on this in Europe, several investment funds have divested from cluster munitions. Many producer companies have removed any mention of cluster munitions from their websites. They are not very apt at replying to emails from HRW asking about their investment in cluster munitions. So it gets very difficult to be sure.

This is where shareholders can play a really important role given their right as shareholders to obtain information about the company they are invested in. It's very important to ask these questions to management to see where they are and make sure they are aware of what the issues are. This is a growing area of our campaigning area that we want to address.

So many people ask me for the HRW "list" of companies that produce cluster munitions. I don't have it. To run successful disinvestment campaigns from a financial institution's point of view, they have to have corroborating information. They need information from HRW and figures from the Internet in order to go out and say, "We are going to take our

millions of dollars out of your company.” They have to do their own due diligence. They have to decide to create their own filter. They have to decide what is a cluster munition is.

These days, there are few companies that make the old-style cluster munitions that are causing the humanitarian problems. Most companies haven’t been in that business for several years, so they are very careful. Talk about companies that currently are producing and you get into a very sticky situation. Companies that are currently producing cluster munitions go out of their way to state that they are producing “safe” ones. Cluster munitions that have technical features that provide some measure of reliability or accuracy or discrimination. Well, at least that’s the way they see it.

So if you single out these companies, it’s mostly companies in the U.S. and Western Europe that are making the so-called safe cluster munitions. These companies are out also attending conferences like this one where they talk to government and give presentations on their cluster munitions. They are very straightforward in saying, “we make safe cluster munitions. These aren’t the ones that are causing the problem.” So you get in a weird situation where industries recognise that they sinned in the past, but that’s done already. The better features have made their cluster munitions more expensive, but they are “safe.” Some of these companies really wanted to come to the Wellington Conference to make their case.

I am thankful that lists of producing companies have been made available through the work of the Norwegian Petroleum Fund and KBC Bank in Belgium. In Belgium, there is a very interesting law which prohibits direct or indirect investment in companies that make weapons that are prohibited under Belgian law including cluster munitions (they have definition for national use). So it has become quite a straightforward for banks in Belgium to create a filter and develop a list of companies. These lists include 19 or so companies throughout the world, mostly in the U.S., and the typical one you think of is Lockheed Martin and other big name weapons manufactures.

Yet in the developing world you may have one company in Singapore and two in South Korea that make cluster munitions, but the rest are state owned. This is a major challenge. How do you solve the state-owned problem? That’s where the older cluster munitions are still being made. There is no way we can get active campaigning on this issue in these countries.

Being a researcher, I have outlined many of the challenges involved in my work, but I hope this lunchtime talk helps the New Zealand public and others to put more pressure on state pension funds to divest from cluster munitions.

About Mark Hiznay

Mark Hiznay is a senior researcher in the Arms Division of Human Rights Watch, based in Washington DC. He is responsible for research, writing, and advocacy on weapons issues. Hiznay has worked to prohibit or regulate antipersonnel landmines, cluster munitions and blinding laser weapons. He has also participated in several field missions to document the indiscriminate use of weapons during armed conflict. Hiznay has been



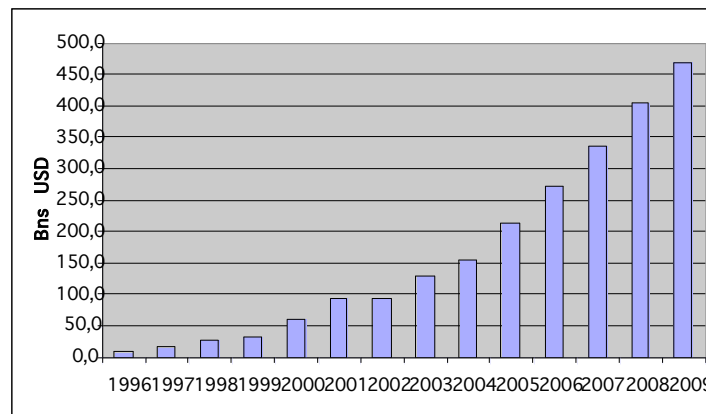
part of the final editing team of the Landmine Monitor Report since the year 2000. He coordinates research in the Middle East/North Africa and former Soviet Union regions. Hiznay is also the country researcher for the United States. Prior to joining HRW in January 2000, he worked for eight years as an arms control implementation and compliance analyst for the Meridian Corporation. Hiznay is a graduate of Norwich University, the Military College of Vermont, and a former soldier in the US Army.

Gro Nystuen, Norwegian Government Pension Fund **“Exclusion of Cluster Munitions Producers from the Norwegian Government Pension Fund”**

I'd like to show you what the ethical guidelines for our pension fund look like and how the systems works, in particular with respect to the cluster munitions and the exclusions we have made. The Norwegian Government Pension Fund is one of the biggest funds in the world. It is worth more than US\$300 billion. It has become the benchmark for divestment initiatives worldwide.

COUNCIL ON ETHICS
 THE GOVERNMENT PENSION FUND – GLOBAL

The Fund's market value 1996–2009
 Billion USD, year end

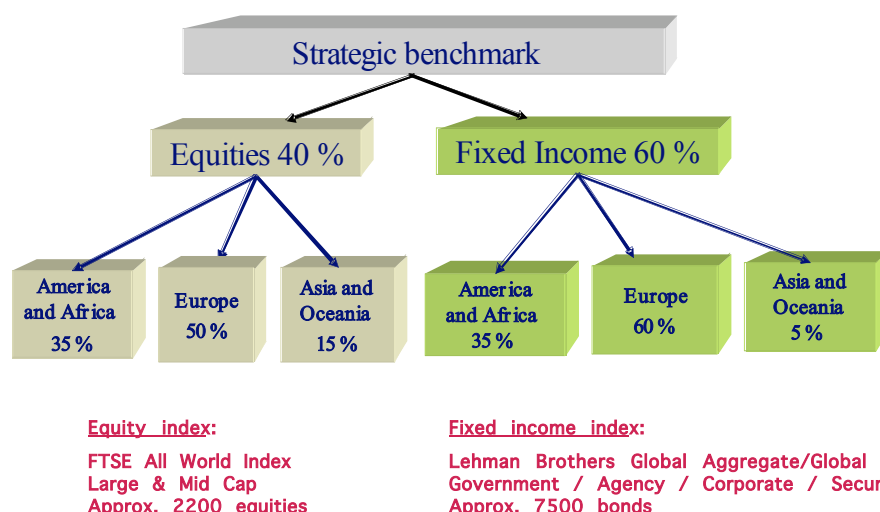


Source: Ministry of Finance, NB07

The ethical guidelines for the Fund are based on two obligations. First, that it is a principle of ethics in itself to secure the wealth for future generations. This means the Fund should deliver a sound return in the long term. It should not all be spent for good or bad purpose. It should not participate in unethical conduct through investment. Secondly, it is not irreconcilable that you can make money and be ethical at the same time. The ethical guidelines that we have in Norway somehow tried to bridge the gap.

The guidelines themselves represent a political compromise and many people in Norway including the non-governmental community think that the guidelines don't reach far enough. They'd like to have more exclusion and a lower threshold for exclusion. There are also those that think we should not exclude any companies at all.

Benchmark for the Pension Fund – Global



There are two mechanisms in place with respect to the Fund policies on divestment. The first is engagement or exercise of ownership rights. The second is the exclusion of companies from the Fund. The engagement process is the Central Bank's mandate. The Central Bank has a team of people that engage with companies to try and make them change where possible their unethical behaviour.

The exclusion of companies is the mandate of the Council on Ethics that I represent. We are an independent council of five people that gives advice to the Ministry of Finance, which then makes the decision. We don't have to make any political or financial considerations. We only have to implement the guidelines as loyally as we can. Engagement is outside of my mandate.

Although these two mechanisms have separate bodies, they have an important co-function in the sense that the exclusion mechanism is working and that makes the engagement is easier. For example, when we excluded Wal-Mart from the Fund in 2007, the engagement process by the Bank became easier because the companies started to listen more carefully to the Fund as the case received big media coverage. So to a certain extent the exclusion mechanism, or the fact that there is a possibility for exclusion, makes engagement more effective the exclusion.

The Council on Ethics has two different mechanisms within the exclusion process. First is the negative screening. We screen all companies in the plan for weapons. Not all weapons, but weapons that you can see through normal use may violate fundamental humanitarian principles. This is the actual ruling of the guidelines.

The other part of the guidelines pertains to ad-hoc exclusions. As you can see in the PowerPoint, the Council shall recommend exclusion of companies when there is an unacceptable risk for the fund contributing to:

1. Serious or systematic human rights violations;
2. Grave breaches of individual rights in situations of war or conflict;
3. Environmental degradation;
4. Gross corruption; and the catch-all
5. Other particularly serious violations of fundamental ethical norms.

This last guideline was included to possibly exclude tobacco companies, because that was the only really controversial issue. When the guidelines were debated in the Norwegian Parliament some people wanted tobacco included in the negative screening. Others said if this is a problem then why not exclude alcohol at the same time. There were many issues. The argument was that we could exclude tobacco companies that were conducting very unethical marketing toward Third World countries or otherwise were violating ethical norms but not the screening of the tobacco companies.

On the weapons criteria, the wording of the guidelines is “weapons that through normal use may violate fundamental humanitarian principles.” As many of you know, two principles of proportionality pertain to weapons that inflict “unnecessary suffering” and “superfluous injury.” Even more importantly there is the principle of “distinction” between military objects and civilians. In the Council, we don’t decide which weapons should fall in this specific wording; a list was established which provides very important guidance for us when we interpret the guidelines.

COUNCIL ON ETHICS
THE GOVERNMENT PENSION FUND – GLOBAL

Negative screening of weapons producers

- **Arms prohibited under treaty law**
- Chemical weapons
- Biological weapons
- CCW: blinding laser, incendiary, undetectable fragments
- AP mines
- **Other arms :**
- Cluster bombs/munitions
- Nuclear weapons

There is an exhaustive list under this criteria (see PowerPoint). While this list could be expanded, that would be a political decision as we cannot do so on our own initiative. For example, the Council on Ethics cannot decide that depleted uranium should be added to this list, but it could be something could be added to the list.

The weapons that are currently listed are prohibited under treaty law, at least for Norway. They are chemical and biological weapons. All weapons included in the Convention on Conventional Weapons (CCW) are listed including incendiary weapons, which are not prohibited under CCW, but which we would exclude anyway as a weapon that violates the principle of proportionality. Blinding laser and the undetectable fragments are included, as are antipersonnel landmines.

In addition, we list cluster munitions and nuclear weapons. These weapons also cannot clearly distinguish between military targets and civilian objects, but they are still legal and it is not in any way prohibited for certain countries to produce and maintain these weapons.

The nuclear issue is also, like tobacco, disputed criteria in the parliamentary discussion as Norway is a member of NATO and we are under the nuclear umbrella. This was seen by some as inconsistent to exclude nuclear weapons, but since World War Two Norway has had a policy of not allowing nuclear weapons on its territory. We decided that even if we are a member of NATO we don't want to own the weapons. And it is of course impossible to claim that nuclear weapons don't violate the principle of distinction. Therefore we list nuclear weapons.

As Mark said, the problems start when you look at exactly what should be covered by this list. What components of a cluster munition or an antipersonnel mine should be excluded? That it's a very difficult process. Mark is right in saying that we can't take the word of Human Rights Watch or others as final proof.

When we started to look at cluster munitions we were excluding from the portfolio, which is now 7,000, portfolios, by cluster weapons producers. In that portfolio we tried to figure out how to do this in the best possible way. We commissioned the task to several different providers: a screening company in London, the Norwegian defence unit under the Norwegian Ministry, and Norwegian People's Aid (a demining organisation). We of course asked Human Rights Watch and others the same questions.

The information we got back was quite varied. We didn't get two identical lists. In the case of cluster munitions, the information we obtained from the NGO community was by far the most accurate. Of course we knew this as I've worked with Human Rights Watch on the antipersonnel landmine issue. So this shows how, for the Pension Fund, we seek documentation from any provider with the best information. We have no restrictions on where we have to find our documentation.

So where do we draw the line in determining which components will be covered by the definition? We include key components that are specific to the weapon. Generic components do not fall under the definition. Production would of course include assembly of the weapon. For nuclear weapons there are components that maintain nuclear weapons systems for a period of ten to twenty years. In a way it is strange to say that "maintenance" is a form of production. To some extent facilities have been covered by the definition. Dual use products are not covered, as if we did that we would end up excluding an enormous number of companies.

The goal with this whole mechanism is to not exclude as many companies as possible. Rather it is to help companies change the way they behave or even stop their production

of these weapons. Some companies that have only a very small portion of their production dedicated to cluster munitions might decide that since these weapons are now becoming so stigmatised that we should drop the whole production.

When it comes to weapons or products in general engagement is normally not a very effective measure. One of the reasons why we have the exclusion method is to get the company to change what it produces, at least if the weapon is the main item in its production. There are a lot of difficult discussions with regard to where do you “draw the line.” In our recommendations on both cluster munitions and nuclear weapons, we have described some of the discussions that we have had and explained why we have put the pressure where we have.

COUNCIL ON ETHICS
THE GOVERNMENT PENSION FUND – GLOBAL

Excluded weapons' producers

- Boeing Co.
- Finmeccanica Sp.A.
- Honeywell International Inc.
- NorthropGrumman Corp.
- United Technologies Corp.
- Safran SA
- Alliant Techsystems Inc.
- EADS Co (European Aeronautic Defence and Space Company)
- EADS Finance BV
- General Dynamics Corporation
- L3 Communications Holdings Inc.
- Lockheed Martin Corp.
- Raytheon Co.
- Thales SA.
- Singapore Technologies Engineering
- Poongsan Corp.Gen.Corp INC
- Hanwa
- Serco Group

This slide shows the current list of producers that have been excluded due to their involvement in cluster munitions and/or nuclear weapons. No companies in our portfolio produce chemical weapons or biological weapons. We also don't have any oil production companies in our portfolio. All this information is available on the Internet

I want to say a little bit about how we define cluster weapons because as I said the point of departure are fundamentally violating humanitarian principles, in this case, the principle of distinction. The BLU-108 is the only weapon that we know that would probably not fall into that category as it would not violate the principle of distinction and one can ask it should be called a cluster munition. This weapons system detects and engages singular targets. In the coming months there will be much discussion about what the definition of cluster munition should be. If the definition includes this type of weapon as well we will adjust our exclusion policy.

With respect to the procedure for exclusion, the Council of Ethics decides on the cases they wish to consider more closely. By reviewing investments against the criteria we identify the companies that should be excluded. We write the draft recommendation

before we recommend the exclusion. The recommendation is then sent it to the company for clarification and comment. Sometimes the company says we have got the facts wrong or tells us they have stopped producing. Companies are sold and bought all of the time and facts change frequently. To ensure the quality of the recommendations, the company must get a chance to comment and to contest our draft findings. Still, many companies don't bother responding to us.

We then finalise and submit the recommendations to the Ministry of Finance and discuss them with other departments. The government then makes the decision. If the decision is to follow the recommendation of exclusion then the Central Bank is instructed to do this and when it has been finalised the recommendation is publicised. From we begin looking at a company to publication of the recommendations can take six months or sometimes a year.

Transparency is important to the Council on Ethics. Our recommendations are publicly available in both Norwegian and English. All footnotes of sources are included in the full text of the recommendations. This means our facts must be correct and documentation must be solid before we submit a recommendation. This is important as other funds will look at our recommendations and, if they want, follow them. We have yet to be caught with a factual mistake, but it could happen.

We are absolutely open to changing recommendations. Several companies have said they will follow the recommendations that we propose based on the facts that we have. Some do this publicly and some don't. This is a feature of our system that makes it very unique.

We also spend a lot of resources on this process. We have a full secretariat and staff who work on this full time. A lot of resources go into this work. The transparency of the process is possibly the one feature that makes it different from other funds with ethical policies.

About Gro Nystuen

Dr. Gro Nystuen chairs the Council on Ethics for the Norwegian Government Pension Fund. This governmental pension fund has amassed a fortune of more than US\$300 billion over the last decade from oil revenue (Norway is the world's third largest oil exporter after Saudi Arabia and Russia). Nystuen chairs the fund's Council on Ethics, established in 2004 to advance an ambitious ethical code. She has helped establish ethical guidelines and disinvestment policies that are used to screen Fund investments. The criteria for exclusion of companies (corruption, environment, human rights, and manufacturing of certain weapons) has seen the Fund divest from manufacturers of antipersonnel mines, cluster bombs and nuclear weapons or related components (including General Dynamics, Northrop Grumman, Boeing and Lockheed Martin). Nystuen is an Associate Professor at the Norwegian Centre for Human Rights at the University of Oslo. She has been in the Norwegian Foreign Service since 1991 and played a key role in helping Norway to secure the 1997 treaty prohibiting antipersonnel mines.

Miriam Struyk, IKV Pax Christi The Netherlands
“Taking Action on Pensions Invested in Cluster Munition Producers”

The Netherlands has stopped producing cluster munitions, but not for ethical reasons. It used cluster munitions in Serbia and Kosovo in 1999 and still stockpiles two types of cluster munitions. We currently have a temporary suspension on the weapon. At the Wellington Conference, the Netherlands delegation said we intend somehow to keep “good” cluster munitions. The Netherlands refuses to say which are good cluster munitions, but they’re sure they’re out there somewhere.

Pax Christi helped co-found the Cluster Munition Coalition in 2003. For many years we tried to change Dutch policy on cluster munitions, but in vain until the issue came on the international agenda. Yet even when the Oslo Process was launched in February 2007, cluster munitions were still not high on the national agenda. People in the Netherlands didn’t think this had anything to do with them. Even though we’d used cluster munitions, it seemed like a far away problem.



So last year we started to look for a way to get the issue on the national agenda. We got into contact with a Dutch television network that broadcasts a weekly documentary show on primetime. A lot of people watch this programme. The network became interested in the issue, because of the Belgium law. In Belgium, the legislation came about through public pressure and media interest. Without mass media it can be really hard to get the public actively engaged. So this television network made a small documentary on Dutch pension funds and cluster munitions that really put the issue on the national agenda. Even here in New Zealand, the host of the Wellington Conference, there are pension funds investing in cluster munition producers. Perhaps our Dutch campaign can provide an example for campaigner here.

