

**30th International Conference of the Red Cross and Red Crescent
Commission B - Reaffirmation and Implementation of International
Humanitarian Law**

**Statement of Ambassador Ó Ceallaigh, Permanent Representative of
Ireland to the United Nations Office at Geneva**

28 November 2007

Mr. Chairman

I would like to commend the International Committee of the Red Cross for its comprehensive report on "International Humanitarian Law and the Challenges of Contemporary Armed Conflict." The report represents a welcome survey of current challenges faced by states as they seek to implement international humanitarian law and, as such, will constitute a valuable aid in its future study and application.

Mr. Chairman

This debate provides an important and timely opportunity to renew our commitment to achieving the central purpose of international humanitarian law, namely the mitigation of the effects of armed conflict. Without this body of law the barbarism and brutality of armed conflict would be without restriction. IHL achieves its purpose firstly by limiting the right of the parties to an armed conflict in their choice of methods and means of warfare. Secondly it requires them to spare those who do not, or can no longer, take a direct part in hostilities, thereby protecting civilians as well as captured and incapacitated combatants. We must continue to ensure respect for these basic precepts.

Mr. Chairman

The ICRC has identified a number of important issues in its report, one of which is humanitarian concerns arising from the use of **cluster munitions**.

Ireland has repeatedly expressed its concern about the impact on civilian populations arising from the use of this weapon system. The characteristically high failure rate of submunitions creates an enduring explosive remnants of war (ERW) problem which, in a post-conflict environment, will by its nature have indiscriminate effects. In addition, the large volume of unguided submunitions delivered at each individual firing creates a wide footprint in the target area and gives rise to concern that the effects of this weapon system when used in or close to concentrations of civilians - even when operating as intended - cannot be limited to exclusively military objectives in accordance with the principle of distinction and the rule against indiscriminate attacks.

Together with a growing number of states Ireland has been active in calling for the beginning of negotiations on a legally binding instrument on cluster munitions within the CCW, and elsewhere. A large number of States have subscribed to the Oslo declaration, by which they have committed themselves to concluding, by the end of 2008, a legally binding international instrument that will, inter alia, prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians. Ireland has been, and will continue to be, a strong supporter of the Oslo process and to this end will host a diplomatic conference for the adoption of such an instrument in Dublin next year.

Thank you Mr. Chairman.