

**Berlin Conference on Destruction of Cluster Munitions, 25 – 26 June 2009  
Closing Session.  
Remarks by Steffen Kongstad, Director General, MFA, Norway.**

Check against delivery

I will start by thanking our German colleagues for excellent hosting of this conference. This event is an important part on the road to full implementation of the Convention on Cluster Munitions. We are impressed by the participation by countries, organisations and individuals.

I will not attempt to sum up our discussions over the last two days, but I like to share a few observations with you:

First; –and most importantly: I would like to extend my thanks to the survivors and ban advocates who have found time and resources to participate at this meeting. We are dependent on your insights and competence in defining our tasks and mission. Without your clear comments and sharp analysis, we may easily have lost sight of the primary aim – making sure that all cluster munitions are destroyed and never used again.

Secondly; we need to demystify what stockpile destruction of cluster munitions entails. Destroying cluster munitions is a fairly straightforward engineering operation, undertaken as an ordinary maintenance task by most armies. This is not a phenomenon occurring only because of the new Convention. In some states the sheer quantity of stockpiled cluster munitions present a certain logistical and quantitative challenge, but not at all impossible. It seems to me that the most important challenge is one of political will rather than one of technical competence and capacity. Given the large amounts of cluster munitions to be destroyed within a certain timeframe there is a new market opening where also commercial interests are present. This in itself may contribute to inflate the size and complexity of the challenges.

The main tool to overcome these challenges and ensure compliance with Article 3 will be appropriate national plans, based on precise data on what types and quantity of Cluster Munitions a State Party has stockpiled, and with an analysis of the capacity to undertake their destruction. As we heard from the presentations yesterday, the work to develop such plans should start now; there is no need to wait for neither your own ratification nor the entry into force of the Convention. The 8-year deadline is, as ICRC stated yesterday, a low standard, and States Parties should be able to meet this without problems. States parties that lack capacity to destroy their own stockpiles can make use of the provisions for cooperation and assistance and seek expert advice from UN and other organisations. The key to access international assistance for stockpile destruction is ratification, and signatory states with stockpiles should ratify sooner rather than later to get started. As we heard yesterday, there is also a significant annual cost for storing cluster munitions that easily can exceed the initial destruction costs.

Thirdly; the importance of transparency in all aspects of Article 3 implementation. For states that have joined the Convention, Cluster Munitions have no operational value and there is no national security concerns requiring confidentiality when it comes to disclosing information on their types and numbers. Future States Parties will benefit from being transparent about their stockpiles and on the plans for their destruction.

When the Convention enters into force the formal reporting requirements will ensure transparency on stockpiles and their destruction. However, there is no need for states to wait for these measures to take effect. States can and should disclose data to the public domain until entry into force of the Convention.

Fourthly; a word of caution. All “new” issues where there is generated political attention *and* money, in this case a new convention, attract different kinds of actors. We see various institutions and individuals with no particular relevant competence or qualifications trying to get their fingers in the pie. Equally disturbing are examples ‘mission creep’ by institutions with a mandate or task to work on the landmine issue and implementation of the Mine Ban Convention. There are similarities and synergies between landmines and cluster munitions primarily related to clearing of land and victims assistance, but less so on stockpile destruction. Competence on one does not automatically implies competence on the other. In addition, at this stage it is important to keep the integrity of the conventions and make sure that the implementation of the Mine Ban Convention is not deserted. The job on landmines is far from finished.

Finally; there seems to be a need to remind ourselves that the Convention on Cluster Munitions is not a disarmament or arms control agreement, but an instrument of International Humanitarian Law, established to address a category of weapons that cause unacceptable harm to civilians. Some of the discussions we have heard these two days stray away from the humanitarian imperative to take rapid action to address this problem. That is a concern we should be aware of.