In the Netherlands we have over 600 pension funds. Almost everyone is obliged to put their money in certain pension funds; you cannot choose. For example, my pension fund is in PGGM because most NGOs are obliged to invest in that pension fund. While PGGM is one of the biggest, the ABP fund for government workers is the largest pension. Pension funds in the Netherlands are currently worth approximately 700 billion Euro.

The television network made this documentary secretly. Many of the interviews with pension fund representatives were scheduled without telling people the topic of their interview beforehand. Many now regret being interviewed. One pension fund chairperson really regrets it as he was so bad that people doing media training use his interview as an example of how not to answer questions.

[Shows excerpt of the DVD – “**The Clusterbomb Feeling**”] This documentary can be seen, with English subtitles at http://zembla.vara.nl/About_Zembla_English.2828.0.html)

Immediately after the programme aired at 8.00pm the issue of pension fund investments in cluster munitions became a huge topic. We capitalised on the public outcry in several

ways. We had a website where we asked people to send a protest letter to their specific pension funds. We disseminated a lot of information on cluster munitions. We wrote a report on responsible investing to PGGM as it is our pension fund.

We did many things, but what really worked was the fact that some members of parliament got really enthusiastic about the issue. Politicians like media coverage so many of them appeared the next day on radio and television expressing their outrage that our pension funds invest in cluster munitions and landmines. Even the Minister of Finance said he was outraged about it. This was quite hypocritical as the Dutch government stockpiles and uses cluster munitions and it is not prohibiting use, transfer or investment in cluster munitions in any way.

We also issued a press statement saying it was critical that the Dutch governments takes action, both on the national level as well as taking a stronger position in the global process to create a treaty on cluster munitions. The Netherlands should be leading the way and setting the norm on what pension funds can and cannot invest in. The documentary altogether changed the government's attitude toward pension funds.

PGGM really changed its policy by pulling their investments out all of the cluster munition producers, as far as we know. ABP and the other pension funds are also changing their policies on this issue.

So we were able to do something because of the public outcry, but this far it hasn't changed Dutch policy towards banning cluster munitions so we still have a lot of campaigning to do. In your campaigning, it is important to make good use of the media. Get your facts straight and do your own research before you get out in the open so that you're well informed. Before we started we made sure we knew a lot about cluster munitions as well as responsible investment. Use divestment to mobilise the public, but also use it as leverage on your own government. It didn't work yet in the Netherlands but maybe it will in the near future.

Finally, it is important to stress that this is a long-term campaign. In the beginning it may be glamorous and attract a lot of media coverage, but in the long run it's just hard work. Doing research on this topic means having long and sometimes boring conversations with people from pension funds or trade unions, which also play a decisive role in pension funds. The watch dog role is very important and transparency is key. The funds need to know we are watching them. They also know that there's a good chance that in a year or two my organisation or others will forget about the issue. I really hope not, but you always have to make sure you invest the time necessary for your campaign.

About Miriam Struyk

Miriam Struyk is a policy advisor on human security and disarmament for IKV Pax Christi, a Dutch peace organization working in partnership with local NGOs in more than 25 conflict-affected countries including DR Congo, Iraq, and Sudan. Struyk has worked for IKV Pax Christi since 1996. She supported a Dutch documentary "**The Clusterbomb Feeling**" that revealed how Dutch pension funds were being invested in the production of antipersonnel mines and cluster munitions. Following a public outcry, the biggest pension funds changed their policies to divest from cluster munitions and landmine manufactures. Pax Christi The Netherlands was instrumental in helping to launch the global Cluster Munitions Coalition in November 2003 and serves on the campaign's

leadership steering committee, in addition to coordinating the domestic campaign against cluster munitions. Struyk previously worked in Bosnia and Herzegovina, Kosovo and the south Caucasus.

Stan Brabant, Handicap International – Belgium
“The Campaign to Outlaw Belgian Investment in Cluster Munitions”

[While Stan Brabant spoke on this topic at a public meeting in Auckland on 19 February, the following transcript is taken from an interview provided to the campaign]

We decided to try and tackle cluster munitions through a divestment campaign for three main reasons. First, we thought it would be a way to touch ordinary people and get them involved. Most of us have a bank account for our savings so by looking at banks funding the production of cluster munitions you can reach everyone. People don't necessarily know that they are investing in cluster munition producers and once they learn they get upset and they take action. So investment was a good way to engage people on the complicated issue of cluster munitions. What does the issue mean to a citizen of a wealthy western country unaffected by cluster munitions? This was one way to link the individual to a global crisis in the making.

A second reason was that media is extremely interested and supportive of this kind of research and advocacy. Whenever we speak about bank investment in cluster munitions the media is very interested.

Thirdly, the transparency of this process is very important. The work that Handicap International and other NGOs have been doing over the past fifteen years against landmines and cluster munitions is also about making information publicly accessible. Knowing what mines a country has in its stockpiles. Knowing what a bank is doing with its investors money.

We started working full-time on this divestment process at the beginning of 2005 once the Mine Ban Treaty's First Review Conference held in Nairobi was out of the way. The treaty banning antipersonnel mines was working really well. We were at the stage where we could begin to put our resources into cluster munitions.

In February 2005 the first calls were made in parliament to ban cluster munitions. At Handicap International, we decided to heed the call from our people in Afghanistan, Iraq and other places and fully committed to campaign for ban on cluster munitions.

The Belgian legislation banning banks from investing in the production of cluster munitions was a direct a result of good research, media interest, and excellent cooperation among NGOs. We feel like we got the Belgian law rather easily because it resonated with the public and the institutions.

The process began with research. We needed information on the companies engaged in the production of cluster munitions as well as bank investments. This kind of research is



very difficult. We cooperated particularly closely with Netwerk Vlaanderen and Human Rights Watch, who provided their research findings for us to use in the advocacy campaign. Other NGOs have done good research too, such as Norwegian People's Aid.

In April 2005 we held a press briefing to release a **report** naming five large Belgian banks that were investing in cluster munitions. This attracted huge media interest. There were photos of the banks in the paper the next day and they were furious at us because we identified them as funding cluster munitions.

We started to write to the presidents of all the banks identified through the research. We informed them of the findings, explained our direct experience with the humanitarian impact of the cluster munitions in the field, and asked if they found their investment acceptable.

Most claimed they didn't know about the investment, but I'm not sure that's completely true as banks know their investment portfolios and they're also traditionally close to the arms industry.

When we didn't get any answer we'd speak to the media as no response or a flaky answer means something. One bank (AXA) responded that it was not funding the production of fragmentation bombs, but we were talking about cluster munitions. They tried to play with words to hide from us.

Often we wouldn't get a response, but we'd you hear and get signals that the bank was taking notice. My personal bank account was with AXA Bank. As a client I went to talk to them and gave them the report. The local branch was sympathetic and contacted head office, but they never replied. At least the branch claimed they never got a response. Our colleagues in other countries did the same.

One particular bank, KBC, was very open, progressive and willing to open the doors to talk to us. They were perhaps the ideal bank to engage with. Most of the rest were not as forthcoming. The French bank AXA was extremely conservative and hostile initially. Others were in between, interested but very cautious as they weren't used to dealing with NGOs. We're not they typical partner.

Three major elements were crucial to our campaign. First, the leadership shown by the Norwegian Government Pension Fund, which was the first government entity to take a strong stand on investments in cluster munitions. They have a strict code of ethics that was a model for others to follow.

Secondly, we had an active and interested group of parliamentarians, which was crucial and did most of the work in securing the divestment legislation. The Belgian government had been rather shy on this issue until the weapon was used in Lebanon in 2006 and the diplomatic process to tackle cluster munitions was launched.

Finally, throughout 2005 and in the beginning of 2006 we encouraged people from all over the world to write to our parliamentarians and urge them to do something about cluster munitions. People from Iraq and elsewhere were writing to the heads of our political parties. It was hard for them to ignore. The international networks that we participate in, namely the Cluster Munition Coalition and the International Campaign to Ban Landmines, were crucial in getting this action out.

So first we disseminated information about the issue and tried to engage with the banks. Then the parliamentarian took an interest and approached us about doing something. One particular parliamentarian, a former doctor from Doctors Without Borders (MSF), drafted legislation to ban investment. Once the issue was into the parliamentary system we were invited to briefings to provide evidence.

In the lead-up to the final vote in the parliament there was lobbying from campaigners all over the world. We held a big demonstration a few hours before the vote with big banners and parliament speakers that attracted a lot of media including editorials supporting our case. The Belgian Parliament finally banned cluster munitions on 16 February 2006, despite huge pressure from the arms industry and, from what I am told, at least two of which lobbied the Prime Minister directly.

One year later, on 28 February 2007, the Belgian parliament agreed to **ban investments** in cluster munitions.

HI-B has invested a lot of staff time and resources into this campaign to ban cluster munitions. Once you start something like this you want to work really hard to reach that goal. We have a moral obligation to make this process succeed. Once we get the treaty it is only a piece of paper unless governments implement it. So we're committed over the long-term.



About Stan Brabant

Stan Brabant heads the policy unit at **Handicap International Belgium**, where he has worked since 1994 including on mine clearance and mine risk education programs in countries including Afghanistan and Cambodia. Handicap International is a founding member of both the ICBL and the Cluster Munition Coalition (CMC) and Brabant serves on the leadership bodies of both CMC and ICBL including its Landmine Monitor Editorial Board. Brabant was instrumental in securing Belgium's **domestic cluster munition ban** through Belgium's House of Representatives in February 2006, the first legislation of its kind in the world. Brabant has overseen the publication of several important HI reports on the human impact of cluster munitions including "**Fatal Footprint**" (Nov. 2006) and "**Circle of Impact**" (May 2007). Languages: Dutch, French.



Public Talk: Cluster Munitions in South Lebanon

Public Talk Convened by Aotearoa New Zealand Cluster Munion Coalition
Ilott Theatre, Wellington Town Hall
21 February 2008



The following transcript was prepared from a video recording of this public talk and PowerPoint slides have been included with the permission of the speakers. Any errors, omissions, or inaccurate statements are the fault of the facilitator and transcribers of this talk, namely the Aotearoa New Zealand Cluster Munion Coalition (ANZCMC). If you cite any information contained in the following transcripts, please fully reference the source including the speaker's name, title/organisation and the date/location of the talk. The photos contained here are from the speakers' presentations.

The talk was chaired by Mr. Ayman Sorour, executive director of Protection Against Armaments and Consequences, the only non-governmental organisation (NGO) working directly on Egypt's sixty-year-old mine and unexploded ordnance problem.. The ANZCMC is grateful to the chair and speakers for their preparation and interventions.

- Bonnie Docherty, Human Rights Watch
- Chris Clarke, UNMAS
- Lt Cdr. Steve Lenik, New Zealand Defence Force



Bonnie Docherty, Human Rights Watch
“Israel’s Use of Cluster Munitions in Lebanon”

Israel’s devastating and unlawful use of cluster munitions highlights the need for a new treaty, which we are here to work on this week. Israel used 4.6 million submunitions in the last three days of the conflict when a ceasefire was imminent. Mine action authorities believe the weapons have caused about 200 casualties since the conflict ended. Human Rights Watch (HRW) found that Israel violated the laws of war, also called international humanitarian law or IHL, in its indiscriminate and disproportionate attacks.

My definition of a cluster munition here is not the nitty gritty official definition usually given. A cluster munition is a large munition that contains dozens of smaller submunitions. Militaries value them because they are good for soft targets and moving targets, such as troops and tanks. Their humanitarian impact largely outweighs their military benefits, however. They cause two major problems: first, the areas affected – when cluster munitions are used in a populated area, civilian casualties are virtually guaranteed; second, many cluster submunitions do not explode on impact and become so-called duds, killing and injuring civilians months or years after the conflict has ended.

Human Rights Watch has been doing field research on cluster munitions since Kosovo and earlier. We have also done field-based reports on the use of cluster munitions in Afghanistan, Iraq, Israel and Lebanon. Our first task is to get to the region as quickly as possible as physical evidence disappears and memories fade. We had researchers on the ground in Lebanon both during and immediately after the war. We also did follow-up missions which are particularly important for cluster munitions as much of their impact occurs after the fact.

In the case of Lebanon, we conducted missions in September and October 2006. While on the ground we interviewed witnesses and victims, who told us what had just happened. We also interviewed humanitarian and military deminers, who provided us with technical information, and doctors and nurses, who provided us with medical information. In Israel, we talked to military personnel who gave us a sense of why cluster munitions were used. We interviewed Israel Defence Force (IDF) lawyers as well as ordinary soldiers in units that used cluster munitions. We also looked at physical evidence. Cluster munitions, fortunately or unfortunately, leave large amounts of debris so it is very easy for us to identify which cluster munitions were used and what they were targeting. Finally, we used GPS systems to record locations and make satellite photograph maps.



We have done extensive follow-up research, thanks to Chris Clarke and his staff at the United Nations Mine Action Coordination Centre-South Lebanon (MACC-SL), who provided us with regular updates. The report “**Flooding South Lebanon**” is updated through mid-January 2008. The end result is the most comprehensive and detailed report to date on the use of cluster munitions in this conflict.

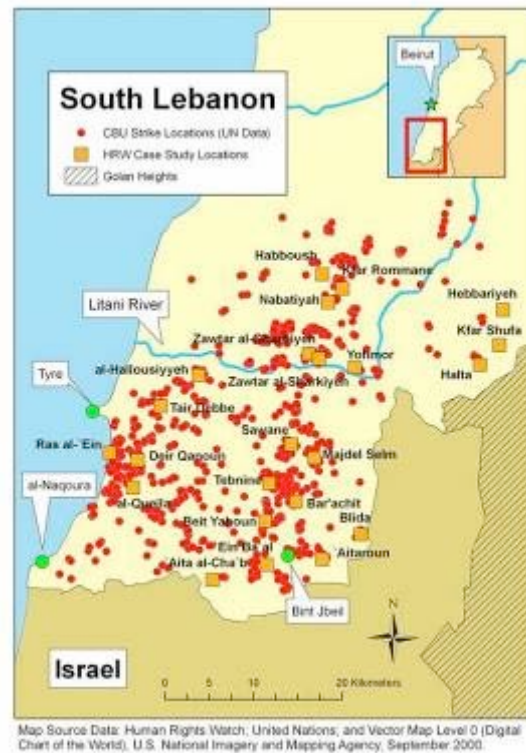
The number of cluster munitions Israel used in Lebanon was staggering. We found it used about 4.6 million cluster submunitions, which is a slightly higher figure than MACC-SL estimates because we interviewed soldiers who were members of re-supply units and reported additional submunitions. There were 962 documented strikes that left hundreds of thousands if not a million submunitions behind. This was the most extensive use in any conflict since the Gulf War; it was more than twice the number of cluster munitions launched by the Coalition in Iraq in 2003 and more than 15 times the number the United States deployed in Afghanistan in 2001-2002.

The numbers were compounded by the time and place of the use. Most of the use, as I mentioned, took place in the last three days of the conflict when a ceasefire was imminent, which raises serious questions about their military utility. There was also widespread use in populated areas. We documented 40 towns and villages with cluster munitions. There were certainly more that we did not visit. In only one of those towns did we find evidence of Hezbollah activity. It was somewhat difficult to determine whether Hezbollah was in a town because many people had fled during the war, but those witnesses who had stayed reported that Hezbollah was only outside the villages and we found almost no physical evidence of Hezbollah’s presence.

There were also extraordinarily high failure rates averaging about 25 percent, which sometimes went up to 70 or even 90 percent. Deminers have found five main types of submunitions, but to avoid technical details we will merge them into four. The first is the



Dual Purpose Improved Conventional Munition (DPICM), such as the M77 or the M42 and M46. Ground-launched artillery shells or rockets can contain anywhere between 88 and 644 of these submunitions. They are dual purpose, which means they target armour and personnel, and are characterised by a white ribbon designed to stabilise it. These ribbons, however, are very attractive to children and also cause the submunition to hang on



trees, which means they do not explode on impact as designed. It is a US-made weapon, and the US Department of Defence reports test dud rates of up to 23 percent. The M42, M46 and M77 DPICMs represent 74 percent of the submunitions cleared so far, according to deminers in Lebanon.

The next category is the BLU-63, an airdropped submunition that is carried in a CBU-58B canister, which contains 650 BLU-63s. Again, it is US made. We found canisters with load dates of September 1973 and a one-year warranty, which had clearly expired. Deminers have reported several catastrophic failures of this model, which means that virtually none of the submunitions exploded. These account for 20 percent of the submunitions that MACC-SL teams have cleared so far.

Perhaps the most well-known and controversial weapon of this war is the M85, another type of submunition that is ground launched and is carried in artillery shells that contain



49 or 63 submunitions. Some models have self-destruct devices, which have been touted as a technical fix to the dud problem of cluster munitions. Field researchers and deminers, however, have noted field dud rates were up to 10 percent in the case of Lebanon. This data shows that a definition of cluster munition that excludes self-destructing mechanisms or set failure rates is an unworkable solution for this treaty. I want to refer you to an excellent report on the self-destruct M85 [[“M85 – An analysis of reliability”](#)] by Norwegian People’s Aid, the Norwegian Defence Research Establishment (FFI) and the British explosive ordnance disposal expert Colin King. This weapon accounts for 5 percent of the submunitions cleared so far in Lebanon.

Deminers in Lebanon have also encountered the MZD-2. These were Hezbollah submunitions that were left behind in south Lebanon. They did not reach Israel when fired, were abandoned by Hezbollah or were struck by Israeli weapons – there are many different theories about their presence. Human Rights Watch was the first to document the use of MZD-2s in Israel, which has been the only use of this particular weapon model. It illustrates the proliferation of cluster munitions to non-state armed groups. The weapon is contained in a Chinese-made Type-81 cluster munition and shoots 3mm steel spheres in every direction. It is also an anti-armour weapon.

Israel reported finding 113 Type-81 cluster munitions, and we documented their use in populated areas like Mghar and Karmiel. According to Israeli police officials, cluster munitions killed one person and injured 12 others. The attacks, which we have documented in other reports, were in clear violation of IHL. It is, however, important to state that their use was dwarfed by that of Israel in Lebanon.

