

OPENING STATEMENT OF THE UNITED NATIONS TO THE BERLIN CONFERENCE ON THE DESTRUCTION OF CLUSTER MUNITIONS

Imperative of Article 3 – Convention on Cluster Munition

Article 3 of the Convention on Cluster Munitions outlining the obligation to destroy stockpiled cluster munitions emphasizes the **holistic nature of the treaty** – it not only bans the weapons but also involves positive obligations to destroy stockpiles, clear land and assist victims.

This is fundamentally a state obligation which implies that states immediately must set in motion plans for separation and safe storage of cluster munitions as obsolete weapon systems whilst preparing for, and undertaking destruction. Knowing this may be a significant undertaking with large stocks, some states had begun this process already before the Dublin negotiations. We encourage all states to follow this example and start the process without delay, and parallel to the signing and ratification process. This could see states with more modest stockpiles comply with stockpile destruction obligations well in advance of the 8-year deadline.

The effect of stockpile destruction, that is to say, the physical separation and permanent removal of cluster munitions from the arsenals of signatories and subsequent States Parties, is essentially three-fold;

- First, **it permanently denies use**. The destruction of stockpiles *will eliminate* any possibility of the use of cluster munitions held by States Parties that possesses stockpiles and thereby contributes to securing the overall aims of the CCM.
- Second, **it supports non-proliferation**. Stockpile destruction *will reduce* the possibility of the illicit acquisition of cluster munitions by those actors – State and non-State – that do not already possess them. All states should be encouraged to destroy stockpiles as a matter of urgency reducing the risk of proliferation. More so than the Mine Ban Convention, but also building on what it has taught us, the banning of cluster munitions has been, in many ways, a preventive effort realizing the potential devastation and harm from the massive stockpiles held globally. It is also the result of the firm recognition of prevention being cheaper than recovery.
- Third, and of particular significance, **it protects lives, livelihoods and development investments**. The destruction of stockpiles *will save* future generations of men, women and children and their families and communities from the terrible consequences of cluster munitions.

In practical terms this means reduced likelihood of indiscriminate killing and maiming of civilians caught in attacks in which cluster munitions may be used, but also long after that, when unexploded sub-munitions are disturbed.

It means thousands of internally displaced people and refugees are able to return to their homes after conflict in a greater degree of safety, avoiding the harm caused by encountering sub-munitions when clearing rubble and re-entering their homes.

It means lessening the risks to which humanitarian workers and peacekeepers are exposed, and reducing the constraints on the delivery of humanitarian assistance to those in need. And it means less risk that livelihoods will be devastated, that fields are rendered unusable, harvests destroyed and sources of income lost, possibly for generations.

From the Mine Ban Convention we have seen that international cooperation and assistance can be helpful in facilitating destruction of banned and obsolete weapons and that United Nations together with partners successfully can support this important work. My colleague Chris from UNMAS will talk more about this;

PRESENTATION ON THE TECHNICAL ELEMENTS OF ARTICLE 3 AND HOW THE UNITED NATIONS MAY OFFER ASSISTENCE.

Therefore, we repeat the Secretary-Generals' call on Member States to **sign and ratify the treaty without delay and promote the norm it sets out**. To this end stockpile destruction of cluster munitions is also a key disarmament provision, and contributes to peace and security. The United Nations is looking forward to **actively supporting the further universalisation and follow-up implementation** of the treaty and will work with Lao PDR and partners to prepare for the successful 1st Meeting of States Parties anticipated next year.