Friday 30 May 2008

A Gift to the World

In an emotional Plenary meeting, on Friday 30 May 2008, participants in the Dublin Diplomatic Conference formally adopted the text of a new Convention on Cluster Munitions as a whole. Not a single State indicated they could not adopt the Convention at this time.

After a day to reflect on the work of the Conference while the text of the Convention was translated, contentious issues seemed to have faded with the realization of the tremendous achievement that has been accomplished here in Dublin. Today participants spoke with pride, ownership, and resolute commitment to ensuring the implementation of the Convention.

The historic significance of the Convention, with its many groundbreaking provisions, began to sink in as delegation after delegation referred to the Convention as a new chapter in disarmament and a milestone of international law. Many praised the new standards for victim assistance, international cooperation and assistance, clearance of contaminated areas, stockpile destruction, and transparency contained in the Convention, emphasizing the profound effect the Convention will have in making a real difference in affected areas and ensuring the prevention of future tragedies. Others pledged to promote the rapid entry into force of the Convention and its universality.

Of the many moving interventions heard in the Conference room today, Lebanon spoke with such poignancy in conveying messages of thanks and appreciation from victims of cluster munitions in Southern Lebanon that participants applauded, with many eyes beginning to water.

Germany declared that it will immediately renounce the use of cluster munitions and destroy its entire remaining stockpile as soon as possible. Following the announcement by the UK that it will also destroy its stockpiles, it seems the Convention is well on its way to implementation and the stigmatization of cluster munitions it has set out to create is already at work.

Another highpoint of the day was that Japan, which had previously indicated it would not adopt the Convention, in a change of position, agreed to adopt the text. This considerable achievement is the culmination of extremely hard work by Japanese campaigners and survivor Branislav Kapetanovic, who visited Japan to lobby government officials earlier this year.
On the issue of Article 21 on interoperability, a number of States stressed this would not be used as a loophole nor diminish confidence in the Convention. Canada reiterated the importance it placed on the article but emphasized that it would actively discourage the use of cluster munitions and looked forward to getting on with the implementation of the Convention, destroying stockpiles, clearing land, providing assistance, and generating resources to 'get the job done.' At the end of the day, Canada said, the Convention is more than a legal document – it is also the honorable intentions of those behind it.

Three States, while joining the consensus adoption, signaled that they may not be prepared to sign in December by stating that the text will have to be studied carefully in capital before a decision is made: Estonia, Finland, and Slovakia.

In the closing ceremony, Foreign Minister Micheal Martin of Ireland, Norway’s Deputy Minister of Defence Espen Barth Eide, Sara Sekkenes of the UNDP, Peter Herby of the ICRC, and Grethe Ostern of the CMC addressed the Conference. Sara Sekkenes read out a message from the UN Secretary General, Ban Ki-Moon, which praised the adoption of the new Convention and successful outcome of the Conference.

Foreign Minister Martin’s remarks deserve repeating:

Rarely if ever in international diplomacy have we seen such single-minded determination to conclude a convention with such high humanitarian goals in such a concentrated period of time.

I want to pay tribute to all present for the efforts all of you have made...It is clear that despite individual national circumstances and perspectives, all of you were able to agree that collectively you gained more than you gave up in the final outcome. That is the essence of any successful negotiation. This was not a zero-sum game, where one side’s win inevitably meant another side’s loss. That may be the usual situation here in Croke Park. On this occasion, I think it is fair to say, we are all winners.

The Convention is strong and ambitious. Its ban on cluster munitions is comprehensive. It sets new standards for assistance to victims and for clearing affected areas. And even though we all know that there are important states not present, I am also convinced that together we will have succeeded in stigmatizing any future use of cluster munitions…

I would also like to pay tribute here to the Cluster Munition Coalition for their tireless lobbying and informed advocacy. And I thank in particular the victims of cluster munitions for constantly reminding us of the broader humanitarian context of our negotiations. They have shown
immense fortitude in coping with the pain and suffering which cluster munitions have brought to their lives. They have risen above their personal circumstances to campaign to prevent future victims.

At the end of the ceremony, Branislav Kapetanovic, who has been a continuous source of inspiration and tireless campaigner, handed over the CMC plan of action to achieve rapid entry into force of the Convention to Norway's Deputy Minister of Defence Espen Barth Eide. While the work of the Dublin Conference is over, for many the real work has just begun. Campaigners and delegates must now focus their efforts on ensuring the entry into force of the Convention as quickly as possible, its universalization, and its national implementation. But before the new phase of work to truly eliminate the scourge of cluster munitions begins in earnest, participants should pause to congratulate themselves on the magnitude of the accomplishment achieved over the past two weeks and be proud of their new Convention.