The first documented incident of IDF-caused cluster casualties occurred on July 13, 2006, in the Lebanese town of Blida. The attack was directly on a populated area. The strike killed 60-year-old Maryam Ibrahim. Two other submunitions rolled into her basement injuring the civilians hiding there. This was one of the few documented incidents of casualties during the strikes because many people had fled. There were, however, large

numbers of casualties that occurred after the conflict. On January 18, 2008, the MACC-SL reported a total of 192 civilian casualties including 20 killed and 172 injured. Other NGOs recorded slightly higher figures, but they all show that around 200 casualties occurred when Lebanese civilians returned home to their towns after the ceasefire.

`Ali Haraz was walking through Majdel Selm the day after the ceasefire when he saw a submunition on the road. As he turned to make sure he did not step on it, he stepped on another submunition and suffered injuries from head to toe. The shrapnel wounds left red scars all over his body. He told me, “When you have the war, the war is for one month and three days. When you have cluster munitions, the war is for life.”

Children are also common victims in Lebanon and most countries affected by cluster munitions. Sixty-one of the MACC-SL casualties are under the age of 18. A story that touched me in particular was that of Rami `Ali Hassan Shebli, a 12-year-old boy who died in Halta on October 22, 2006. When his elder brother Khodr was in a tree throwing pinecones down at him, Rami picked something up to throw back. Another boy yelled that it was dangerous. Rami went to throw it away, but it exploded right next to his head and he was killed instantly. We arrived about two hours after the explosion, and villagers were still clearing his remains. We also witnessed Lebanese deminers destroy about 15 submunitions over the course of the hour that we were there. All these events took place in a field immediately next to someone’s house.



Farmers faced a difficult dilemma: they could choose to farm their fields and risk their lives and limbs, or they could risk their livelihoods by not tending their farms. Those who chose to farm suffered many injuries. `Aliya Hussein Hayek, a 38-year-old woman, was harvesting tobacco on August 30, 2006. She went to put a bag of tobacco in her car, and a submunition that was hidden in the bag exploded. It left shrapnel in her legs and her face and injured her stomach. She also lost one finger.



In October 2006, I witnessed farmers harvesting olives in groves contaminated by cluster munitions or in groves immediately next to contaminated fields. One woman was picking olives in Zawtar al-Gharbiyeh in a field that was only recently cleared. She faced the same threats as `Aliya and other farmers – socioeconomic harm and the dangers presented by cluster munition duds. According to UNDP,

more than half of the contaminated area was farmland, including olive groves and tobacco fields. In one field in Yohmor, I counted 25 submunitions. Farmers were harvesting the olives nearby, maybe 100 yards from where I was standing.

The socioeconomic harm was significant as 70 percent of incomes in south Lebanon are derived from agriculture. The harvests of both olives and tobacco were lost and continue to be jeopardized today. Those who did not farm have suffered financial hardship. `Atif Wahba of `Ainata could not harvest his tobacco so he lost the equivalent of US\$2,600. I talked to one farmer who chose to work repairing roads instead of farming his fields. On October 7, 2006, he accidentally set off a cluster munition in his new job, losing lost parts of his fingers from the explosion.



The case of Zawtar exemplifies all of the aspects that we have seen so far. Israeli forces attacked nearby fields with cluster munitions beginning on August 8, but they blanketed the town itself in the last three days. We observed structural damage in, for example, Muhammad `Ali Yaghi's home; there were 18 holes in his ceiling from submunitions and one directly above his daughter's bed. Submunitions left the pavement and the side of al-Sheikh Naïm Mahdi School pockmarked by shrapnel. A town official said deminers cleared about 2,000 submunitions from the facility.

According to MACC-SL, submunition duds have killed one and injured dozens of civilians in Zawtar. Muhammad Abdullah Mahdi, an 18-year-old car mechanic was moving a car engine behind his garage when a submunition dud exploded. He lost part of his left hand and his right leg suffered serious injuries.



There were also socioeconomic effects in Zawtar. More than two months after the war we found several fields and outlying areas contaminated by submunitions. Locals were picking olives, and to facilitate farming, the local civilians tried to clear the submunitions themselves, a very dangerous and counterproductive activity.

Muhammad `Ali Yaghi gathered submunitions from his home and put them in a bag. Then he carried them outside of town and hid behind a wall to throw them as far as he could. His actions endangered himself and passersby. They also illustrate how cluster munitions pose clearance threats as the submunitions he threw might not have exploded. In other towns there was even more dangerous community clearance as people gathered scores of submunitions in boxes. We talked to one man who collected 80 submunitions in a box and went to deliver it to Lebanese Army deminers. When the box bottom fell out, a submunition exploded and his legs were shattered.

Another important yet unusual incident occurred on August 13, 2006, the day before the ceasefire. Israel blanketed Tebnine Hospital with M85 submunitions. About 375 people

were trapped inside, but fortunately nobody was directly hurt. The attack, however, destroyed medical equipment and damaged the building. The failure rate according to MACC-SL was close to 70 percent. In the immediate aftermath, local civilians cleared the area with a bulldozer, but duds remained. When HRW visited in August and October 2006, we found no evidence that Hezbollah was using the hospital for military operations. Attacks on medical facilities are strictly prohibited under IHL and when done with intent constitute a war crime.

Military mine clearance experts have played a significant role in reducing civilian casualties. I met a UNIFIL deminer holding up an empty artillery shell he had used to carry at least a dozen M85s rendered safe. It was unusual to see UNIFIL deminers because in the past they only cleared for force protection. In the case of Lebanon, the situation was so bad they decided to clear and help the humanitarian deminers.



I will not touch much on clearance by humanitarian deminers here because our other speakers will. I would like say the work done by the deminers from the UN, NGOs, and other countries (such as New Zealand) is admirable, but they need assistance. Despite repeated requests, Israel has failed to give information on the strikes, including the types of cluster munitions used, the locations targeted and the numbers deployed. The information that Israel has provided has been described by the United Nations as “absolutely useless.”



The HRW report analyzes the Israeli defences, if there can be any, to the devastating effects of cluster munitions. We rely on several sources. Israel has released various public statements and two internal inquiries, parts of which have been made public. We also interviewed IDF officials when I was there in 2007. They defended Israel’s use of cluster munitions as being consistent with IHL, although they admitted it deployed them in populated areas, which may have violated internal regulations. They said Israel used the cluster munitions in self-defence against Hezbollah rocket attacks and claimed most of the use was in open and uninhabitable areas. When Israel did use them in towns, they said, it was careful to warn civilian in advance and only used them when Hezbollah was firing from residential areas. They dismissed the dud

problem as something that is “solvable.” An IDF lawyer told me, “The population is dealing with it.”

Human Rights Watch’s findings directly contradict these statements. We found widespread use in populated areas. The warnings were not sufficient as not all civilians fled, and it was foreseeable that those who had fled would return immediately after the

ceasefire and be threatened by the areas littered with duds. Hezbollah did fire rockets at Israel's cities in clear violation of IHL, which we have documented in a report called "**Civilians Under Assault**." It rarely fired from built-up areas, however, and, even if it had, violation of the laws of war by one side does not justify a violation by another.

Our investigation shows the need for a public independent and impartial investigation into the use of cluster munitions in Lebanon. The Winograd Commission found: "There



LEBANON
Flooding South Lebanon
Israel's Use of Cluster Munitions in Lebanon
in July and August 2006
HUMAN RIGHTS WATCH

is no doubt that the account of cluster munitions fire in the Second Lebanon War demonstrates in a serious manner the possible consequences of the lack of clear order, discipline and effective controls." The Commission called for a re-examination of the rules surrounding cluster munitions.

Investigations by other bodies also back up HRW's findings. Two UN inquiries found violations of IHL. The US Department of State found that Israel may have violated secret agreements with the United States about the use of cluster munitions and, while the agreements are secret, our understanding of them is that Israel is not allowed to deploy cluster munitions in populated areas.

Human Rights Watch's legal conclusion is straightforward. We found that Israel violated the laws of war because the attacks were indiscriminate and disproportionate. The basic principle of IHL is distinction; armed forces must distinguish between soldiers and civilians. An attack using means and methods of warfare that cannot distinguish between soldier and civilian is indiscriminate. We presume that cluster munitions attacks in populated areas are indiscriminate and thus unlawful. We also argue there should be a presumption that attacks in civilian areas are disproportionate, meaning that civilian harm outweighs military advantage. If any of these attacks were launched with knowledge that they were discriminatory or disproportionate it would constitute a war crime.

We have three major recommendations. First, both the UN and Israel should launch independent, impartial and public investigations to determine if there should be criminal responsibility for these attacks. Second, as mentioned earlier, Israel must immediately hand over strike data including the types, locations and numbers of cluster munitions used. Third, all governments should support the banning of cluster munitions, not only the governments that are here in Wellington, but also others involved in production, stockpiling, transfer, and use.



In conclusion, the findings of our report highlight the need for the Oslo Process to create a strong treaty. As the Norwegian Foreign Minister said in 2006, “the case of Lebanon clearly demonstrates there is a real need to strengthen humanitarian law in this area.” The events in Lebanon were a direct spark for the process.

The report also shows the need for a certain kind of treaty. The treaty must ban all cluster munitions, not include exceptions for those with a self-destruct device or those that have a certain failure rate. The treaty must provide for an immediate ban that does not have a transition period to enable state parties to use cluster munitions for a certain number of years. There must be an assistance clause that prohibits assisting allies with their use of cluster munitions. Lebanon is a particularly egregious example of such assistance because the United States supplied many cluster munitions that Israel used. Finally, the treaty must place responsibility on user states to help with the clearance of cluster munitions left before the treaty takes effect. That would require Israel to pass information over immediately and also to provide other assistance for clearing the million submunitions left behind after it flooded south Lebanon.

Thank you.

About Bonnie Docherty

Ms. Bonnie Docherty is a researcher in the Arms Division of Human Rights Watch (HRW). Docherty authored HRW’s first full field-based report on cluster munitions, which covered use by the United States in Afghanistan in 2001-2002. Docherty has gone on to publish extensive field research on cluster munitions the conduct of war and civilian casualties in Lebanon and Israel (2006), Gaza and Israel (2005), and Iraq (2003). On February 17, 2008, just ahead of the Wellington Conference, Docherty released her latest report, “[Flooding South Lebanon: Israel’s Use of Cluster Munitions in Lebanon in July and August 2006.](#)” Human Rights Watch is a founding member of both the International Campaign to Ban Landmines (ICBL) and the Cluster Munition Coalition (CMC). Docherty is also a lecturer and clinical instructor at Harvard Law School’s Human Rights Program.

Chris Clarke, UNMAS **“The South Lebanon Mine Action Coordination Centre”**

This transcript was being finalised as we went to print with the CD-Rom and will be available in May 2008 from the ANZCMC [website](#).

About Chris Clarke

Mr. Chris Clarke is United Nations programme manager for the Mine Action Coordination Centre-South Lebanon, the official body tasked with coordinating munitions clearance with the Lebanese Army in south Lebanon. One of his tasks has been to try to secure detailed information from Israel on the cluster bomb strikes that caused 255 civilian and demining casualties in the year following their deployment.

Lt Cdr. Steve Lenik, New Zealand Defence Force
“NZDF Deployment to South Lebanon”

This transcript was being finalised as we went to print with the CD-Rom and will be available in May 2008 from the ANZCMC [website](#).

About Steve Lenik

Senior National Officer Lieutenant Commander Steve Lenik led a team of ten New Zealand Defence Force personnel (three Navy divers and six Army engineers) in Tyre, south Lebanon, in February 2007 to assist with cluster munition strike site clearance. Working in cooperation with the United Nations Mine Action Co-ordination Centre in South Lebanon (MACC-SL), the team cleared orchards and other agriculture land, and also removed and demolished unexploded munitions found by locals. Since returning to New Zealand in August 2007 he has spoken at Rangitoto College near his home of Takapuna in Auckland, as well as to media.

NZ Parliamentary Questions

Available online at: http://www.parliament.nz/en-NZ/PB/Debates/QOA/9/a/c/48HansQ_20080221_00000314-5-Cluster-Munitions-Ban.htm

5. Cluster Munitions—Ban [Volume: 645; Page:14469]

5. KEITH LOCKE (Green) to the Minister for Disarmament and Arms Control: Does he stand by his statement that this week's conference on cluster bombs will make an "important contribution to achieving an ambitious vision of a ban on cluster munitions"; if so, is he confident that all Government policy supports this goal?

Hon PHIL GOFF (Minister for Disarmament and Arms Control) : Yes. The Oslo process, of which New Zealand was one of the seven initiating countries, has made substantial progress towards a treaty banning cluster munitions that cause unacceptable harm to civilians. This is really important, because the Geneva process over the last 5 years has got exactly nowhere on that same issue. The member will be aware—as indeed will other members—from last night's parliamentary function of the wide acknowledgment and praise that New Zealand has been accorded for the leading and positive role that it has played, a view that I understand the Green Party shares.

Keith Locke: At the Wellington conference—which I fully congratulate the Government on hosting—is the Government calling for a complete ban on cluster munitions without exceptions; if so, what steps is it taking to counter those countries like Australia, Britain, and Canada that are pushing for exceptions to be listed in the Wellington declaration coming out of the conference?

Hon PHIL GOFF: New Zealand is supporting the Oslo declaration, which talks about banning all cluster munitions that cause unacceptable harm to civilians. In that respect we are working through a process with 121 other countries to try to find common ground around the strongest possible ban that can be put in place. I welcome the fact that more than half of those countries that have or manufacture cluster munitions and a very large percentage of those countries in which cluster munitions have been used are attending the conference. The purpose of this conference is to make sufficient progress so that in Dublin in May we will get a treaty where a ban will be imposed along the line set out initially in the Oslo declaration.

Martin Gallagher: Can the Minister further clarify the precise position that our Government has taken on cluster munitions with specific regard to its Defence Force and foreign policy, consistent with its very strong stance, I understand, within the Oslo process?

Hon PHIL GOFF: The New Zealand Government has stated unequivocally that New Zealand will not acquire, does not possess, and does not and will not use cluster munitions. That is an absolute declaration, and that statement received wide support last night from other parliamentarians from around the world. In addition to that I think most New Zealanders are aware of the proud tradition of the New Zealand Defence Force in clearing munitions and landmines in countries as diverse as Laos, Cambodia, Angola, Mozambique, Afghanistan, and Lebanon. In addition I acknowledge the role played by

NZAID in giving very good support to those survivors of cluster munitions—particularly in Cambodia, where I have seen the work it has done with children in providing prosthetic support. That is really important.

Keith Locke: Does the Minister sometimes feel his very good work on this issue is being undermined by some parts of the Government continuing to invest taxpayers' money in corporations that manufacture cluster bombs—such as the New Zealand Superannuation Fund, which invests \$22 million in the cluster bomb manufacturer Lockheed Martin?

Hon PHIL GOFF: The member is very aware that this House passed—and I think most parties supported—legislation for the fact that the Government is not able to specifically direct the investments by the New Zealand Superannuation Fund. However, the board does work under a statutory mandate, and that mandate is to avoid prejudicing New Zealand's reputation. I think a really positive spin-off from the Oslo process and this Wellington conference is the announcement made by the guardians of the New Zealand Superannuation Fund that they are following this process very closely. They are reviewing investments in companies, some of which may be involved with cluster munitions. I believe that with the passage of this treaty, a decision will be made in line with responsible investment, and I note that the Superannuation Fund is one of the founding signatories to the UN in that area.

Keith Locke: What practical steps is the Government taking to address the interoperability issue, which is one of the most challenging issues being addressed at the current conference, so that New Zealand troops in Afghanistan are not being defended by cluster bombs possessed by their coalition partners?

Hon PHIL GOFF: Interoperability is certainly an issue that is being discussed at the conference. It is particularly important, given the very high percentage of NATO countries attending that conference. I welcome the fact that every one of the countries attending the conference is there—notwithstanding the fact that they may have a slightly different view from the countries that started off this process. In terms of interoperability, it is true that the United States has cluster munitions and that it is in Afghanistan. I would certainly not in any way suggest that New Zealand's peacekeeping forces, which are doing such a fantastic job in Bamian, should be withdrawn because of that fact. I will give a little bit of advertising. Governor Sarabi from the Bamian Province will be in New Zealand next week. I am sure she will speak out about the really good work the New Zealand Defence Force is doing in her province.



Press Releases by the Cluster Munition Coalition

“Global push to ban cluster bombs at crossroads - Governments called upon to keep protection of civilians at forefront of negotiations”

Wellington, 18 February 2008 – At the opening of a five-day conference to develop a historic treaty banning cluster munitions, the Cluster Munition Coalition (CMC) called on governments to keep humanitarian concerns at the top of the agenda by rejecting efforts to weaken the treaty with exceptions, delays or loopholes. The Wellington Conference on Cluster Munitions represents a crucial crossroads where states must either formally commit to negotiate the prohibition on cluster munitions or opt out of the process which is set to secure the most significant advances in disarmament since the 1997 treaty banning antipersonnel mines.

“After a year of remarkable progress to save lives this is the moment of truth when countries must show their resolve and commit to negotiate the new treaty that will ban cluster bombs this year,” said Thomas Nash, Coordinator of the Cluster Munition Coalition.

More than 500 representatives from over 100 governments as well as campaigners and survivors of cluster bombs from 38 countries are gathering in New Zealand today for the penultimate meeting of the Oslo Process. This global effort initiated by Norway is set to culminate with the adoption in Dublin in May 2008 of a treaty to ban cluster munitions, assist survivors and ensure clearance of their land. The Oslo Process has drawn the support of two-thirds of the world’s nations.

At the end of this week’s conference countries will be expected to support the ‘Wellington Declaration’ to formalise their commitment to conclude a new treaty by the end of 2008.

Even after a year of treaty preparations, new countries continue to join the ban community for the first time, including Pacific states such as Fiji, the Marshall Islands, Samoa, Tonga and Vanuatu.

However countries such as France, Germany, Japan and the United Kingdom have been exerting diplomatic pressure to weaken the draft treaty in three main ways: to exclude certain weapons from the ban; to include a transition period when banned weapons could still be used; and to accommodate “interoperability” concerns – the possible use of cluster munitions in joint military operations by other countries that may not sign the treaty.

“Countries serious about saving lives will support the strong draft treaty before them. The lesson from the campaign to ban landmines is that the treaty must not be weakened to pander to the interests of users, producers and stockpilers,” said Human Rights Watch’s Steve Goose, Co-Chair of the Cluster Munition Coalition.

