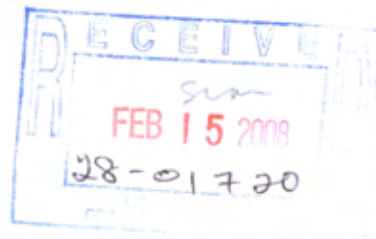


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Note to Mr.Nambiar

United Nations participation in the Wellington Conference on Cluster Munitions

1. The Inter-Agency Coordination Group for Mine Action (DPKO, UNMAS, ODA, UNDP, UNICEF, UNOPS, FAO, OCHA, OSAGI, OHCHR, UNHCR, WFP, WHO, World Bank) met at the Principals' level on 7 February to review preparations for the Conference on Cluster Munitions, to be convened in Wellington, New Zealand from 18-22 February 2008 as part of the Oslo process.
2. The Principals were apprised of Policy Committee Decision No. 2008/5 (pending signature at that time), which indicates that the Secretary-General and the High Representative for Disarmament Affairs will continue to advocate strengthening the implementation of existing multilateral disarmament agreements and will also "encourage and support regional and international disarmament and humanitarian initiatives, such as initiatives on cluster munitions, that complement and reinforce existing multilateral disarmament agreements."
3. The Principals agreed that the interventions of the United Nations system in the Oslo process should be made with one voice, on behalf of the fourteen members of the Inter-Agency Coordination Group for Mine Action, often referred to as the United Nations Mine Action Team. They then reviewed a draft statement to be delivered by Ms. Hilde Johnson, Deputy Executive Director of UNICEF, on behalf of the Team (a copy is attached for your reference).
4. There was support for the draft statement, the first part of which contains the Secretary-General's well known stand on the humanitarian effects of cluster munitions and endorsed system-wide. Nevertheless, the draft does contain language that the Secretary-General has used on previous occasions and that has already drawn strong reactions from some Member States. The Principals endorsed the draft statement and agreed that it would be read on behalf of the Team.
5. The Principals also agreed to meet after the Wellington Conference and the Convention on Certain Conventional Weapons meeting of the Group of Governmental Experts, (7-11 April) so that they will be able to prepare for the Oslo process Dublin Diplomatic Conference to be held from 19 to 30 May 2008. As you may know, it is expected that an anti-cluster munitions treaty could be adopted at the Dublin Conference, and would be opened for signature in Oslo in the fall.


Jean-Marie Guéhenno
13 February 2008

cc: Mr. Pascoe
Mr. Duarte
Mr. Derviş

**Wellington Conference on Cluster Munitions
18-22 February 2008
Opening address on behalf of the UN Mine Action Team**

**Delivered by
Ms. Hilde Frafjord Johnson
Deputy Executive Director, UNICEF**

CHECK AGAINST DELIVERY

Excellencies, Ladies and Gentlemen,

Hassan Hemadi was 12 years old in 2006 when he picked up an object outside his home in southern Lebanon. He said, "I was watering the garden and picking weeds and I saw a metal object. I did not know what it was and so I picked it up ... I started playing with the ribbon on the end, twirling it around. Then I don't know what happened, it exploded. Now I have lost the fingers on my hand."

Hassan's story is similar to those of thousands of other survivors of cluster munition explosions, some of whom are in this room today. They represent the reason why we are here today: to prevent additional injuries and death.

On behalf of the United Nations Mine Action Team, our sincere thanks to the Government of New Zealand for hosting this conference and to the organizers for inviting the United Nations to address this event. It is my privilege to deliver this address and to reaffirm our support for all efforts this year to conclude an international instrument prohibiting cluster munitions that cause unacceptable harm to civilians.

Such an outcome is critical and firmly in line with the Secretary-General's repeated call on Member States to address immediately the horrendous humanitarian, development and human rights impact of cluster munitions by concluding a legally binding international instrument that:

- Prohibits the use, development, production, stockpiling and transfer of cluster munitions that cause unacceptable harm to civilians;
- Requires the destruction of current stockpiles of those munitions; and
- Provides for clearance, risk reduction and other risk mitigation activities, as well as actions for victim assistance, for cooperation, and for compliance and transparency measures.

