

CLUSTER BOMBS DOCUMENTARY FILM SCRIPT

21-minutes incl credit roll

(1 Aug 2010)

MAIN TITLE

Cluster Bombs: Banned in New Zealand

FADE IN:

INT. SMALL AIRPLANE -- DAY

C.U. pilot adjusting cockpit controls, shot of green hills out window of plane

MARY (V.O.)

By 2004, 2005 I'd been working this for more than a decade. I really felt as if I'd done as much as I could for the campaign to ban landmines.

C.U. blonde woman--Mary Wareham--seated by airplane window looking at view out window, reviewing paperwork

MARY (V.O.)

We were in a much better place when I left in 2006 than what I came into in 1996. We had over 150 governments that had signed up to the landmine treaty banning the weapon. We had virtually no export of antipersonnel landmines. Production of the weapon has fallen from dozens of countries to about 15.

CUT TO:

INT. MARY WAREHAM'S OFFICE -- DAY

C.U. MARY seated in office holding large book

On MARY:

MARY

We had millions and millions of dollars being spent to clear landmines and enormous amounts of land being cleared and returned to productive use. With that the decrease in the number of casualties to landmines.

CUT TO:

EXT. SMALL AIRPLANE -- DAY

MARY (V.O.)

So it had been a very busy decade, but a very productive one and I don't know, I just felt like I'd done my piece and it was time to go home.

TITLE CREDIT: Cluster Bombs: Banned in New Zealand

Over background shot from air of propeller and landscape

CUT TO:

EXT. VINEYARD IN BLENHEIM -- DAY

W.S. red truck driving past across small stream

JOHN (V.O.)

My name is John Flanagan. I was in the New Zealand Army for twenty years in the corps of engineers. I was an engineer officer.

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN

I who was trained in landmines and unexploded ordnance, particularly the clearance of landmines and other munitions. That was one of the qualifications needed to deploy on UN peacekeeping operations in support of mine clearance.

EXT. VINEYARD IN BLENHEIM -- DAY

Various shots red truck driving through vineyard, C.U.
John working on vines.

JOHN (V.O.)

I was sent to places like Cambodia, Kosovo and did some time in the UN headquarters because of the training I'd received in the Army. I left the Army in 2003 to take up a role in the UN system as the chief of operations of the UN Mine Action Service and was employed there for five years. The last year I spent as the acting director of the UN mine action service.

EXT. JOHN'S GARDEN IN BLENHEIM - DAY

On JOHN:

JOHN

In 2008—in December—I moved back to New Zealand with my family and I'm working on a vineyard, but also have half-shares in my own vineyard selling grapes to Wither Hills.

EXT. VINEYARD IN BLENHEIM -- DAY

John walks past camera, camera remains on vineyard.

CUT TO:

INT. MARY WAREHAM'S HOUSE -- DAY

C.U. Jug boiling, pouring cup of tea

Various shots Mary sitting down at table, reviewing documents, talking with another woman, leaving house in poor weather

On Mary:

MARY (V.O)

It was probably about less than two months after I'd been back in New Zealand when Israel went to war with Hezbollah in South Lebanon. And I watched that from a distance and was very distressed about it as I feel at any time when there's war going

on and bombs are dropping and I know that there are civilian casualties at the other end. I was also getting emails from my friends who were on the ground over there in the mine clearance program.

C.U of "Ban Cluster Bombs" bumper sticker on rear of a small white Daihatsu car as it drives off.

MARY (V.O)

And they'd been working to clear landmines and other unexploded ordnance in Lebanon for a long time, for years.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

I'd been there and visited their clearance project. So it was very distressing to know that there was an air war going on and that bombs were being dropped on areas that I knew had been cleared of landmines. It was very sad and distressing.

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN

We had been planning for a classic EOD--explosive ordnance disposal--operation, where we knew there was going to be aircraft bombs to clear, we knew there was going to be artillery, and we knew there was going to be mortars.

CUT TO:

MONTAGE. Burned-out buildings shot from window of car in Lebanon

JOHN (V.O)

What we didn't realise was happening in the last three days was that the Israeli Defence Force was unloading massive amounts of cluster munitions on any area that could or might/might not contain a Hezbollah launching site. So they were really just trying to saturate anything with vegetation--banana plantations, olive plantations--anything that could be used by Hezbollah. Literally within hours of the ceasefire being announced on Monday morning people returning to villages had driven into areas that were contaminated by cluster munitions. Vehicles hit the cluster bombs and were exploding.

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM - DAY

On JOHN:

JOHN

People got out of their car and were running into areas, which were contaminated. So we had multiple, y'know 15 casualties within the first couple of hours and that's when it hit home that we were dealing with another major problem.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

But it wasn't until the end of that conflict that the press reports starting coming out. And it was angry UN officials, Jan Egeland and this Kiwi guy called David Shearer. They were really upset that Israel had chosen to drop the bulk of its cluster bombs in the last 72 hours of the conflict, when the Israelis knew that there was going to be a ceasefire, OK? There was not

really any clear military benefit to be gained for the way in which they were using the cluster bombs. They were just saturation bombing the southern part of Lebanon with cluster bombs and other weapons. But we knew that those cluster bombs were doing to have a certain number that didn't go off because of the failure rates. And that's what happened.