Rather than protecting civilian populations certain countries are seeking to protect their own stockpiles through exclusions from the ban. Some promote technical fixes such as

self-destruct mechanisms even though all available evidence refutes their legitimacy. The burden of proof must be on governments to justify any exclusions on the basis that they do not have the indiscriminate and landmine-like effects of cluster munitions.

“Research shows that even cluster bombs with self-destruct mechanisms can have a failure rate up to ten times what producers claim. Technical fixes are just not credible,” said Norwegian Peoples Aid’s Grethe Østern, Co-Chair of the CMC.

The draft cluster munition treaty contains the strongest ever victim assistance provisions in a humanitarian or disarmament instrument and extensive clearance obligations. Like the Mine Ban Treaty, these provisions are critical in rebuilding lives and communities affected by cluster munitions. However some states are reluctant to agree to provisions that would oblige them to take responsibility for past use.

“I lost my arms and legs to a cluster bomb. I call on countries to put the needs of affected communities before all other considerations. All countries, especially past users, must support clearance efforts and assist survivors,” said Branislav Kapetanovic, spokesperson for the CMC and a former military deminer in Serbia.

The Aotearoa New Zealand Cluster Munition, coordinated by Oxfam New Zealand, is providing civil society support to the CMC at the Wellington Conference. This meeting is the largest multilateral disarmament gathering that the New Zealand government has ever hosted.

#

“Nine governments seek to weaken draft treaty to allow US to continue using cluster munitions”

Wellington, 19th February 2008 – On the second day of a five-day conference to develop a historic treaty banning cluster munitions worldwide, nine governments are attempting to create a loophole that will allow them to assist the USA to use cluster munitions. The Cluster Munition Coalition strongly condemns the hypocrisy of these countries trying to ban cluster bombs while assisting other countries to use them.

"These weapons kill civilians - this is hypocrisy of the worst kind by countries that claim the moral high ground and yet trade away the lives of victims to serve the interests of the USA" said Rae McGrath, spokesperson for Handicap International.

Over three quarters of countries that stockpile cluster munitions and half the countries that produce the weapon are participating in the Wellington conference. Although the USA is the biggest, producer, stockpiler and user of cluster munitions, it is not part of the Oslo process and is therefore also not present in Wellington.

A group of US allies engaged in the talks to ban cluster munitions are concerned that when they sign the new treaty it will be difficult for them to participate in joint operations with other countries that are not party to the treaty. Japan had the support of Australia, Czech Republic, Denmark, France, Germany, Slovakia, Turkey and the United Kingdom who have been raising concerns about the issue known as 'interoperability'.

Although these nine countries say they are committed to the process to ban cluster munitions, they are proposing that while they could be prohibited from assisting in the production or transfer of cluster munitions they should not be prevented from assisting

other countries like the US, in using cluster munitions. The United States has been lobbying several states on this issue with official visits. NATO allies Norway, which is spearheading the process and Belgium, which has a national ban on cluster munitions insist that the new global treaty will not put their international operations at risk. Austria, Indonesia, Ireland and the International Committee of the Red Cross have also resisted such proposals to weaken the treaty.

"This goes against the precedent set by other treaties like the Chemical Weapons Convention and the Mine Ban Treaty", said Norwegian People's Aid's Grethe Østern, a co-chair of the Cluster Munition Coalition. "The experience of the past decade with the ban on antipersonnel mines shows that interoperability can be dealt with without fracturing alliances," She added.

More than 500 representatives from over 100 governments as well as campaigners and survivors of cluster bombs from 38 countries. are gathering in New Zealand today for the penultimate meeting of the Oslo Process. This global effort is set to culminate with the adoption in Dublin in May 2008 of a treaty to ban cluster munitions, assist survivors and ensure clearance of their land. The Oslo Process has drawn the support of two-thirds of the world's nations.

#

“Historic step forward for treaty to ban cluster bombs - After week of tough talks, nations agree to move forward”

Wellington, 22nd February 2008 – After a week of tough diplomatic talks, the voice of survivors and committed states has prevailed and a draft treaty to ban cluster munitions has been endorsed for formal negotiation. The so called “Wellington Declaration” provides the draft treaty text to be negotiated and agreed in Dublin in May 2008 to ban cluster munitions, assist survivors and ensure clearance of their land.

“We are encouraged that the draft agreement was not weakened or compromised over the course of this crucial meeting,” said Mary Wareham, Advocacy Director, Oxfam New Zealand. “New Zealanders played a significant part in achieving this outcome by expressing their strong support for a clear and unequivocal ban on cluster munitions.”

More than 500 representatives from 122 governments as well as campaigners and survivors of cluster bombs from 38 countries gathered in New Zealand for the penultimate meeting of the Oslo Process.

After intense discussion, there was broad agreement on the text of articles about victim assistance, clearance of cluster munition contaminated areas and the destruction of stockpiles. Earlier proposals by certain countries to dilute and insert exceptions to the draft treaty were unsuccessful, but will be considered again during negotiations in Dublin. At the end of the week, the strong text of the treaty remains unchanged.

“We commend past user, producer and stockpiler states who have endorsed the Wellington Declaration, for showing the vision to negotiate this landmark new treaty to prevent civilian deaths and assist victims for decades to come” Said Thomas Nash, Coordinator of the Cluster Munition Coalition.

The most contentious issues revolved around possible exemptions to the ban for some types of cluster munitions, possible transition periods in which cluster munitions could still be used after being banned, and the use of cluster munitions in joint military operations by states that are not part of the future treaty. The responsibility of countries which have used cluster munitions in the past to help clear them up was also an issue.

“Cluster munitions have had their day – they are a weapon of the cold war designed for use against massed Warsaw Pact tanks on the Central European plain,’ said Simon Conway, Director of Landmine action and co chair of the Cluster Munition Coalition. “When cluster munitions are used in the olive groves of Lebanon and in the crowded suburbs of Basra, they inevitably kill civilians and achieve no military gain” he added.

During the course of the week the developing world put up a strong stand in favour of a comprehensive ban. States such as Laos, Lebanon, Indonesia and Nigeria called for the strongest possible treaty with no exception or exemptions for ‘technical fixes’ which they claim they will never be able to afford.

The concerns of a minority of states have been compiled in a separate document for consideration in Dublin, but this does not have the same weight as the treaty text.

"I lost my eye and my life was devastated when my uncle and brother were killed by a cluster bomb attack, we urgently need a treaty to ban these deadly weapons and to help survivors rebuild their lives”, said Umarbek Pulodov, a survivor from Tajikistan.

#



Questions & Answers

Wellington Conference on Cluster Munitions

What are cluster munitions?



Cluster munitions are weapons deployed from the air by aircraft including fighters, bombers, and helicopters. The weapon opens in mid-air scattering dozens or hundreds of smaller submunitions to the ground. Cluster munitions can also be deployed shot out of artillery, rockets, and missile systems on the ground. Submunitions released by air-dropped cluster bombs are most often called “bomblets, while those delivered from the ground are usually referred to as “grenades.”

What’s the problem with this weapon?

Cluster munitions pose dangers to civilians for two principal reasons. Their widespread deployment means they cannot distinguish between military targets and civilians so the humanitarian impact can be extreme when the weapon is used in or near populated areas. Secondly, many bomblets fail to detonate on impact and become de facto antipersonnel mines killing and maiming people long after the conflict has ended. These duds are however 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 75 countries. A total of 34 states are known to have produced over 210 different types cluster munitions. At least 24 countries have been affected by the use of cluster munitions including Afghanistan, Albania, Angola, Bosnia and Herzegovina,

Cambodia, Chad, Croatia, DR Congo, Eritrea, Ethiopia, Iraq, Israel, Kuwait, Laos, Lebanon, Montenegro, Saudi Arabia, Serbia, Sierra Leone, Sudan, Syria, Tajikistan, Uganda, and Vietnam.

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 is the Oslo Process?

In February 2007, forty-six 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 and provides adequate resources to assist survivors and clear contaminated areas. Subsequent Oslo Process meetings including in Peru (May 2007) and Austria (December 2007) have increased the number of countries endorsing the Oslo Process

treaty objective to more than 90 by the end of 2007. <http://clusterprocess.org/>

What is the Wellington Conference on Cluster Munitions?

The 18-22 February 2008 Wellington Conference on Cluster Munitions is one of the most significant disarmament meetings that the New Zealand government has ever hosted. It is also the last Oslo Process conference prior to the treaty's formal negotiations. Representatives from approximately 100 governments and more than 100 non-governmental participants including cluster bomb survivors, deminers and advocates including a Nobel Peace Laureate and a British lord are expected. Countries will finalise preparations for the treaty negotiation and will also adopt a Wellington Declaration committing them to negotiate the ban treaty on the basis of the draft text discussed in Wellington. The NZ Cluster Munition Coalition is coordinating non-governmental support to the Wellington Conference with public talks, publicity stunts, and exhibitions planned.



www.mfat.govt.nz/clustermunitionswellington

What happens after Wellington?

After the Wellington Conference concludes, countries will prepare to negotiate the cluster munition treaty in Dublin, Ireland from 19-30 May 2008. At the negotiations, they will agree to the final terms and language of the treaty, which will then be opened signature before the end of 2008 with a signing ceremony in Oslo, Norway (where the process began). The cluster munition treaty will represent the most significant advance in the field of disarmament since the achievement of the 1997 treaty prohibiting antipersonnel mines.

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).

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. It is also working nationally to restrict cluster munitions through domestic measures such as a moratorium or a legislated ban, as Austria, Belgium, Hungary, the Netherlands, and Norway have done.

www.stopclustermunitions.org



Who is campaigning in New Zealand?

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

For more information, contact: wellington@oxfam.org.nz

Media Coverage of the Wellington Conference

Domestic Media

Domestic Television

TV 3 News x 8 stories:

- “Green MP Labels Anti Cluster-Bomb Conference as Hypocritical” (10/2/08)
- “Declaration pivotal step on road to cluster bomb ban” (18/2/08)
- “Conference aims to end the use of cluster bombs” (18/2/08)
- “Cluster munitions conference underway in Wellington” (18/2/08)
- “Children Are Forty Percent of Cluster Bomb Casualties” (19/2/08)
- “Cluster bomb survivors protest in Wellington” (20/2/08)
- “Greens moderately happy with anti-cluster bomb declaration” (23/2/08)
- “Israel breaches law with cluster bomb use”

TVNZ x 2 stories:

- “Conference pushes cluster bomb ban” (18/2/08)
- “Nations to sign cluster bomb treaty” (22/2/08)
- “Conference opening” *SKY News* (18/02/08)

Domestic Radio

- “Goff Plea to remember cluster bomb victims” *Radio New Zealand* (18/02/08)
- “Cluster bomb conference begins” *Newstalk ZB* (18/02/08)
- “Interview with Thomas Nash” *BFM Student Radio* (20/02/08)
- “82 countries sign cluster bombs ban declaration” *Radio NZ* 22/02/08

Domestic Print

Dominion Post (Wellington) x 9 articles:

- Jody Williams, “Darfur demands global response” (15/02/08)
- Mary Wareham, “Letter to editor: Compromise could be damaging” (16/2/08)
- NZPA, “Debate over bomb bans at Wgtn conference” (18/02/08)
- Hank Schouten, “Wheelchair warrior fights cluster bombs” (19/2/08)
- Hank Schouten, “Nobel Prize winner condemns bomb delay” (20/02/08)
- Chris Trotter, “Taking sides on global power” *Dominion Post* (22/2/08)
- Hank Schouten, “Group fails to weaken cluster munition treaty” 22/02/08
- Hank Schouten, “Bomb Ban Talks Hailed as Success” (23/2/08)
- “Letter to the Editor” (25/2/08)

New Zealand Herald (Auckland/nationwide) x 5 articles:

- NZPA, “Greens call on Super to Quit Funding Cluster-Bomb Makers” (15/2/08)

Billy Briggs, “Picking up the Pieces” (16/2/08)

Mike Houlahan, “Focus Turns to the Deadly Glitter of Cluster Bombs” (17/2/08)

Xavier La Canna, “Anti-bomb Activist Slams Australian ‘Hypocrites’” (21/2/08)

Carroll du Chateau, “Bomb Battler Armed With Tenacity” (23/2/08)

The Press (Christchurch) x 5 articles

NZPA, “Cluster weapons discussed” *The Press* (18/2/08)

Dan Eaton, “Superannuation Fund: Cluster bomb link criticised” *The Press* (19/2/08)

Dan Eaton, “Landmines no longer a big threat” *The Press* (20/2/08)

Dan Eaton, “Fund pressured to pull investments” *The Press* (22/2/08)

Lois Griffiths, “Letter to editor: Blood money” *The Press* (25/2/08)

<i>Otago Daily Times</i> (Dunedin) x 4 articles	<i>Manawatu Standard</i> x 1
<i>Timaru Herald</i> (Timaru) x 4	<i>Oamaru Mail</i> x 1
<i>Gisborne Herald</i> x 3	<i>Wairarapa Times-Age</i> x 1
<i>Bay of Plenty Times</i> (Tauranga) x 2	<i>Wanganui Chronicle</i> x 1
<i>Northern Advocate</i> (Whangarei) x 2	<i>Westport News</i> x 1
<i>Southland Times</i> (Invercargill) x 2	<i>Kapiti Observer</i> x 1
<i>Taranaki Daily News</i> (New Plymouth) x 2	<i>Northern Courier</i> x 1
<i>Waikato Times</i> (Hamilton) x 2	<i>North Shore Times</i> (Auckland community paper) x 1
<i>The Daily Post</i> (Rotorua) x 1	<i>Salient</i> (VUW) x 1
<i>Hawke’s Bay Today</i> (Napier) x 1	

Domestic Online

“Stop Cluster Bombs” *No Right Turn* [blog] (18/02/08)

“Scoop Video: Coalition Reports On Cluster Bomb Scourge” *Scoop* (14/02/08)

“CMC: Cluster Bomb Survivor Speaks” *Scoop* (19/02/08)

“NZ CMC: Cluster Bomb Conference - Public Protest” *Scoop* (20/2/08)

“Oxfam NZ: Calls for Govt stand strong on cluster bomb ban” *Scoop* (18/02/08)

“CMC: Global Push To Ban Cluster Bombs At Crossroads” *Scoop* (18/02/08)

Kevin List, “Cluster Bomb Victims Stage Wellington Protest” *Scoop* 20/02/08

“CMC: Kiwis Show Support for Treaty to Ban Cluster Bombs” *Scoop* 20/02/08

“Scoop Video: “Why cluster bombs should be banned” *Scoop* 22/2/08

“CMC: Historic step forward for cluster bomb ban” *Scoop* 22/2/08

“CMC: Video Reports From Cluster Bomb Conference Day 1-3” *Scoop* 22/2/08

“HI: Historic treaty to ban cluster bombs moves forward” *Scoop* (24/2/08)

“National Council of Women: Wellington Success on Cluster Munitions Treaty” *Scoop*

Global Media

International Wires/News Agencies

- “End of the road for cluster bombs?” *Reuters AlertNet* (15/02/08)
- “Cluster bomb treaty talks open in New Zealand” *AFP* (17/02/08)
- “Rights group demands UN investigation into Israel use of cluster bombs in Lebanon” *AP* (17/02/08)
- “Israel's Use of Cluster Bombs Shows Need for Global Ban” *Reuters AlertNet* (17/02/08)
- “Israeli cluster bombs illegal, HRW says” *United Press International* (17/02/08)
- “Rights group demands UN investigation into Israel use of cluster bombs in Lebanon” *International Herald Tribune* (17/02/08)
- “Israel's 2006 bombing of southern Lebanon could spur cluster bomb ban” *IRIN* (18/02/08)
- “LEBANON: Israel's 2006 bombing of southern Lebanon could spur cluster bomb ban” *Reuters Alert Net* (18/02/08)
- “States must act now to prevent cruel toll of cluster munitions” *Reuters Alert Net* (18/02/08)
- “Cluster bomb talks open in New Zealand” *Al Jazeera* (18/02/08)
- “Conference seeks ban on cluster bombs” *UPI* (18/02/08)
- “Cluster-bomb ban gets international push in New Zealand” *DPA* (18/02/08)
- “Comienza en Nueva Zelanda conferencia sobre las bombas racimo” *Priensa Litana – Agencia Informativa Latinoamerica* (18/02/08)
- “Cluster Bomb Confab in New Zealand” *Islamic Republic News Agency* (18/02/08)
- “US Accused of Stalling Weapons Talks” *AP* (20/02/08)
- “VIDEO BLOG: Wellington negotiations on a ban on cluster bombs” *Reuters AlertNet* (20/02/08)
- “VIDEO BLOG: Global push for cluster bomb ban” *Reuters AlertNet* (20/02/08)
- “Interview with Maria Pia Devoto” *EFE* (20/02/08)
- “VIDEO BLOG: Day three of Wellington cluster bombs conference” *Reuters AlertNet* (21/02/08)
- “Bulk of states back cluster bomb ban, organisers say” *AFP* (21/02/08)
- “No Agreement Yet on Cluster Bomb Ban” *AP* (21/02/08)
- “New Zealand minister hails Wellington cluster bomb declaration” *Xinhua* (22/02/08)
- “Cluster bomb foes to discuss coalition” *UPI* 22/02/08)
- “Fracasan EE.UU. y aliados en frenar proyecto sobre bomba racimo” *Priensa Litana – Agencia*
- “Step towards ban on cluster bombs” *Deutsche Welle* (22/02/08)
- “LEBANON: Deminers find new cluster bomb sites without Israeli data” *IRIN* (22/02/08)
- “New Zealand conference backs draft cluster bomb ban treaty” *Saudi Press Agency* (22/02/08)
- “Watchdog: Israel's cluster bombs argue for ban” *JTA* (24/02/08)

“Philippines on course to join treaty banning cluster bombs” *Philippine Information Agency*
(28/02/08)

“The Mine Ban Treaty: Showing the Way Forward in Efforts to Ban Cluster Munitions” *Reuters AlertNet* (01/03/08)

International Broadcast Media

“Delegates at Cluster Bomb Conference Hope for Decisive Action” *Voice of America*
(18/02/08)

“New Zealand hosting cluster bomb confab” *Press TV – Tehran, Iran* (18/02/08)

“NZ hosts meeting on cluster bombs” *BBC News* (18/02/08)