Until such a legal instrument is adopted, the Secretary-General calls on those states which have not yet done so, to take domestic measures to freeze immediately the use and transfer of all cluster munitions.

I will try in the next few minutes to highlight the knowledge accumulated over the 65 years that cluster munitions have been used.

Human rights, humanitarian and development impacts of cluster munitions are present today. In 2006, Lebanon tragically reminded us that cluster munitions cause death and serious injury of civilians and hamper their access to livelihoods and resources.

Unexploded bomblets in olive orchards, factories, schools and health facilities and elsewhere rendered these places inaccessible and dangerous, severely limiting the rights to freedom of movement, food and water, work, education and health. Sometimes, the presence of unexploded sub-munitions forced populations out of their homes and prevented those already displaced from returning home to rebuild their lives and communities. This serves to show that the achievement of the Millennium Development Goals for many post-conflict countries will remain challenged by a threat that we *can* address *now*.

Putting this into the context of my own agency's -- UNICEF -- work, cluster munitions are obstacles to meeting the rights and needs of children. This implies going to school, helping their families with household chores and yes, playing without fear of injury or death. Research shows that children on average make up 40 per cent of all civilians killed or injured by cluster munitions.

A typical pattern of children's accidents involves groups of children interacting with unusual items they find in fields, orchards, schools and streets. As a result, it is common to have multiple casualties from individual cluster munition incidents. Although "play" is often cited as the motivation behind children's interaction with unexploded ordnance in general (including cluster munitions), economic and deliberate risk-taking motivations are also common.

Two-thirds of cluster munition casualties in Kosovo were 19 or younger. In Afghanistan, the average age of casualties was between 7 and 14. In Vietnam, littered with cluster munitions more than 30 years ago, data on recent casualties show a scary story.¹ Children make up about 62 per cent of cluster munition casualties compared to 49 per cent of landmine and other ordnance casualties.

As my colleague Kathleen Cravero from UNDP stated at the Vienna Conference in December, Laos has been living with widespread cluster munition contamination for nearly four decades. This is not something from the distant past. Exactly one month ago, on January 17th, nine children in southern Laos were searching for little crabs to eat. The children found a BLU 26 cluster bomb, which exploded. Three boys from 9 to 14 years old died immediately, and a fourth 12-year-old boy died on the way to the provincial hospital. The five other children suffered injuries to their arms and legs. This is why finding a negotiated solution is so important!

Most of us in this room can barely begin to imagine the grief felt by the parents of these four boys. What we know from experience are some of the physical, socio-economic and psychosocial consequences for the other children and their families and communities. In conflict as well as in the development context of many cluster munitions-affected countries, these problems are exacerbated by the absence or inadequacy of health and rehabilitation facilities.

¹ ClearPath International.

These examples underscore the need for continuing risk education and for victim assistance. The Wellington text that you will consider this week contains strong provisions for both. We thank you for recognizing the need for risk reduction education and for the rights of *all* survivors to medical care, rehabilitative services, psychological support and social and economic inclusion. For children, this means making schools accessible, training teachers to work with children with disabilities and ensuring that the support provided is lifelong. It also means being attentive to the social, economic and psychosocial needs of children when their mother or father falls victim to a cluster munition.

Many of you were involved in the intensive effort a decade ago that led to the adoption of the Anti-Personnel Mine Ban Convention. Since then, the commitment by states, civil society and international organizations to make progress in disarmament, arms control and non-proliferation through new and creative forms of diplomacy is growing. Many states and millions of people around the world recognize that our prospects for a peaceful and prosperous future are to a large extent dependent upon our ability to prohibit or control the development, use, stockpiling and transfer of nuclear, biological, chemical *and* conventional weapons.

Last month, in his statement to the UN Conference on Disarmament, UN Secretary General Ban Ki-Moon stated that he was “deeply troubled” at the lack of progress on global disarmament. He called upon Member States to improve global security by breaking the stalemate on disarmament that threatens other key objectives of the UN Charter. A treaty prohibiting cluster munitions is amongst the initiatives that will result in greater global security.

