

Statement by  
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**Translating present challenges into political action**

Mr. Chair,  
Excellencies,  
Ladies and Gentlemen,

Speaking after Patricia Lewis and Jody Williams, one has the advantage – or disadvantage – that practically everything that needs to be said has already been said.

Jody Williams once said – and I couldn't agree more : *"We are already moving in the right direction. It does not mean we don't have great challenges before us."*

It is certain that we are tiptoeing on the edge between opportunities and obstacles.

**What could "the way forward" look like?**

Several things are for sure: The humanitarian peril posed by cluster munitions won't diminish unless we do something about it. And we need **effective action** – and we need it **today** rather than tomorrow.

Let me quote a Japanese proverb that says:

*"Visions without action are wool-gathering,  
actions without a vision will become nightmares"*

**So the crucial question is how and where should we go about effective action?**

The first and at the moment most obvious procedural question that springs to my mind is: **Should we envision a process within the CCW, or outside the CCW?**

But there are **more questions** linked to that issue:

**Does one option exclude the other? Or are both approaches compatible?** - rather complimentary and nourishing THE process wherever it takes place?

I am sure that all States present here at least share one most basic common denominator: Our overall long-term objective should be:

Let's do whatever we can, and as fast as we can to minimize the risk posed by cluster munitions!

I strongly believe that methods to realize this, can be various.

**The CCW is definitely a possibility.**

As you all know, Austria has supported and continues to support the CCW regime. This was also the reason why we – with a group of likeminded states - tried to do our utmost to achieve a negotiation mandate within the CCW context. Unfortunately consensus on such a mandate proved elusive, so we had to settle by less, meaning a discussion mandat.

So the crucial question remains: **Can we make progress within the CCW?**

If States conclude that they want to keep the issue of cluster munitions inside the CCW, they will have to prove that the CCW is ready to take the challenge. But it looks like that progress in the CCW-process seems only to be possible if there is a strong parallel process.

We have to take into consideration that the CCW is for sure a multilateral regime, yet it is not – and by no means – a universal one.

Let's look at figures and go through the membership of some disarmament agreements:

NPT – counts 190 States Parties, CWC 181, BTWC 155, Ottawa Convention 153 and CCW has 102 States Parties. In other words: approx. half of all States.

The CCW undoubtedly is a hugely important regime, and we support it wholeheartedly, but – for whatever reason - it seems to attract less “popularity” than other disarmament agreements.

Again: we are confronted with difficult questions:

**Does this lack of universality jeopardize effectiveness?**

**Does the regime need to be universal?**

However, one of the major concerns that is raised when it comes to taking cluster munitions outside the CCW is connected to the fear of going outside without the big powers and the fear that no treaty created outside could ever achieve universality.

We will all have to work hard to attract their interest and their cooperation.  
**How do we do this?**

We surely have to openly ask ourselves: **Can we dare to enter a process without the major producers and users..... the major players?**

In an ideal world, all relevant partners would cooperate for the good cause. **Do we get their support? How do we get their support?**

I believe we can try to analyse the situation using an economic parable:

Let me compare the situation to a market place: A Market is determined by supply and demand and one can try to increase the efficiency of the market by either stimulating the supply side or the demand side or by – ideally - stimulating both.

If we take the market for low emission cars for example: A producer of high emission cars won't make profits with his brand in a country with a strict regulatory system on low emission rates, if he doesn't comply with the regulations.

So whether or not the producer's country of origin is bound by a legal obligation, the producer has to adapt to the given market conditions in the country where he wants to sell his product in order to make profit. When a market demands low emission cars -> the producer will deliver low emission cars, or he will be out of the competition race.

We can draw a **parallel to our issue** at stake.

Competition might be healthy and conducive for the process. Trying to stimulate the supply side doesn't exclude attempts to stimulate the demand side. Obviously, a **dual approach** would be optimal - influence demand and supply simultaneously.. .

But **any approach has to start somewhere**. And it is wiser to start somewhere than nowhere – being it within the CCW context, a parallel process or both.

Another proverb says: **If you try – you might loose; if you don't try – you have lost already!**

I believe: starting somewhere is better than not launching the undertaking in the first place, because big producers are reluctant to give in before the process takes off.

A lot of cluster munition is still in stockpile and not in the ground. Hence, we can still prevent their use. If countries put strict regulations in place, the market will be limited. The higher the number of countries with strict regulations, the smaller the market will be. The more countries that join the process, the more the market mechanisms will follow suit. The more - the merrier.

And of course: **Prevention** – as all of us know - is better and -after all also cheaper- than cure. But still, human nature often leans towards the cure and less towards prevention. (Human nature is not always rational.)

I don't have to remind you: The Ottawa process started with 20-30 States and Ottawa is a prime example for the phenomenon of the eventual cessation of "legal market" of a product - the product of anti-personnel mines. The market for landmines became outlawed and acquisition and production almost ceased to exist in a majority of countries around the globe. Again: If there is no market - there is no production.

Unfortunately we all know that REALITY is not that simplistic, but the example illustrates that various ways can lead to success.

Undoubtedly many questions remain to be answered:

**Where? Inside and/or outside - or combine both?**

**What are the opportunities and obstacles?**

**What are the visions**

**what are the actions?**

We need a critical mass that joins this process. Ottawa showed how efficiently governments and civil society worked together and combined their forces for a fast and effective campaign.

Whatever the answers might be, in fact we are all gathered here today for one purpose: **To do whatever we can, to minimize the risk posed by cluster munitions.**

Thank you for your attention!