“Cluster bombs continue to kill” *SBS World View Programme* 18/02/08

“Conference debates cluster bomb ban” *RTE* 18/02/08

Radio France Internationale: Interview with Marion Libertucci 18/02/08

BR2, radio (Germany) 18/02/08

Deutsche Welle radio 18/02/08

“Cluster bomb ban targeted at NZ talks” *SBS World News Australia* 19/02/08

“Australia 'obstructing' cluster bomb ban” *SBS World News Australia* 19/02/08

“Interview with Muhammad Raza Shah” *BBC World Service Radio* (Urdu Service) 19/02/08

“Interview with Ahmed Najem and Ayman Sorour” *BBC World Service Radio* (Arabic) 19/02/08

“Interview with Eva Maria Fischer” *Domradio Köln* 19/02/08

“Interview with Thomas Nash” *Radio Netherlands* 20/02/08

“Interview with Nadira Mallik” *BBC World Service Radio* (Bengali Service) 20/02/08

“Interview with Serena Ogliati, CMC” *SBS Italian Program* 21/02/08

“Interview with Simon Conway and Soraj Habib” *BBC World Today* 21/02/08

“Interview with Eva Maria Fischer” *SWR Cont.ra radio* (Germany) 21/02/08

“Países pedem o fim das bombas de fragmentação” *GloboNews (Brazil)* 22/02/08

“Aust signs anti-cluster bomb declaration” *ABC (Australia)* (22/02/08)

“New Zealand Meeting Produces Draft Treaty Banning Cluster Bombs” *Voice of America*
(22/02/08)

“Interview with Cristian Wittman” *BBC World Service Radio (Portuguese)* 22/02/08

“Interview with Cristian Wittman” *BBC World Service Radio (Spanish)* 22/02/08

“Interview with Simon Conway” *NHK World Radio* 22/02/08

“Interviews with François De Keersmaecker” *Deutsche Welle Radio* (English and German)
Channels 22/02/08

Interview with Dr. Nasser Aboulteif (Head of Vision Association for Development, Rehabilitation
& Care, Lebanon) *Arabia TV* 23/02/08

“82 countries back cluster bomb ban” *Press TV* 23/02/08

“Interview with Serena Ogliati, CMC” *SBS Italian Program* 25/02/08

“Pacific states join cluster bombs condemnation” *Radio Australia* 25/02/08

Country Print/Online Media

There were articles in the following newspapers, as well as online incl. blogs:

Aachener Zeitung (Germany)	Middle East Reality Check
After Armageddon	Mindener Tageblatt (Germany)
Alalam News	Mitteldeutsche Zeitung Halle (Germany)
allAfrica.com	Morgenweb (Germany)
all-in.de (Germany)	Neue OZ online (Germany)
Arms Control Today (US)	Neue Westfälische Zeitung (Germany)
Augsburger Allgemeine (Germany)	Neues Deutschland (Germany)
Berliner Zeitung (Germany)	New Europe
Bilad ash-Sham	New Media (Internet)
Brisbane Times (Australia)	New York Times
British Medical Journal	nznewsuk.co.uk
Channel News Asia	Oldenburgische Volkszeitung (Germany)
Commondreams.org	OpEdNews.com
Concorde Times (Sierra Leone)	Osama's site
CRI (China)	Ostthüringer Zeitung (Germany)
Daily Times (Pakistan)	OVB Rosenheim (Germany)
Defense News (US)	Pacific Magazine
Die Harke (Germany)	People's Daily Online (China)
Die Welt online	Pforzheimer Zeitung (Germany)
Digg	PNP-online (Germany)
Esslinger Zeitung (Germany)	PrismWebcastNews
Fiji Times	RNZ-online (Germany)
Finanznachrichten.de (Germany)	Schweriner Volkszeitung (Germany)
Hamburger Abendblatt (Germany)	Scribbed
Hannoversche Allgemeine Online (Germany)	stimme.de (Germany)
Hellweger Anzeiger (Germany)	SZOn (Germany)
Herald Sun (Australia)	tagesspiegel (Germany)
HZ ON net (Germany)	Taipei Times
Impunity Watch	Taz (Germany)
International Herald Tribune	Tearsforlebanon (blog)
ISN Security Watch (Switzerland)	The age.com (Australia)
Kansas City infozine	The China Post
Koeln.de (Germany)	The Epoch Times
KU aktuell (Germany)	The Friend (UK)
Landeszeitung Lüneburger Heide (Germany)	The News (Pakistan)
Las Vegas Sun	Thecarpetbagreport
Lausitzer Rundschau online (Germany)	Thüringer Allgemeine (Germany)
Lebanon Daily Star	Trend News Agency (Azerbaijan)
Leipziger Volkszeitung (Germany)	Uetersener Nachrichten (Germany)
LenHolston.com	Volksstimme Magdeburg (Germany)
Mail and Guardian Online (UK)	Washington Post
Mainichi (Japan)	Westfälischer Anzeiger (Germany)
Malaysia Sun	WikiNews
Mathaba Net (Australia)	Windowintopalestine.blogspot.com
Media For Freedom	Wolfsburger Allgemeine (Germany)
Merkur online (Germany)	World Change Café
	Yalibnan (Lebanon)
	Youbanet.com

#

List of Government Participants

Provided by MFAT, <http://www.mfat.govt.nz/clustermunitionswellington/>

Wellington Conference on Cluster Munitions

List of Participants

This list only includes the names of those participants who have agreed to name disclosure and was current at the time of printing

Delegation Of:	Surname	Title	First Name	Organization
AFGHANISTAN	Jayhoon	Mr	Amanullah	The Embassy of Afghanistan in Canberra
ALBANIA	Dogjani	Mr	Veri	Albanian Mine Action Executive, AMAE
	Repishti	Mr	Saimir	Ministry of Foreign Affairs
ALGERIA	Baali	Ambassador	Abdallah	Ministry of Foreign Affairs
ANGOLA	Silva	Mrs	Balbina	Angola Mine Action Authority - CNIDAH
ARGENTINA	Marotta	Mr	Pedro	Embassy of the Argentine Republic
	Méndez	Mr	Gustavo	Embassy of the Argentine Republic
	Raiola	Ms	Silvia	Ministry of Foreign Affairs
AUSTRALIA	Cheung	Dr	Ada	Department of Foreign Affairs and Trade
	Hemmingway	Group Captain	Alan	Department of Defence
	Hitchings	Ms	Kathryn	Department of Defence
	Law	Mr	Archie	Austcare
	McCarthy	Mr	Adam	Department of Foreign Affairs and Trade
	Millar	Ambassador	Caroline	Australian Ambassador to the United Nations - Geneva
	Sowry	Brigadier	Bill	Department of Defence
	van der Toorn	Mr	Damien	Office of International Law, Attorney-General's Department
	Walker	Ms	Charmian	Department of Defence
	Zirnsak	Dr	Mark	Australian Network to Ban Landmines
AUSTRIA	Kratochvil	Ms	Cornelia	Permanent Mission of Austria in Geneva
	Marschik	Ambassador	Alexander	Ministry for European and International Affairs of Austria
	Petritsch	Ambassador	Wolfgang	Permanent Mission of Austria in Geneva
	Reiterer	Mr	Markus	Austrian Permanent Mission to the UN in Geneva
BAHRAIN	Al-Shakar	HE Mr	Karim	Ministry of Foreign Affairs, Kingdom of Bahrain
BANGLADESH	Bin Momen	Mr	Masud	Ministry of Foreign Affairs
BELGIUM	Bauwens	HE Ambassador	Werner	Ministry of Foreign Affairs
	Briot	Mr	Baudouin	Département de la Défense
	Van Gucht	Mr	Alain	Permanent Representation of Belgium to the UN
BELIZE	Shepherd	Major	Raymond	Ministry of Defence
BENIN	Moutaïrou	Monsieur	Fadilou	Permanent Mission of Benin Republic in Geneva
	Mekic	Mr	Dragisa	Ministry of Foreign Trade and Economic Relations
BOTSWANA				

Selepeng

High

Molosiwa

Botswana High Commission

Commissione

		r		
	Mokoto	Mr	Karabo	Botswana High Commission
BRAZIL	Dias	Mr	Fabio	Ministry of External Relations - Brazil
	Gomes-Pereira	Ambassador	Manoel	Embassy of Brazil
BRUNEI DARUSSALAM	Othman	His Excellency	Mohd Sahrip	High Commission of Brunei Darussalam, Canberra
CAMBODIA	Sarith	Mr	Nhem	
	Sotha	Mr	Sam	CMAA
CANADA	Lapointe	LCol	Jean	Department of National Defence
	MacBride	Mr	John	DFAIT Canada
	Millington	Ms	Suneeta	Department of Foreign Affairs & International Trade Canada
	Penny	Major	Christopher	Canadian Forces, Office of the Judge Advocate General
	Turcotte	Mr	Earl	Department of Foreign Affairs and International Trade Canada
CHILE	Eguiguren	Mr	Juan	Ministry of Foreign Affairs
	Illanes Poulangeon	Mr	Juan Felipe	Ministry of Defence
	Lillo	Ambassador	Luis	Embassy of Chile in New Zealand
	Valenzuela	Mr	Jorge	Embassy of Chile in New Zealand
COOK ISLANDS	Kamana		Sonya	Cook Islands High Commission
	Tapaitau	Mr	Tepure	Cook Islands High Commission
COSTA RICA	Garbanzo Blanco	Mr	Carlos	Ministry of Foreign Affairs Costa Rica
CROATIA	Plestina	Dr	Dijana	Ministry of Foreign Affairs and European Integration
CYPRUS	Kritiotis	Mr	Filippos	Cyprus High Commission
CZECH REPUBLIC	Klotka	Mr	Rostislav	Ministry of Defence
	Svoboda	Mr	Jiri	
	Vyskocilova	Ms	Pavla	Ministry of Defence
DEMOCRATIC REPUBLIC OF CONGO	Aberi Moska	Mr	Francois	Ministere de l'Interieur
DENMARK	Wigotski	Mr	Bent	Ministry of Foreign Affairs
DOMINICAN REPUBLIC	Almonte	Lt Col	Faustino Rodriguez	Ministry of Defence
ECUADOR	Nieto	Miss	Marisol	Ministry of Foreign Affairs, Trade and Integration
	Vivar	Mrs	Maria del Carmen	Permanent Mission of Ecuador to the UN
EGYPT	Badwy	Mr	Wael	
	Hassan		Mohamed	
ESTONIA	Loorpärg	Mr	Tonu	Consulate of the Republic of Estonia
FIJI	Mara	Mr	Solo	Ministry of Foreign Affairs
FINLAND	Hasila	Mr	Esko	Finnish Defence Forces
	Hatzidakis	Ms	Sandra	Ministry for Foreign Affairs
	Holopainen	Ms	Outi	Ministry for Foreign Affairs
	Olin	Mr	Pentti	Ministry of Defence

REPUBLIC OF MACEDONIA	Sibínovski	Mr	Majkl	Counselor at the Ministry of Foreign Affairs
FRANCE	Camelin	Commander	Denis	Ministry of Defence
	Dobelle	Mr	Jean-François	Permanent Representative of France
	Le Roux	Mr	Jean-Christophe	French Mission to the CD Geneva
	Tang	Mrs	Minh-di	French Ministry of Foreign Affairs
GERMANY	Anton	Mr	Christoph	German Embassy Wellington
	Ducoffre	Mr	Burkhard	German Federal Foreign Office
	Frisch	Mr	Thomas	German Ministry of Defence
	Haupt	Mr	Heinrich	Federal Foreign Office
	Heidemann	Mr	Werner Karl Emil	Federal Ministry of Defence
	von Wittke	Mr	Albrecht	Permanent Representation of Germany to the Conference on Disarmament, Geneva
GHANA	Aboraah	Mr	Dominic	Ghana Permanent Mission
	Ampratwum	Mrs	Florence Elizabeth Naana	Ministry of the Interior, Ghana
	Applerh	Mr	Jones Borteye	Ministry of the Interior, Ghana
	Baah-Duodu	HE Ambassador	Kwabena	Ghana Permanent Mission
	Boahen	Hon Minister	Nana Obiri	Ministry of Interior
GUATEMALA	Bolaños	Ms	Monica	Permanent Mission of Guatemala to the UN
HOLY SEE	Abi Ghanem		Antoine	Holy See Mission - Geneva
	Balvo	Archbishop	Charles	Apostolic Nuntio - New Zealand
	Burns	Fr	Gerard	Roman Catholic Church- Wellington
HONDURAS	Reyes Argueta	Col	Jose Santos	Secretario de Defensa Honduras, CA
HUNGARY	Csaba	Mr	Gabor	Embassy of Hungary, Canberra
INDONESIA	Hassan	HE	Amris	Indonesian Embassy
	Hermono	Mr		Indonesian Embassy
	Pamungkas	Mr	Yogo	Indonesian Embassy
	Rachmianto	Mr	Andy	Department of Foreign Affairs
	Rilmania	Mr	Yonatri	Permanent Mission of Indonesia to the UN, Geneva
	Ruddyard	Mr	Febrian	Indonesian Mission to the UN New York
	Tullian	Mr	Robby Lambertus	Directorate General Defence Strength
IRELAND	Burke	Lt Col	Jim	Defence Forces Ireland
	Cole	Mr	Damien	Department of Foreign Affairs
	Kelly	Ms	Alison	Department of Foreign Affairs
	O'Ceallaigh	Mr	Daithi	Permanent Mission of Ireland to the UN
	O'Shea	Mr	James	Permanent Mission of Ireland to the UN
	Smyth	Mr	Declan	Department of Foreign Affairs
	Twist	Mr	Nicholas	Department of Foreign Affairs Ireland
ITALY	Amadei	Mr	Mario	MOD
	Carnelos	Mr	Massimo	Embassy of Italy
	De Angelis	Ms	Valeria	Embassy of Italy
	Romussi	Mr	Andrea	Mission of Italy
	Trizzino	HE	Gioacchino	Embassy of Italy

JAMAICA	Williams	Mr	Deon	Permanent Mission of Jamaica to the UN
JAPAN	Fujiwara	Mrs	Yumiko	Embassy of Japan
	Hirano	Mr	Ryuichi	Ministry of Foreign Affairs
	Kajita	Mr	Takuma	Ministry of Foreign Affairs
	Makino	Ms	Michiko	Ministry of Foreign Affairs
	Matsuo	Mr	Tomohiko	Ministry of Defence
	Nishida	Mr	Takashi	Embassy of Japan
KENYA	Kimani	Ms	Jean	Permanent Mission of Kenya - Geneva
KUWAIT				Permanent Mission of the State of Kuwait to the UN, NY
	Al-Hayen	Mr	Naser	
KYRGYZSTAN	Omuraliev	Mr	Ulan	Ministry of Foreign Affairs
LAO PDR	Saignavongs	HE Ambassador	Maligna	National Regulatory Authority Lao PDR
	Thammavong	Mr	Khonepheng	Ministry of Foreign Affairs
LEBANON	Riachi Assaker	Ambassador	Najla	Permanent Mission of Lebanon in Geneva
	Arafa	Mr	Ahmad	Permanent Mission of Lebanon in Geneva
	Hassan	General	Ghanem	Ministry of Defence
LESOTHO	Mathatjane	Mr	Thabang	Lesotho Defence Force
	Mosala	Ms	Lineo	Ministry of Foreign Affairs
LITHUANIA				Permanent Mission of Lithuania to the UN and other International Organisations
	Borisovas	Mr	Edvardas	
	Ziugzda	Mr	Donatas	Ministry of Foreign Affairs of the Republic of Lithuania
LUXEMBOURG	Muller	Mr	Stephan	Ministry for Foreign Affairs
MADAGASCAR	Ratefiniaina	Mr	Sylvain	Ministry of National Defence
MALAWI	Kuwali	Major	Daniel	Malawi Defence Force/Ministry of Defence
MALAYSIA				Permanent Mission of Malaysia to the United Nations Office in Geneva
	Azril	Mr	Abdul Aziz	
	Jamaluddin		Mohd Zahari	Ministry of Defence
	Md Nurdin	Ms	Noor Ruwena	Attorney General's Chambers
	Razak	Mr	Johan	Ministry of Foreign Affairs
	Tharman	Mr	Bala Chandran	Ministry of Foreign Affairs
MALI			Boubacar Gouro	
	Diall	Ambassador		Ministry of Foreign Affairs
MALTA	Sultana	Mr	Charles	Malta High Commission
MARSHALL ISLANDS	Kaminaga	Mr	Mack	RMI Embassy in Fiji
MAURITANIA	ould Abdallahi	Mr	Cheikh	
MEXICO	Macedo	Ambassador	Pablo	Ministry of Foreign Affairs
	Garcia Guiza	Ms	Claudia	Permanent Mission of Mexico in Geneva
MOLDOVA	Moraru	Mr	Victor	Permanent Mission of the Republic of Moldova to the UN Office in Geneva
MONTENEGRO	Rakocevic	Mr	Predrag	MoD MNE
MOROCCO				Permanent Mission of the Kingdom of Morocco
	Laassel	Mr	Abderrazzak	
MOZAMBIQUE	Justino	Ms	Judite	Ministry of Foreign Affairs And Co-operation
	Manhique	Mr	Numídio	Ministry of Foreign Affairs And Co-operation
	Martins	Mr	António	Ministry of Foreign Affairs and Cooperation