UNICEF’s extensive experience on the ground and at global level in providing both risk reduction education and assistance to survivors is complemented by UNDP and UNMAS’s technical expertise and support to cluster munitions-affected countries. The Office for the Coordination of Humanitarian Affairs, the Office for Disarmament Affairs, the UN Institute for Disarmament Research, UNHCR, OHCHR, WFP and six other UN bodies also contribute to addressing the obstacles to humanitarian access and development caused by cluster munitions and to preventing humanitarian crises.

This initiative is not only responding to present dangers but is foresighted in *preventing tragedy*. If even a *small percentage* of the world’s known stockpiled cluster munitions — that range in the billions across more than 70 countries² — were to be deployed, we could witness human suffering on a scale far greater than that caused by landmines.

This week, as you discuss such issues as the technical features of cluster munitions, we strongly urge you to keep at the forefront of that discussion the urgent need to protect civilians from the horrendous impact of these weapons – both at the time of use and after conflicts have ended.

We hope that a treaty will address the key concern raised by the UN Secretary-General that the inherent inaccuracy and frequent malfunctioning of cluster munitions we have come across, make them indiscriminate both at the time of use and long after conflicts have ended.

² Human Rights Watch, Cluster Munition Coalition

From what UN agencies with a presence on the ground have seen, all cluster munitions that have been used and which types are still stockpiled, cause unacceptable harm to civilians. They should be prohibited. Those states that argue for the retention of other cluster munitions should provide data on their impact and possible harm to civilians based on tests that accurately reflect real conflict situations.

Ladies and gentlemen,

Since 2003, the United Nations has called for urgent action to address the humanitarian impact of cluster munitions and we have no time left to spare. I do not think that any of us want to be in a situation 5 years – or even 1 year – from now, where we have to face a child like 12-year-old Zahra from Lebanon whose hand was blown off by a cluster bomblet in 2006. She says, “I wish it would grow back. That’s all I want.”³

The need to act is *now*.

Thank you.

³ Diana, Princess of Wales Memorial Fund, *Lethal Letter, The Work Continues*, 2007.

**Note on the meeting of the
Principals of the Inter-Agency Coordination Group for Mine Action**

**United Nations Headquarters
Thursday, 7 February 2008, 12:15 p.m.**

Present:

Mr. Jean-Marie Guéhenno (Chair), DPKO	Mr. Simon Bagshaw, OCHA
Mr. Nicholas Alipui, UNICEF	Ms. Dominique Bush, OHCHR
Mr. Pierre Bertrand, UNHCR	Mr. Tim Caughley, ODA
Ms. Kathleen Cravero, UNDP	Ms. Paula Claycomb, UNICEF
Mr. Sergio de Queiroz Duarte, ODA	Ms. Ilene Cohn, UNMAS
Mr. Matthew Hollingworth, WFP	Mr. Paul Heslop, UNOPS
Mr. David Kaatrud, OCHA	Ms. Treena Huang, WFP
Ms. Roswitha Newels, UNOPS	Mr. Hideki Matsuno, ODA
	Mr. Javier Molina, FAO
	Mr. John Ohiorhenuan, UNDP
	Mr. Daniël Prins, ODA
	Mr. Gabriele Russo, UNMAS
	Ms. Sara Sekkenes, UNDP
	Mr. Dmitry Titov, DPKO
	Ms. Christine Tobler, UNHCR
	Ms. Maria Vardis, UNMAS
	Mr. Xiaoyu Wang, ODA

Summary

The participants revised and endorsed a draft statement to be presented by Ms. Hilde Johnson, Deputy Executive Director, UNICEF, on behalf of the United Nations Mine Action Team at the Wellington Conference on Cluster Munitions 18-22 February. A Note will be sent to the Secretary-General for his information.

Discussion

Mr. Guéhenno, Under-Secretary-General for Peacekeeping Operations and Chair of the Inter-Agency Coordination Group for Mine Action (IACG-MA), welcomed the participants and acknowledged the efforts made at working level to maintain one United Nations voice with regards to cluster munitions and its sensitivity in terms of its humanitarian and political aspects. He continued by noting that it is now widely accepted that the Oslo Process will have a successful conclusion and that States Parties to the Convention on Certain Conventional Weapons (CCW) were taking serious steps to address the issue but that it was unclear how successful these would be. He then referred to the revised agenda, which was unanimously adopted following clarification from the

chair of agenda item One with regards to its linkage with the annotation referring to a Policy Committee decision 2008/5 on disarmament and non-proliferation. Clarification was made with reference to the Policy Committee document, which was to be regarded as for information only.