	Zimba	Mr	Elias Jaime	Permanent Mission of Mozambique to the UN in Geneva
NAURU	Kephas	Mr	Jaren	Nauru High Commission
NEPAL	Paudyal	Mr	Bharat Raj	Permanent Mission of Nepal to the UN
	Sharma	Mr	Shyam Sunder	Government Of Nepal Ministry Of Peace and ReConstruction
NETHERLANDS	Bouter	Counsellor	Leonardus	Ministry of Foreign Affairs and Trade
	Goense		Jack	Ministry of Defence
	Swarttouw	Mr	Henk	Ministry of Foreign Affairs
	Ter Braack	HE	Rasha	Netherlands Embassy
	van Woudenberg	Mr	Aernout	Ministry of Foreign Affairs
	Verberne	Mr	Otto	Ministry of Defence
	Wormgoor	Mr	Wouter	Ministry of Foreign Affairs
NEW ZEALAND	Babington		Tiffany	NZAID
	Coster	Miss	Jane	NZAID
	Darlow	Ms	Charlotte	Permanent Mission of New Zealand
	Dempster	Ms	Jillian	Ministry of Foreign Affairs and Trade
	Ellis	Miss	Vernice	Ministry of Foreign Affairs and Trade
	Forsyth		Caroline	Ministry of Foreign Affairs and Trade
	Higgie	Ambassador	Dell	Ministry of Foreign Affairs and Trade
	Hill	Ms	Kate	New Zealand Defence Force
	Liufalani	Miss	Raylene	International Security and Disarmament Division, Ministry of Foreign Affairs
	Loughlin	Ms	Suzanne	NZAID
	MacKay	HE Mr	Donald	Permanent Mission of New Zealand
	Newell	Mr	Kevin	RNZAF
	Reilly	Ms	Emma	Ministry of Foreign Affairs and Trade
	Riordan	Brigadier	Kevin	New Zealand Defence Force
	Smithyman	Ms	Alexandra	Ministry of Foreign Affairs and Trade
	Stewart	Ms	Andrea	NZAID
	Stott	Mr	Andrew Neil	NZDF (Army)
	Taylor	Lt Col	Steve	New Zealand Defence Force
	Whitham	Mr	Eamonn	Ministry of Defence
	Wierzbicki	Mr	Andrew	Ministry of Defence
	Wong	Mr	Stephen	Ministry of Foreign Affairs and Trade
	Woodham	Miss	Angila	Ministry of Foreign Affairs and Trade
NIGERIA	Awanen	Mr	Angbara	Permanent Mission of Nigeria to the UN
	Ogbonna	Mr	Edward	Nigeria High Commission
			Peter Stephen	
	Shenwun	Mr	Stephen	Nigeria High Commission
NIUE	Talagi	Mrs	Sisilia	Niue High Commission
NORWAY	Abelsen	Ms	Annette	Norwegian Ministry of Foreign Affairs
	Arntsen	Mr	Torfinn	Norwegian Ministry of Foreign Affairs
	Bjørseth	Mrs	Annette	Norwegian Ministry of Defence
	Dullum	Mr	Ove	FFI
	Kongstad	Ambassador	Steffen	Norwegian Ministry of Foreign Affairs
	Lauglo	Colonel	Stein Erik	Norwegian MoD/Armed Forces
	Nystuen	Dr	Gro	Ministry for Foreign Affairs/University of Oslo

	Ruge	Mr	Christian	Retina
	Vatne	Ms	Ingunn	Permanent Mission of Norway to the UN, Geneva
OMAN	Al Siyabi	Mr	Talal	Ministry of Foreign Affairs - Sultanate of Oman
	Al-Shukaili	Lt Col	Mohammed	Ministry of Defence - Sultanate of Oman
PALAU	Ngirutang	Mr	Jon-Marvin	Ministry of State
PAPUA NEW GUINEA	Tumbu	Mr	Andrew	PNG High Commission
PARAGUAY	Matsuo de Claverol	Mrs	Terumi	Ministry of Foreign Affairs
PERU	Zapata	Mr	Carlos	Embassy of Peru in New Zealand
	Ballon de Amezaga	Ms	Liliam	Ministry of Foreign Affairs
PHILIPPINES	Garcia	Honorable	Evan	Department of Foreign Affairs
	Punsalang	Mr	Marcos	Philippine Embassy, New Zealand
	Rivera	Ms	Sharon	Department of Foreign Affairs
	Umingli	Ms	Domifel	Department of Foreign Affairs
PORTUGAL	Manso Preto	Mr	Joao	Embassy of Portugal - Australia
QATAR	Al - Bader	Mr	Hamad	Qatar Armed Forces
	Al-Kuwari	Mr	Jamal	Qatar Armed Forces
SAMOA	Fuata'i	Ms	Onosefulu	Samoa High Commission
	Sila		Faalavaau Perina	Ministry of Foreign Affairs and Trade
SAUDIA ARABIA	Aldawood	Mr	Khaled	Kingdom of Saudi Arabia
	Alghamdi	Mr	Ali	Kingdom of Saudi Arabia
SENEGAL	Niang	Mr	Maissa	Ministère des Forces Armées
	Dial	Mrs	Seynabou	Permanent Mission of Senegal to UN in Geneva
SIERRA LEONE	Lymon	Brigadier RTD	Modibo Leslie	Government of Sierra Leone
	Sahr Emmanuel	Mr	Johnny	Ministry of Foreign Affairs and International Cooperation
	Sorie	Honourable	Ibrahim	Government of Sierra Leone
	Mistrik	Mr	Karol	MFA
SLOVENIA	Reyes Ortega	Mr	Tomas	Council of the European Union
	Strazisar	Mr	Robert	Ministry of Foreign Affairs of the Republic of Slovenia
SOUTH AFRICA	Mabhongo	Mr	Xolisa	Department of Foreign Affairs (RSA)
SPAIN	Gomez	HE Mr	Marcos	Embassy of Spain
	Jenaro	Mr	Roberto	DGAM (Ministry of Defence)
	Pérez de Ágreda	Mr	Emilio	Embassy of Spain
	Sanchez de Lerin	Mr	Ignacio	Ministry for Foreign Affairs and Cooperation
SUDAN	Hassan	Mr	Awad Mohamed	Ministry of Foreign Affairs
	Antonius	Major	Johnny	Ministry of Defence
SWEDEN	Carelius	Mr	Olof	Swedish Armed Forces
	Hedberg	Mr	Bosse	Ministry for Foreign Affairs

SWITZERLAND	Bavaud	Mr	Serge	Federal Department of Defence, Civil Protection and Sports
	Heimgartner	Mr	Thomas	Federal Department of Foreign Affairs of Switzerland
	Nobs	Ambassador	Beat	Federal Department of Foreign Affairs of Switzerland
	Veillard	Mr	Reynald	Federal Department of Foreign Affairs
TAJIKISTAN	Rajabov	Mr	Jonmahamad	Tajikistan Mine Action Center
	Turaeva	Ms	Mavluda	MFA
THAILAND	Chayabongse	Mr	Chakaran	Ministry of Foreign Affairs
	Chulamokha	Air Marshal	Apisit	Royal Thai Air Force
	Hongtong	Ms	Pattarat	Ministry of Foreign Affairs of Thailand
	Kaewpanya	Miss	Mattanee	Ministry of Foreign Affairs
	Phatoomros	Ms	Cataleya	Permanent Mission of Thailand to the UN Office in Geneva
TIMOR - LESTE	Belo	Mr	Damaso Maria Sarmiento	
TOGO	Samiey	Mr	Alou Simdokina	Ministère de La Defence et des Anciens Combattants
TONGA	Limuloa	Ms	Finau Heuifanga	Ministry of Foreign Affairs
TRINIDAD AND TOBAGA	Weekes	Mr	Kester	
TURKEY	Kerimođlu	Mr	Melih Bora	Ministry of Foreign Affairs
	Senses	LtCol	Mustafa H	Ministry of Foreign Affairs
	Sevim	Mr	enol	Ministry of Foreign Affairs
	Songur	Mrs	Nergis	Turkish Land Forces Command
	Yilmaz	Mr	Esat Mahmut	Turkish General Staff
UGANDA	Wakarich	Mr	Richard	Office of the Prime Minister (Uganda Mine Action Centre)
UKRAINE	Dzhydzhora	Mr	Mykola	Embassy of Ukraine in Australia
UNITED KINGDOM	Bond	Group Captain	Graham	British High Commission
	Cherrett	Dr	Mike	British High Commission
	Duncan	Mr	John	FCO - UK Disarmament Delegation, Geneva
	Feasey	Ms	Sue	British High Commission
	Fergusson	Mr	George	British High Commission
	Kinsella	Mr	Jonathan	British High Commission
	Leonard	Wing Commander	Ian	UK Ministry of Defence
	Pollard	Mr	Guy	FCO - UK Disarmament Delegation, Geneva
	Steele	Miss	Fiona	Department for International Development
	Tissot	Mr	Philip	Foreign & Commonwealth Office
	Wathen	Mr	Julian	Ministry of Defence
URUGUAY	Garcia	Ms	Maria Fernanda	Ministry of Foreign Affairs
VANUATU	Samuel	Mr	Lawson Jack	Department of Foreign Affairs
VIET NAM	Bich Ngoc	Ms	Tran	Ministry for Foreign Affairs
	Pham	Ms	Thi Kim Anh	Department of Int'l Organisations, Ministry of Foreign Affairs of Vietnam

ZAMBIA	Kulima	Brig Gen	Bob	Permanent Mission of Zambia to the United Nations
	Mubukwanu	Mr	Silumelume	Zambia Mine Action Centre
	Mweemba	Ms	Sheila	Zambia Mine Action Centre

List of Civil Society Participants

Available: <http://www.stopclusterbombs.org.nz/2008/01/10/wellington-list-of-participants/>



Global Participants

- *International* - Cluster Munition Coalition (Mr. Thomas Nash, Ms. Samantha Bolton, Ms. Laura Cheeseman, Ms. Natalie Curtis, Ms. Susan Helsen, Ms. Serena Olgiati), International Campaign to Ban Landmines (Ms. Sylvie Brigot, Ms. Margaret Arach Orech, Ms. Kasia Derlicka, Ms. Tamar Gabelnick, Ms. Susan Walker)
- *Afghanistan* - Handicap International (Mr. Suliman Safdar & Mr. Soraj Ghulam Habib)
- *Argentina* - Asociacion para Politicas Publicas (Ms. Maria Pia Devoto)
- *Australia* – AustCare (Mr. Archie Law & Mr. James Turton), Australian Network - International Campaign to Ban Landmines (Mr. Mark Zirnsak & Ms. Kerry Clarke), CMC Australia (Ms. Mette Eliseussen & Mr. John Rodsted)
- *Austria* - Austrian Aid for Mine Victims (Ms. Judith Majlath)
- *Bangladesh* - Latifa Gono Shohay Angon (Ms. Nadira Mallik)
- *Belgium* - Handicap International (Mr. Stan Brabant, Ms. Stéphanie Castanie, Ms. Patrizia Pompili)
- *Brasil* - Brazilian Campaign Against Landmines (Mr. Cristian Wittmann)
- *Cambodia* - Jesuit Service/Cambodia Campaign to Ban Landmines (Mr. Nhar Ny & Sr. Denise Coghlan)

- *Canada* - Mines Action Canada (Mr. Paul Hannon, Ms. Jacqueline Hansen, Ms. Maureen Hollingworth)
- *Chile* - Instituto de Ecologia Politica (Ms. Pamela Velasquez)
- *Denmark* – DanChurchAid (Mr. Sam Christensen & Ms. Eva Veble)
- *DR Congo* - Campaign Congolaise pour interdire les mines (Mr. Par-Dieu Mayenikini)
- *Egypt* - Protection (Mr. Ayman Sorour)
- *Fiji* - Pacific Concerns Resource Centre (Ms. Ema Tagicakibau)
- *France* - Handicap International (Ms. Marion Libertucci, Ms. Wanda Berenice Munoz Jaie, Mr. Rae McGrath)
- *Ghana* - Foundation for Security and Development in Africa (Ms. Theodora Williams)
- *Guatemala* - Ms. Maria Eugenia Villarreal
- *India* - Control Arms Foundation of India (Ms. Binalakshmi Nepram Mentschel), Indian Institute for Peace, Disarmament & Environmental Protection (Dr. Balkrishna Kurvey)
- *Iraq* - Handicap International (Mr. Ahmed Najem)
- *Japan* - Japan Campaign to Ban Landmines (Ms. Motoko Mekata), International Coalition to Ban Uranium Weapons (Ms. Katsumi Furitsu)
- *Netherlands* - Pax Christi - IKV NL (Ms. Miriam Struyk)
- *Norway* - Norwegian People's Aid (Ms. Grethe Østern)
- *Pakistan* - Sustainable Peace and Development Organization: Mr. Muhammad Raza Shah
- *Papua New Guinea* - Oxfam International (Ms. Eileen Kolma)
- *Peru* - CMC Peru (Ms. Gisela Lujan)
- *Philippines* - Philippine Campaign to Ban Landmines (Mr. Soliman Santos)
- *Poland* - Polish Red Cross (Ms. Lidia Szafaryn)
- *Russia* - International Physicians for the Prevention of Nuclear War (Mr. Roman Dolgov)
- *Serbia* - Mr. Branislav Kapetanovic, Handicap International (Mr. Uroš Davidović, Mr. Dejan Dikić, Ms. Dušica Vučković, Mr. Sladan Vučković, Ms. Svetlana Bogdanović), Norwegian Peoples Aid (Ms. Jelena Vićentić)
- *Sri Lanka* - Sri Lanka Campaign to Ban Landmines: Mr. Saliya Edirisinghe
- *Switzerland* - Handicap International (Mr. Paul Vermeulen), Women's International League for Peace and Freedom (Ms. Katherine Harrison)
- *Tajikistan* - Handicap International (Mr. Umarbek Pulodov)

- *Thailand* - Nonviolence International SE Asia (Mr. Fred Lubang), Thailand Campaign to Ban Landmines (Ms. Emilie Ketudat)
- *Tonga* - Tonga Disable People Organization/Naunau oe 'Alamaite Tonga Association (Mr. Vai'uli Kohinoa)
- *United Kingdom* - Colin King & Associates (Mr. Colin King), Diana, Princess of Wales Memorial Fund (Ms. Samantha Rennie), Landmine Action (Mr. Simon Conway, Ms. Kate Moore MBE, Mr. Richard Moyes, Ms. Portia Stratton), No More Landmines (Ms. Becky Maynard), Oxfam Great Britain (Ms. Anna MacDonald), University of Exeter (Dr. Brian Rappert)
- *United States of America* - Human Rights Watch (Mr. Steve Goose, Ms. Bonnie Docherty, Ms. Rachel Good, Mr. Mark Hiznay, Ms. Alison Kamhi), Landmine Survivors Network (Mr. Ken Rutherford & Ms. Tracey Begley), Nobel Women's Initiative (Ms. Jody Williams)
- *Vanuatu* - Disability Promotion & Advocacy Association (Ms. Andonia Piau-Lynch)
- *Vietnam* - Norwegian Peoples Aid (Mr. Lee Moroney), Vietnam Veterans Memorial Fund (Mr. Quang Tran)
- *Zambia* - International Physicians for the Prevention of Nuclear War (Mr. Robert Mtonga)

Domestic Participants

- *Amnesty International Aotearoa NZ* Ms. Margaret Taylor, Ms. Asha Anderson, Ms. Suzanne Burgess, Ms. Jean Chapman, Ms. Kate Mulcahy, Ms. Sarah Watson, Ms. Joanne Looyen)
- *Campaign Against Landmines* (Ms. Deborah Morris-Travers)
- *Christian World Service* (Mr. Rob Ritchie)
- *Development Resource Centre* (Ms. Alice Beban, Ms. Tessa Johnstone, Ms. Elena Wrelton)
- *Engineers for Social Responsibility NZ* (Dr. Lawrence Carter)
- *International Physicians for the Prevention of Nuclear War NZ* (Dr. Lynsie Kerr)
- *National Consultative Committee on Disarmament* (Prof. Roderic Alley, Mr. Murray Bartle)
- *National Council of Women of NZ* (Ms. Bridget Mayne, Dame Laurie Salas)
- *Oxfam New Zealand* (Mr. Barry Coates, Ms. Mary Wareham, Mr. Daniell Cowley, Ms. Jamila Homayun)
- *Parliamentarians for Nuclear Non-Proliferation and Disarmament* (Mr. Alyn Ware & Ms. Nermin Ali Abd El-Ghany El-Galy)
- *Pax Christi Aotearoa New Zealand* (Mr. Kevin McBride & Mr. Richard Archer)
- *Peace Foundation* (Mr. Lachlan Mackay)

- *Peace Movement Aotearoa* (Ms. Edwina Hughes)
- *United Nations Association of New Zealand* (Ms. Robin Halliday, Ms. Mary Gray, Ms. Christine Greenwood, Ms. Mary McGiven, Mr. John Morgan, Ms. Gordana Vukomanovic)
- *United Nations Youth Association of New Zealand* (Mr. Matt McGrath, Ms. Sarah Foster, Mr. David Macaskill, Mr. Mark Mulholland)
- *Women's International League for Peace and Freedom Aotearoa* (Ms. Joy Davies-Payne)
- *ANZCMC Volunteers* (Ms. Amna Al-habib, Mr. Shamim Homayun, Mr. John Howse, Ms. Aleyna Martinez, Ms. Fiona McAlister, Ms. Mava Moayyed, Ms. Anna Padarath, Ms. Jessica Phillips, Helen Prangle, Ms. Raechel Rees, Mr. Elliot Taylor, Mr. Ed Tonkin)
- *ANZCMC Friends* (Dr. David Capie, Dr. Treasa Dunworth, Dr. Mary Nash, Mr. Peter Harwood, Mr. John McCarty)



Biographies of Civil Society Participants

1) Principal Spokespeople, Cluster Munition Coalition

The global Cluster Munition Coalition is coordinated by Thomas Nash and has three co-chairs: Simon Conway (Landmine Action), Steve Goose (Human Rights Watch), and Grethe Østern (Norwegian People's Aid). Mary Wareham (Oxfam NZ) coordinates the Aotearoa New Zealand Cluster Munition Coalition.

Mr. Simon Conway, Landmine Action (United Kingdom)



Since 2005, Simon Conway has served as director of the London-based Landmine Action, a British non-governmental research and advocacy organisation. He worked for British demining agency the HALO Trust between 1998 and 2004 managing field programmes in Abkhazia, Cambodia, Eritrea, Kosovo, and Sri Lanka. Conway is a former officer in a Scottish regiment of the British Army (the Queen's Own Highlanders). Landmine Action is a founding member of the Cluster Munition Coalition (CMC) and Conway serves on the CMC's leadership Steering Committee. Born 1967 in Sacramento (California), USA. Conway is joined in Wellington by Landmine Action's policy and research manager Mr. Richard Moyes, policy and research officer Ms. Portia Stratton, and board member Ms. Kate Moore, MBE.

Mr. Stephen D. Goose, Human Rights Watch (United States)



Steve Goose is executive director of the Arms Division of Human Rights Watch (HRW). One of civil society's most talented disarmament strategists, Goose has played critical roles in pushing forward the boundaries of international humanitarian law to secure the 1997 treaty banning antipersonnel mines, the 1995 protocol banning blinding laser weapons, and the 2003 protocol on explosive remnants of war. Goose is the intellectual architect behind the creation of the International Campaign to Ban Landmines' (ICBL) unprecedented civil society monitoring initiative serving as chief editor (1998-2004) of the annual 1,000-page Landmine Monitor report. Human Rights Watch is a founding member of both the ICBL and the Cluster Munition Coalition (CMC) and Goose serves on the leadership bodies of both the ICBL and CMC. Goose is frequently quoted in international and U.S. media and has testified before the U.S. Congress and foreign legislatures on many occasions. He has contributed to more than a dozen books and has written for several periodicals including the February 2008 edition of *Arms Control Today*. He is co-editor

of the book *Banning Landmines: Disarmament, Citizen Diplomacy, and Human Security* (forthcoming) together with Jody Williams and Mary Wareham. Born 1954 in Lexington (Kentucky), USA. Available: 16-24 February.

Goose is accompanied by two researchers from the Arms Division at Human Rights Watch: Ms. Bonnie Docherty and Mr. Mark Hiznay. Since authoring HRW's first full field-based 2002 report on cluster munitions use by the United States in Afghanistan, Bonnie Docherty has gone on to publish extensive field research on cluster munitions, the conduct of war and civilian casualties in Lebanon and Israel (2006), Gaza and Israel (2006), and Iraq (2003). She is also a lecturer and clinical instructor at Harvard Law School's Human Rights Program. Mark Hiznay has worked as a senior HRW researcher since January 2000, building an unparalleled expertise and knowledge base on all aspects of the landmines and cluster munitions. Hiznay previously served as an enlisted infantryman in the U.S. Army.

Mr. Thomas Nash, Global Cluster Munition Coalition



London-based Thomas Nash worked for Landmine Action UK since 2002. He has served as the coordinator of the international Cluster Munition Coalition (CMC) since its establishment in November 2003 and has a background in research and campaigning on cluster munitions and explosive remnants of war. Nash has written several reports and articles on cluster munitions including Landmine Action's Lebanon field investigation *Foreseeable Harm* (October 2006). Nash previously worked for the New Zealand Mission to the United Nations in Geneva and the Canadian Department of Foreign Affairs and International Trade in Ottawa.

Born 1979 in Palmerston North, New Zealand. Languages: French, Spanish. Nash is joined by CMC Campaign Officer Ms. Laura Cheeseman and CMC operations officer Ms. Serena Olgati.

Ms. Grethe Østern, Norwegian People's Aid



Grethe Østern is a cluster munitions policy advisor at Norwegian People's Aid (NPA), one of the largest humanitarian demining organizations in the world. She played a critical role in influencing Norway's decision to launch a process in February 2007 to negotiate a new treaty on cluster munitions. On behalf of NPA, Østern has authored several important publications into cluster munitions including the "Yellow Killers" case study on cluster munitions in Serbia and Montenegro and another study on the M-85 cluster munition dropped by Israel in the millions on

Lebanon in 2006. Norwegian People's Aid is a founding member of the Cluster Munition Coalition (CMC) and Østern serves on the CMC's leadership Steering Committee. Born 1970 in Horten, Norway. Languages: Norwegian. Available: 16-28 February.

Ms. Mary Wareham, Oxfam New Zealand

Mary Wareham is advocacy director of Oxfam New Zealand. Between 1998 and June 2006, she was senior advocate in the Washington, DC-based Arms Division of Human



Rights Watch, coordinating the highly acclaimed Landmine Monitor research initiative by the International Campaign to Ban Landmines (ICBL). In 1996 and 1997, Wareham worked for the Vietnam Veterans of America Foundation in Washington DC, helping to spearhead the movement that secured the international treaty prohibiting antipersonnel mines. In 2004, Wareham established a US-based non-profit organization, Next Step Productions, to produce a feature-length documentary film on landmines entitled *Disarm*. She is co-editor of the book *Banning Landmines: Disarmament, Citizen Diplomacy, and Human Security* (forthcoming) together with Jody Williams and Steve Goose. Born 1970 in Wellington, New Zealand. Wareham is responsible for Oxfam New Zealand's coordination of the Aotearoa New Zealand Cluster Munition Coalition and several Oxfam NZ staff are working on the Wellington Conference including advocacy coordinators Jamila Hodayun and Trien Steverlynck and communications coordinator Chloe Irvine.

2) Advance Outreach Team

Rodsted and Eliseussen carried out school visits and other public outreach in the week before the conference opened.

Mr. John Rodsted, Australia



Photographer John Rodsted has documented the humanitarian impacts of landmines, cluster munitions and other unexploded ordnance in some of the most war torn regions on earth. In 2006, he spent weeks in southern Lebanon documenting the civilian impact of impacts of cluster munition strikes by Israel. Rodsted's work has been widely exhibited in prestigious venues including the Royal Geographical Society (London), Smithsonian Institute (Washington, DC), Sydney Opera House, and the United Nations (Bangkok, Geneva, Nairobi, New York). As the official photographer of the International Campaign to Ban Landmines (ICBL), Rodsted documented the Ottawa Process leading to the 1997 Mine Ban Treaty and subsequent Nobel Peace Prize. Born 1961 in Melbourne, Australian.

Ms. Mette Sofie Eliseussen, Norway

Mette Sofie Eliseussen is a Norwegian campaigning for her government to establish a treaty in 2008 to ban cluster munitions. She has extensive experience working in development and conflict situations including Afghanistan where Eliseussen established Save the Children USA's Kabul office in 1995. She was responsible for the safety and security of the development agency's 60 staff when the city became the scene of major fighting between the Northern Alliance and Taliban forces. During this difficult time, she designed and implemented several landmine awareness projects for Kabul's youth including the establishment of 18 mine-free playgrounds throughout the city. Eliseussen also helped establish the Afghan Campaign to Ban Landmines to ensure that Afghan civil society had a strong voice in the global movement to establish the 1997 Mine Ban Treaty. As part of this campaign, she collected and delivered thousands of postcards from Afghan

children calling for a total ban on landmines. Eliseussen has worked for social service groups in her native Norway providing therapy, trainings and leading wilderness awareness programs. She is also a skilled journalist with experience working for Norwegian media and publishing houses. Born 1965 in Oslo, Norway. Languages: Farsi, German, Spanish, Norwegian.

3) Distinguished Guests

Several distinguished guests are expected at the Wellington Conference including a Nobel Peace laureate, an ICBL Ambassador, and a representative of the Diana, Princess of Wales Fund.

Ms. Jody Williams, Nobel Peace Laureate (United States)



In 1997, Jody Williams became the tenth woman in its almost 100-year history to receive the Nobel Peace Prize. She was honored for her role as the founding coordinator (1991-1998) of the International Campaign to Ban Landmines (ICBL), also a recipient of the 1997 Nobel Peace Prize. Williams oversaw the growth of the ICBL from two NGOs in 1991 to a global network comprised of 1,300 organizations in 95 countries working to eliminate antipersonnel landmines. Williams served as a chief strategist and spokesperson for the campaign in the crucial “Ottawa Process” period that saw an unprecedented cooperative effort by governments, UN bodies, and the International Committee of the Red Cross result in the achievement of the 1997 Mine Ban Treaty. Williams now serves as an ICBL ambassador, speaking out against landmines and cluster munitions.

In January 2006, Williams established the Nobel Women’s Initiative together with five of her sister Nobel Peace laureates Shirin Ebadi of Iran, Wangari Maathai of Kenya, Rigoberta Menchú Tum of Guatemala, and Betty Williams and Mairead Corrigan Maguire of Ireland. The Nobel Women’s Initiative is committed to working for a democratic world free of physical, economic, cultural, political, religious, sexual and environmental violence and the constant threat of these forms of violence against women – indeed against all of humanity. In early 2007, Williams led a High Level Mission on Darfur, authoring a hard-hitting report to the UN’s Human Rights Council calling for an end to the war in Darfur. She is an eloquent and inspirational speaker who has received fifteen honorary degrees. In 2004, Williams was named by *Forbes* magazine as one of the 100 most powerful women in the world. Born 1950 in Brattleboro, Vermont, United States. Languages: Spanish.

Ms. Margaret Arach Orech, ICBL Ambassador

Margaret Arach Orech is an ambassador for the International Campaign to Ban Landmines (ICBL). In December 1998, she survived an attack by the rebel movement Lord’s Resistance Army in northern Uganda when the bus she was traveling in hit an antivehicle mine. In the immediate aftermath of the attack, Orech was robbed and only just managed to crawl away from the bus before the fuel tank exploded. She had her leg

amputated as a result of the incident. Since 2000 has lobbied tirelessly for greater assistance to landmine survivors and persons with disabilities speaking in 15 countries in five continents at over 100 official events. Orech is directs the Uganda Landmine Survivors Association, is a commissioner for the Interfaith Action for Peace in Africa coalition, a board member of Uganda's National Council for Disability, and a partner in the Uganda Mine Action Center. A single mother with five children. Orech was born 1956 in Apach, Uganda.

Ms. Samantha Rennie, Diana, Princess of Wales Memorial Fund

Samantha Rennie is head of the Partnership Initiative of the Diana, Princess of Wales Memorial Fund. The Fund was set up in the aftermath of the Princess's death to carry on her humanitarian work to improve the lives of the most vulnerable people in the UK and around the world. Rennie is responsible for the Fund's strategies in key programme areas, including ERW and the current focus on cluster munitions. Previously, she was director of Handicap International UK. Rennie has a background in community and organisational development, and she has led a range of civil society partnership initiatives including Fair Share (from 1999), Countryside Communities (from 2001) and the Rural Community Development Commission (2004). Languages: French.

4) Survivors of Cluster Munitions

Mr. Branislav Kapetanovic, Serbia

Branislav Kapetanovic joined the Yugoslav Army when he was 27 years old and worked as a deminer. On 9 November 2000, he was accompanying a group of engineers at the



Dubinje airport in Sjenica in southwest Serbia when he found six or seven BLU 97 cluster submunitions hidden in the bush. A bomblet exploded as Kapetanovic was starting the clearance task causing him to lose all four limbs and receive extensive damage to his hearing and sight. Kapetanovic spent four years at the Military Academy Hospital in Belgrade undergoing more than 20 operations. He lives in an apartment in Novi Beograd and became involved in the Cluster Munition

Coalition in early 2006, participating in all meetings of the Oslo Process. Born 1965 in Serbia. Kapetanovic is accompanied by his interpreter Ms. Jelena Vicentic from Norwegian People's Aid in Belgrade, Serbia.

Handicap International Ban Advocates

In 2007, Handicap International created its Ban Advocates team of cluster munition survivors. Survivors from Afghanistan, Iraq, Serbia, and Tajikistan to the Wellington Conference. Ms. Patrizia Pompili coordinates Handicap International's Ban Advocates programme, which has a blog website: <http://blog.banadvocates.org/>

Mr. Soraj Ghulam Habib, Afghanistan



In 2002, after the United States aerial bombing campaign in Afghanistan, ten-year-old Soraj Ghulam Habib went for a picnic with his family at a public park near his home. On the way back he saw a yellow can that looked like it might contain food. When he tried to open it, the device exploded killing his cousin and injuring four other members of his family. The BLU-97 cluster submunition also destroyed both Habib's legs and his finger. Doctors at the local hospital first refused to treat Habib and advised he receive a lethal injection as he'd be "better off dead." Now aged 16 years, Habib attends school in Herat. Habib speaks only Dari and is accompanied by his interpreter Mr. Suliman Safdar, who works for the International Rescue Committee in Kabul.

Mr. Ahmed Najem, Iraq



In 1991, Ahmed Najem was walking around a village near in Basra in Iraq when he came across an unidentified object on the road that looked like a tin can. When he picked it up, a cluster submunition exploded in his hand. Doctors amputated his arm from above the elbow, but with the help of family and friends Najem was able to reintegrate in the socio-economic life of his community by opening his own restaurant. Married with five children, Najem works for the Iraqi Handicapped Society in Baghdad. Born 1959 in Baghdad, Iraq. Najem speaks Arabic only and will be accompanied by an interpreter.

Mr. Dejan Dikic, Serbia



During the 1999 NATO air campaign, Dejan Dikic experienced a cluster munition strike while at home with his 8-year-old son in Nis, Serbia. A cluster bomblet exploded approximately 50 meters away, injuring Dikic's knee and shrapnel from the explosion destroyed the facade of his house. Dikic is now a software engineer teaching business related technologies at a secondary school. Born 1966 in Nis, Serbia. Available 14-23 February. Dikic is accompanied by his interpreter Ms. Svetlana Bogdanovic from the Belgrade office of Norwegian People's Aid.



Mr. Slađan Vučković, Serbia

After graduating from secondary school in Bosnia and Herzegovina, Slađan Vučković joined the Yugoslav army, becoming a deminer. On 25 April 1999, he was injured by a BLU-97 cluster submunition while clearing the slopes of

Kopaonik National Park. This was the 107th bomblet he had cleared that day and it exploded as he approached it (most likely from vibration of his footsteps). Vučković lost both his arms, injured his leg and chest, and damaged his hearing. He is accompanied by his wife Dusica, who has helped him recuperate since the incident. They live together in Nis with their two children aged 9 and 5. Born 1966 in Former Yugoslavia.

Mr. Umarbek Pulodov, Tajikistan



When Umarbek Pulodov was six years old when he was injured in a cluster bomb strike during the 1991 Tajik civil war. His brother, an uncle, and another relative were killed in the strike which injured his sister and two brothers. Pulodov injured in his hand and he lost an eye in the bombing and spent the next year in hospital. After returning home, he found people in his village were collecting unexploded submunitions that remained near their houses and gardens and throwing them into the river so that children couldn't play with them. Pulodov is currently studying English in Dushanbe. Born 1986 in Shul village (Rasht), Tajikistan.

5) Cluster Munition Clearance Experts

Several global experts in the clearance of unexploded ordnance including landmines and cluster munitions are participating in the Wellington Conference.

Ms. Paula Claycomb, UNICEF

Paula Claycomb is a senior adviser on landmines and small arms in UNICEF's Child Protection Section. Claycomb joined UNICEF in 1989 and worked for five years in New York in the private sector fundraising area. In 1994, during the height of the genocide in Rwanda, Paula served with the Rwanda Emergency Office, in Nairobi, Kigali and Goma, Zaire. Paula then spent four years in Mozambique. This was followed by postings in Islamabad, Brasilia, Dushanbe, and Khartoum. Claycomb has a Master's degree in public health policy from New York University and a Bachelor's degree in political science from the University of Colorado. Prior to joining UNICEF, she worked for the US Fund for UNICEF and for Amnesty International USA.

Maj. John Flanagan (retd.), United Nations (New York)

John Flanagan has served as the deputy director of the United Nations Mine Action Service (UNMAS) since August 2003. He is responsible for the oversight of UN mine action programmes in countries including Afghanistan, Eritrea/Ethiopia, Lebanon, Nepal, and Sudan. From 1983-2003, Flanagan served with the New Zealand Army, primarily as an officer in the Royal New Zealand Engineers, where he was seconded to various UN mine action operations in Cambodia (1992-93), UN Headquarters (1997-99), and Kosovo (1999-2001) where he managed the clearance of mines and cluster munitions.



Mr. Colin King, United Kingdom

Colin King served 14 years in the British Army, mostly in bomb disposal, with operational service including the Falkland Islands, the Persian Gulf, and Bosnia and Herzegovina. He led the first British army team to train Afghan volunteers in mine clearance and bomb disposal and before becoming an instructor at the British bomb disposal school was second-in command of the army counter-terrorist search squadron. He worked as a foreign weapons intelligence analyst for the Ministry of Defence before commanding a squadron of Gurkhas in Hong Kong. King now runs a consultancy company that undertakes bomb disposal assessments and war zone training, most recently for the British and US governments in Iraq, Lebanon and Kosovo. As an editor for Jane's information group, King is responsible for writing a definitive reference yearbook on mine clearance and bomb disposal. Born 1962 in London, UK.

Mr. Rae McGrath, United Kingdom



Rae McGrath is the Handicap International network's international spokesperson on cluster munitions. McGrath has specialised in conflict, post-conflict, emergency humanitarian response, and civil society advocacy since leaving the British Army in 1985, where he spent nearly eighteen years as a military engineer. In 1988, McGrath established the first community-based humanitarian mine clearance programmes in Afghanistan and went on to establish British demining agency the Mines Advisory Group (MAG) and to co-found the Afghan NGO Mines Clearance Planning Agency. McGrath is the author of a number of key publications and reports on landmines and cluster munitions. A long-time campaigner against landmines, he provided the 1997 Nobel Peace Prize acceptance speech on behalf of the International Campaign to Ban Landmines (ICBL). He is a visiting lecturer at York University's Post Conflict & Rehabilitation Unit. From 2004 to 2006 he worked in Aceh on tsunami recovery and post-conflict projects and launched the first responses to the 2006 Yogyakarta earthquake in Java.

Dr. Mohammad Haider Reza, United Nations (Afghanistan)



Dr. Haider Reza directs the UN Mine Action Centre for Afghanistan, a position he assumed in July 2007. He was previously directly involved in mine action as Afghanistan's deputy minister of foreign affairs, when he chaired the government's Mine Action Consultative Group. Reza has also served as the president and secretary-general of the Afghan Red Crescent Society, as well as a delegate of the International Committee of the Red Cross in Iraq and the former Yugoslavia. Born 1950 in Kabul, Afghanistan. Reza is accompanied by Mr. Cris Stephens, programme officer for the UN Mine Action Service in Afghanistan since October 2001 and formerly of the New Zealand Army (1989-1997).

6) CMC Steering Committee Members

The Steering Committee is a voluntary committee of thirteen non-governmental organisations (NGOs) based in countries that use, produce and/or are affected by cluster munitions is responsible for coordination of the Cluster Munition Coalition. Austcare, DanChurchAid, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), IPPNW, Landmine Action UK, Landmine Resource Centre Lebanon, Landmine Survivor's Network, Mines Action Canada, Norwegian People's Aid, Pax Christi, and Protection (Egypt).

Mr. Archie Law, Australia

Archie Law is the deputy chief executive officer of Sydney-based development agency Austcare. He is a post-conflict specialist with extensive experience working for the United Nations including in Iraq (2002-2003), Mines Advisory Group in Cambodia (1998-2002), and World Vision Australia's Emergency Relief Unit (1995-1998). He is accompanied by Austcare's mine action officer James Turton and media officer Daniel Barty.