With regard to *Agenda Item 1: United Nations' participation in the Wellington meeting on cluster munitions (18-22 February 2008)*, Mr. Guéhenno drew the attention of the participants to the following paragraph of the draft Policy Committee Decision 2008/5: "To re-invigorate the collective response to disarmament and non-proliferation: The Secretary-General and the High Representative [for Disarmament Affairs] will continue to advocate strengthening the implementation of existing multilateral disarmament and non-proliferation agreements and achieving their universality; and encourage and support regional and international disarmament and humanitarian initiatives, such as initiatives on cluster munitions, that complement and reinforce existing multilateral disarmament agreements."

Mr. Guéhenno then referred to the table reflecting the composition of the United Nations Mine Action Team (UNMAT) delegation to the Wellington Conference and noted that the delegation will be headed by Ms. Hilde Johnson, Deputy Executive Director, UNICEF. Mr. Guéhenno thanked the UNICEF colleagues for preparing the draft text of an opening statement to be read by Ms. Johnson upon an invitation of the Government of New Zealand. The chair noted that the statement had been subject to extensive consultations at working level and hoped that it would be possible to move forward with its endorsement.

Mr. Duarte, High Representative for Disarmament Affairs, stated that the text was yet to be finalised and requested clarification regarding who the statement was on behalf of - the United Nations or individual agencies that agree to be associated with it. Mr. Duarte further suggested that a statement to be read on behalf of the United Nations would require the Secretary-General's clearance.

Mr. Alipui, UNICEF Director of Programmes, noted the need for the United Nations to speak with one voice and stated that several agencies had contributed to the statement, which he suggested be adopted as soon as possible.

Mr. Guéhenno noted that the subtitle referred to the United Nations but that the narrative of third paragraph clearly indicated that the statement was on behalf of the United Nations Mine Action Team. He also noted that several paragraphs focused on issues of particular concern to UNICEF since UNICEF would be delivering the statement, which was regarded as acceptable.

[At this point, Mr. Sergio de Queiroz Duarte left the meeting and was replaced by Mr. Tim Caughley, Director of the Geneva Branch of ODA].

A discussion ensued and it was ultimately agreed that the statement could be read on behalf of the United Nations Mine Action Team once it had been endorsed by the IACG-

MA participants. It was also agreed that while the statement would be delivered on behalf of the UNMAT, Ms. Johnson could refer to specific issues of particular interest to UNICEF.

Mr. Caughley sought amendments to the text, specifically requesting that the word "treaty" be removed or replaced with a synonymous reference that would avoid a direct endorsement of the Oslo process over the CCW process. *[While all Team members support the drafting of a legally-binding instrument on cluster munitions, legally-binding instruments adopted by the CCW are referred to as "protocols," not "treaties."]* ODA recommended that process-specific references be avoided and sought guidance from the participants as to how far Team statements can go in light of the approach prescribed by the Policy Committee. It was agreed that the word "treaty" be deleted from paragraph five on page three but it will be retained in paragraph seven. It was also agreed that the reference to "United Nations" in the subtitle would be amended to read United Nations Mine Action Team. The draft was then unanimously endorsed by the participants.

With regard to *Agenda Item 2: Next Steps*, Mr. Titov, Assistant Secretary-General for Rule of Law and Security Institutions, stressed that the Secretary-General should be informed of the statement to be delivered on behalf of the UNMAT. It was agreed that a brief note be sent to the Secretary-General together with the final text of the statement indicating that it had been unanimously endorsed by the participants.

The participants agreed to meet again in late April or early May, after the April meeting of the CCW Group of Governmental Experts and before the Dublin Diplomatic Conference.

Follow-up Action:

- UNICEF to circulate a final draft of the opening statement for the Wellington Conference on Cluster Munitions.
- DPKO to draft a Note to the Secretary-General to advise him of the outcome of this meeting and provide him with the statement to be read on behalf of the Team.

Gabriele Russo
MAS/OROLSI/DPKO
8 February 2008