Mr. Sam Christensen, DanChurchAid (Denmark)

Sam Christensen is the head of Humanitarian and Mine Action Operation and Planning at DanChurchAid. Born in Hoersholm, Denmark. He is joined by Ms. Eva Veble, head of DCA's Mine Action Unit.

Mr. Stan Brabant, Handicap International Belgium

Stan Brabant heads the policy unit at Handicap International (HI) Belgium, where he has worked since 1994 including on mine clearance and mine risk education programs in countries including Afghanistan and Cambodia. Handicap International is a founding member of both the ICBL and the Cluster Munition Coalition (CMC) and Brabant serves on the leadership bodies of both CMC and ICBL including its Landmine Monitor Editorial Board. Brabant was instrumental in securing Belgium's domestic cluster munition ban through Belgium's House of Representatives in February 2006, the first legislation of its kind in the world. Brabant has overseen the publication of several important HI reports on the human impact of cluster munitions including "Fatal Footprint" (Nov. 2006) and "Circle of Impact" (May 2007). Languages: Dutch, French.

Ms. Sylvie Brigot, International Campaign to Ban Landmines



Sylvie Brigot is the executive director of the International Campaign to Ban Landmines (ICBL). She began working on antipersonnel mines in 1994 while studying political science at Sorbonne University in Paris. Brigot then worked for six years with the French NGO Handicap International, a founding member of the ICBL, helping gather French public, parliamentary, and government support for the landmine ban and coordinating the ICBL's European and Francophone work. In 2001, Brigot joined the ICBL as the government relations officer and went on to become advocacy director in 2005, and executive director in 2006. Born in Paris, France. Brigot is accompanied by the ICBL's Treaty Implementation Director Ms.

Tamar Gabelnick, Campaign Office Ms. Kasia Derlicka, and Humanitarian Affairs Adviser Ms. Susan B. Walker.

Mr. Roman Dolgov, IPPNW Russia



Roman Dolgov is the program coordinator for the Russian branch of International Physicians for the Prevention of Nuclear War (IPPNW), 1985 Nobel Peace Laureate. On behalf of IPPNW-Russia, Dolgov organized the first major conference on landmines in Russia in Moscow in May 1998 and has since been active in the International Campaign to Ban Landmines providing Landmine Monitor research updates for Russia and Central Asian countries. Languages: Russian.

Dr. Ken Rutherford, Landmine Survivors Network



Ken Rutherford is an associate political science professor at Missouri State University. On 16 December 1993, while working with the International Rescue Committee, Rutherford lost both his legs when his vehicle hit a landmine in southwestern Somalia. Since the incident Rutherford has promoted the landmine ban and raised awareness of the need of mine survivors establishing Landmine Survivors Network in 1997. Rutherford has testified before the U.S. Congress and published articles on the landmine issue in numerous academic and policy journals. Born California, USA. Rutherford is accompanied by Ms.

Tracey Begley, a campaign officer based in LSN's Washington DC office.

Mr. Paul Hannon, Mines Action Canada

Paul Hannon the executive director of Mines Action Canada (MAC), the Canadian wing of the International Campaign to Ban Landmines (ICBL). Mines Action Canada is a member of the ICBL and the Cluster Munition Coalition (CMC) and Hannon serves on the leadership bodies of both organizations. In 2005, Mines Action Canada took over lead responsibility for the ICBL's Landmine Monitor civil society verification initiative. Hannon has 15 years of collective experience in the Canadian development sector working for organisations including AlterNET Communications, the International Development Research Centre, and Oxfam Canada. In 2002, he was awarded the Queen's Golden Jubilee Medal. Born 1950 in Guelph (Ontario), Canada. Hannon is joined by MAC's Ms. Jackie Hansen, global coordinator of the ICBL's Landmine Monitor initiative.

Ms. Miriam Struyk, Pax Christi The Netherlands

Miriam Struyk is a policy advisor on human security and disarmament for IKV Pax Christi, a Dutch peace organization working in partnership with local NGOs in more than 25 conflict-affected countries including DR Congo, Iraq, and Sudan. Struyk has worked for IKV Pax Christi since 1996. She supported a Dutch documentary "[The Clusterbomb Feeling](#)" that revealed how Dutch pension funds were being invested in the production of antipersonnel mines and cluster munitions. Following a public outcry, the biggest pension funds changed their policies to divest from cluster munitions and landmine manufactures. Pax Christi The Netherlands was instrumental in helping to launch the



global Cluster Munitions Coalition in November 2003 and serves on the campaign's leadership steering committee, in addition to coordinating the domestic campaign against cluster munitions. Struyk previously worked in Bosnia and Herzegovina, Kosovo and the south Caucasus.

Mr. Ayman Sorour, Protection (Egypt)



Ayman Sorour is the founder and executive director of Protection Against Armaments and Consequences, the only non-governmental organization working directly on Egypt's sixty-year-old mine and unexploded ordnance problem. Sorour has been involved with the International Campaign to Ban Landmines (ICBL) since 1999, providing research on Egypt and other countries in the Middle East and North Africa for the ICBL's annual Landmine Monitor report. Protection is a founding member of the Cluster Munition Coalition (CMC) and Sorour represents Protection on the leadership bodies of both the ICBL and CMC. Born 1970 in Cairo, Egypt. Languages: Arabic, French.

7) Campaigners

Civil society representatives are coming to the Wellington Conference from Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Cambodia, Canada, Chile, DR Congo, Denmark, Egypt, Ethiopia, Fiji, France, Ghana, Guatemala, India, Ireland, Japan, Lebanon, The Netherlands, Nicaragua, Norway, Pakistan, Poland, Russia, Sierra Leone, Sri Lanka, Switzerland, Tajikistan, Thailand, Tonga, Uganda, United Kingdom, United States, Vanuatu, Vietnam, and Zambia.

Ms. Maria Pia Devoto, Argentina

Ms. Maria Pia Devoto is director of the Asociacion para politicas publicas (the Association of Public Policies), which works on human security, arms control, and community development. Devoto is promoting the Oslo Process with parliamentarians, government officers and civil society in Argentina and Uruguay. Born 1970 in Buenos Aires, Argentina. Languages: Spanish.

Mr. Mark Zirnsak, Australia

Mark Zirnsak is coordinator of the Australian Network to Ban Landmines. Born 1969 in Melbourne, Australia. Zirnsak is accompanied by Ms. Kerry Clarke, secretary of the Australian Network to Ban Landmines.

Ms. Judith Majlath, Austria

Judith Majlath directs NGO **Austrian Aid for Mine Victims** (AAMV) and is the Austrian representative for the ICBL and CMC. In December 2007, Majlath organized civil society support to the Vienna Conference on Cluster Munitions that 138 governments attended. AAMV/CMC Austria was instrumental in securing and strengthening Austria's strong national legislation banning cluster munitions. Born in Hungary, Majlath fled to Austria in 1956. Languages: German, Hungarian, and Italian.

Ms. Nadira Mallik, Bangladesh



Nadira Mallik has over 30 years of experience with various national and international NGOs working in Bangladesh. Her background is in human development, human rights and democracy, and NGO programming especially with respect to women's development. For the past five years, Mallik has worked on small arms issues as a member the International Action Network on Small Arms (IANSA) and IANSA's Women Network. Born 1954 in Dhaka, Bangladesh. Languages: Bangali, Hindi.

Mr. Cristian Wittmann, Brazil



Cristian Wittmann is an international environmental lawyer, who has coordinated the Brazilian Campaign Against Landmines (BCAL) work against cluster munitions since 2007. Since joining the campaign in 2004, Wittman has represented the organisation at international conferences in Geneva, Nairobi, Vienna and elsewhere. Born 1983 in Ijuí, Brasil. Languages: Portuguese, Spanish, French.

Mr. Ny Nhar, Cambodia

Ny Nhar works with the Jesuit Services in Phnom Penh, Cambodia. He researches landmine-related issues including for the ICBL's annual Landmine Monitor report. Ny began working with the Jesuit Services as a teacher at a vocational training school for people with disabilities and he is an advocate advocates for poverty alleviation, mine victim assistance and disability rights. Languages: Khmer. Born 1972 in Cambodia. Ny is joined by Jesuit Service Cambodia director Sister Denise Coghlan, an Australian nun who was instrumental in helping secure the 1997 Mine Ban Treaty.

Ms. Pamela Velasquez, Chile

Pamela Velasquez works for the Instituto de Ecologia Politica, an NGO that is the Chilean country contact point for the Cluster Munition Coalition. Born 1970 in Santiago, Chile. Languages: Spanish.

Mr. Par-Dieu Mayenikini, DR Congo

Par-Dieu Mayenikini coordinates the ICBL's Democratic Republic of the Congo campaign (Campagne Congolaise pour interdire les mines, CCIM) which is based out Congolese human rights NGO Agence de Diffusion du Droit Hummanitaire International. Born 1971 in Kinshasa, DR Congo. Languages: French.

Ms. Ema Tagicakibau, Fiji

Ema Tagicakibau is assistant director of Suva-based Pacific Concerns Resource Centre (PCRC), working on human security issues including small arms trade and nuclear disarmament. Tagicakibau worked for the Fiji Women's Rights Movement before she was elected Member of Parliament in 1999. During the 2000 coup, Tagicakibau and four other women MPs were held hostage; she was subsequently freed to attend a relative's funeral. Born 1958 in Taveuni, Fiji.

Ms. Marion Libertucci, France

Marion Libertucci is Handicap International (France)'s advocacy project officer. Born 1978 in Saint Germain en Laye, France. She is joined by HI's victim assistance project officer Wanda Berenice Munoz Jaïke.

Ms. Theodora Williams, Ghana

Theodora Williams is a research officer for the Foundation for Security and Development in Africa, a human security NGO focused on West Africa. Previously, Williams worked as an accounts manager for the Credit Reference Bureau in Accra. She obtained her bachelors degree in French and Psychology from the University of Ghana. Born 1980 in Odumase, Ghana. Languages: French, Krobo, Ga, Twi.

Dr. Maria Eugenia Villarreal, Guatemala

Maria Eugenia Villarreal directs the Guatemala branch of the ECPAT (End Child Trafficking and Sexual Exploitation). She has been a member of the ICBL since 1999 providing the Landmine Monitor research updates on Guatemala, El Salvador and Honduras. Villarreal has a doctorate in sociology. Born in Mexico City. Languages: French and Spanish.

Mr. Balkrishna Kurvey, India



Balkrishna Kurvey has been campaign for the antipersonnel mine ban since June 1995, including organizing public exhibitions, seminars and trainings. He has provided Landmine Monitor research updates on India.

Ms. Binalakshmi Nepram, India



Bina Nepram is Oxfam International's policy advisor on small arms and light weapons in India. She is a founding member of Control Arms Foundation of India, which is a member of the International Action Network Against Small Arms (IANSA). Nepram is the author of a 2002 report "South Asia's Fractured Frontier" and has written extensively on conflict and small arms proliferation, including the impacts on women. Born 1974 in Imphal (Manipur), India.

Dr. Motoko Mekata, Japan

Motoko Mekata has been a fellow in transnational civil society at the Research Institute of Economy, Trade and Industry (RIETI) since April 2001. She has been a committee member of the Japan Campaign to Ban Landmines (JCBL) since 1997. Dr. Mekata is joined by JCBL Steering Committee member Mr. Toshihiro Shimizu.

Dr. Katsumi Furitsu, Japan

Katsumi Furitsu is a member of the Osaka-based Campaign Against Radiation Exposure as well as the steering committee of the International Coalition to Ban Uranium Weapons (www.bandepleteduranium.org), which seeks to tackle (depleted) uranium weapons.

Mr. Raza Shah Khan, Pakistan



Raza Shah Khan is executive director of Sustainable Peace & Development Organization (SPADO), a Pakistani sustainable development organization. He is the South Asia representative of International Peace Bureau. Khan provides the Pakistan country update for the ICBL's Landmine Monitor report and has conducted research on small arms, as well as explosive remnants of war. Born 1970 near the Federally Administered Tribal Areas adjoining Afghanistan. Languages: Urdu, Pashto.

Ms. Eileen Kolma, Papua New Guinea



Eileen Kolma has been Oxfam International's **Papua New Guinea** country representative since 2003. In Port Moresby, Kolma engaged in a range of advocacy initiatives; she is founding coordinator of the Coalition to Stop Gun Violence PNG, a nation-wide campaign launched in early 2007. Kolma has worked as a journalist for several PNG news media outlets and organisations, reporting on a range of issue particularly with respect to children, youth and women's issues. Born 1965 in Buro village (Madang), Papua New Guinea. Languages: Tok Pisin, Ra'oi.

Ms. Lidia Szafaryn, Poland



Lidia Szafaryn is the landmines and cluster munitions project coordinator for the Polish Red Cross. Szafryn has secured financial support from the Diana, Princess of Wales Memorial Fund to support Red Cross advocacy to encourage Poland's ratification of the 1997 Mine Ban Treaty and active support for the cluster munition ban. Szafryn provides the ICBL's Landmine Monitor research update on Poland and is completing her master's degree in international humanitarian law at the University of Warsaw. Born 1985 in Plock, Poland.

Mr. Abu-bakarr Sheriff, Sierra Leone

Abu-bakarr Sheriff is the programme officer of the Sierra Leone Action Network on Small Arms and the Cluster Munition Coalition's contact point in Sierra Leone. Since 2004, he has campaigned on human security including small arms proliferation and explosive remnants of war in partnership with the United Nations Development Programme (UNDP). He has worked as a journalist for the *Exclusive Newspaper* and the UN Radio in Sierra Leone. Born 1977 in Kerema, Sierra Leone. Languages: Mende, Krio.

Mr. Saliya Edirisinghe, Sri Lanka

Saliya Edirisinghe is a human rights lawyer who has been involved with the Sri Lanka Campaign to Ban Landmines since 1998. From 2000-2003, he provided the Sri Lanka updates for the ICBL's annual Landmine Monitor report. Edirisinghe has engaged in extensive research on Sri Lanka's problem with unexploded ordnance and is the ICBL and Cluster Munition Coalition's contact point for Sri Lanka.

Mr. Paul Vermeulen, Switzerland



Geneva-based Paul Vermeulen directs Handicap International Switzerland, the main NGO campaigning against cluster munitions in Switzerland. Vermeulen lobbies Swiss parliamentarians, politicians and officials to take greater action against cluster bombs. Vermeulen and Handicap International were instrumental in securing strong Swiss government support for the 1997 Mine Ban Treaty. <http://www.sousmunitions.ch/> Born 1953 in Amsterdam, the Netherlands. Languages: Dutch, French and German.

Ms. Katherine Harrison, Switzerland

Katherine Harrison works for the Geneva office of the Women's International League for Peace and Freedom. Born 1982 in Annapolis (Maryland), USA.

Mr. Bakhtiyor Begmuradov, Tajikistan

Bakhtiyor Begmuradov is the vice-chairman of Harmony of the World, a Tajik NGO and member of the International Campaign to Ban Landmines and the Cluster Munition Coalition. Begmuradov is the Tajikistan country researcher for the ICBL's Landmine Monitor report. He has a Masters degree in political science from St. Petersburg University. Languages: Russian, Tajik-Persian, Uzbek.

Ms Emilie Ketudat, Thailand



Emilie Ketudat coordinates the Thailand Campaign to Ban Landmines (TCBL). Ketudat has lived in Bangkok since 1962, when she was a Peace Corps volunteer in Thailand. Since completing her academic career, Ketudat has taken up voluntary work with refugees and displaced people as well as mine action and campaign activities on behalf of the TCBL.

Mr. Alfredo Ferrariz Lubang, Thailand

Fred Lubang directs Nonviolence International Southeast Asia, a Bangkok-based NGO. He previously directed the peace program at the Gaston Z. Ortigas Peace Institute (GZOPI), a leading peace institute in the Philippines. He was the founding coordinator of the Philippine Action Network on Small Arms and a member of the executive committee of the Philippine Campaign to Ban Landmines. He is also an active member of both the Cluster Munitions Coalition and ICBL, and has provided Landmine Monitor research updates on the Philippines, Malaysia, Brunei, Singapore, and Burma since 1999. Born 1972 in the Philippines.

Mr. Vai'uli Kohinoa, Tonga

Vai'uli Kohinoa is the director of Nuku'alofa-based disability NGO Tonga Disable Self Help Organization (Naunau oe Alamaite Tonga Association, NATA). Born 1980 in Tonga. Languages: Tongan.

Ms. Anna MacDonald, United Kingdom

Anna MacDonald is the Control Arms campaigns manager for Oxfam International. She has worked for Oxfam for 10 years, representing the agency at several United Nations conferences on the arms trade. MacDonald is a board member of Landmine Action UK. Born 1969 in Watford, UK.

Ms. Becky Maynard, United Kingdom

Becky Maynard is the head of fundraising for "No More Landmines," a UK-based charity.

Ms. Andonia Piau-Lynch, Vanuatu



Andonia Piau-Lynch is the national coordinator of the Port Vila-based Disability Promotion & Advocacy Association (DPA), an NGO established in 1999 to advocate for rights and promote abilities of people with disabilities throughout Vanuatu. First runner-up for the 2007 UNDP's Pacific Human Rights Award, DPA lobbied successfully for Vanuatu to ratify the 1997 Mine Ban Treaty and to become the first Pacific government to ratify the 2006 Disability Rights Convention.

Mr. Tran Gia Quang, Vietnam

Tran Gia Quang is the programme assistant for US NGO the Vietnam Veterans Memorial Fund (VVMF), where he works on Project RENEW (Restore the Environment and Neutralize the Effects of the War), a mine action project in Quang Tri province. Born 1982 in Ha Tinh, Vietnam. Languages: Vietnamese.

Dr. Robert E. Mtonga, Zambia



Bob Mtonga is program director of the International Council for the Rehabilitation of Torture Victims in Zambia. He is the Zambia representative of both the Cluster Munition Coalition and the International Campaign to Ban Landmines, and provides research for the ICBL's annual Landmine Monitor report. Mtonga was a board member for the International Physicians for the Prevention of Nuclear War (IPPNW) for eight years. He received his medical degree from the University of Zambia. Born 1965 in Lusaka, Zambia. Languages: French and Portuguese.

Annex

Please check out *Ban Clusters News*, the daily conference newssheet by the Aotearoa New Zealand Cluster Munition Coalition