Shot out front window of car of Beehive

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM — DAY

On JOHN:

JOHN

There no beating around the bush. This was completely unjustified. This was saturation of an area with unexploded submunitions.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE —

On PHIL:

PHIL

As Minister of Defence, in that role, I arranged for two groups of 10 NZ Defence Force personnel ...

CUT TO:

EXT. NZDF SOLDIERS IN LEBANON — DAY

MONTAGE: Various shots of types of cluster munition clearance techniques—manual and large loop metal detectors—and destruction.

PHIL (V.O)

... to go to help with that clearing process. But I knew from my experiences in Mozambique and Afghanistan just how long and difficult the process of clearing a landscape was. It was an obvious case: we needed to put

the fence at the top of the cliff
rather than deal with the
situation afterwards.

CUT TO:

EXT. ROCKY HILLSIDE WITH BOMBLETS -- DAY

DON (V.O.)

What were we dealing with here?
What led to the Oslo Process?

CUT TO:

INT. OFFICE WITH VIEW OF TREES -- DAY

On DON MACKAY:

What was the problem? The
problem, as we all know, was
bombs that contained a lot of
bomblets that were fired in an
indiscriminate way over a very
large area leaving lots of small,
unexploded submunitions that
children picked up, that other
children and adults disturbed,
that were left in fields and
prevented cultivation, and that
killed a heck of a lot of
civilians.

CUT TO:

EXT. VINEYARD IN BLENHEIM -- DAY

Pan across vineyard, vines and sheep

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN

We'd been fighting through the
CCW--the Convention on
Conventional Weapons--through
that process to try and raise the
profile of cluster munitions and
do something about it, but there
really wasn't interest at that
time. The events in Lebanon in
2006 changed that completely.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

You know I'd given up on that process a long time ago, years ago. At the Convention on Conventional Weapons we were still trying to get them to talk about cluster bombs and to do something about that. We'd been trying for years and years and years.

CUT TO:

INT. CLASSROOM TALK AT UNIVERSITY

DON

Every member state needs to agree not only to an outcome, but need to agree to start negotiating on an outcome. There are a number of countries there, in that body, that said...

CUT TO:

MONTAGE: Still photos from United Nations in Geneva and CCW diplomatic meeting shots

DON (V.O.)

"We're not convinced these weapons if used properly cause a problem. We need them militarily. We need to study further. We need more working groups. We need more discussions." And so it went on.

MARY (V.O)

It was around November 2006 that the CCW kind of met and New Zealand, Norway and other governments put the ultimatum down and said let's try to agree to a mandate to tackle cluster bombs in this diplomatic setting. Let's try and do that.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

They tried to do it and it was rejected again, mainly because of

the major powers who are part of the CCW: China, Russia, the United States. They didn't want to have a mandate to negotiate an international instrument to tackle cluster bombs.

CUT TO:

INT. OFFICE WITH VIEW OF TREES -- DAY

On DON MACKAY:

DON

Everyone was on notice. Look, if this was not going to work in the CCW then we were going to take it outside and we were going to make it work anyway.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE --

On PHIL:

PHIL

We were inspired really by what had happened a decade earlier with the Ottawa Convention on landmines. Working with the NGOs who played tremendous and hugely positive role in moving this process forward.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

So CCW wasn't going anywhere and on the last day I started hearing back about what the Foreign Minister of Norway had done. He'd basically announced that Norway would undertake a process outside of the UN, outside of the CCW, but to go after cluster bombs in a meaningful way with the other countries who were into it.

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN

As UN officials we were not able to say, "this was a fantastic thing" because obviously it showed that the process through the UN system had failed, but most of us within the UN system we were quite happy that that was now going to take place.

CUT TO:

INT. MARY'S CAR IN WELLINGTON -- DAY

On MARY:

MARY

I was also hearing back about how New Zealand had offered to hold a meeting of this Oslo Process, as it was being called. That was when I started to take notice and realized we'd better get into action here. New Zealand doesn't hold international multilateral diplomatic meetings, but in this process which is outside the UN that's what the states do, the states of the countries that are involved in it. They hold meetings to build support for the international objective and in this case the objective was to ban cluster bombs.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE --

On PHIL:

PHIL

At Oslo, in early February 2007, about 46 countries turned up. By the time we held the conference in Wellington a year later it was more than double that number.

CUT TO:

EXT. CIVIC SQUARE IN WELLINGTON -- DAY

Various shots of Civic Square, man in wheelchair holding protest sign, others holding placards

DON

The Wellington meeting, the core group of countries had decided,

was going to be pivotal because we were going to adopt a declaration there to commit ourselves to going to Dublin to adopt a treaty in Dublin. So Wellington was, in many respects. where the rubber hit the road.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE --

On PHIL:

PHIL

My key, direct involvement was of course at Wellington where I opened the conference.

CUT TO:

INT. PARLIAMENTARY RECEPTION

Various crowd shots, Goff with cluster bomb survivors, applause

PHIL (V.O.)

I was able to welcome the delegates to parliament buildings including the survivors that had come along, to work with the people that had assembled there and to work alongside Don MacKay.

CUT TO:

INT. OFFICE WITH VIEW OF TREES -- DAY

On DON MACKAY:

DON

A number of countries that had been very ambivalent about the process and the way it was going basically realized at Wellington...

CUT TO:

INT. TOWN HALL DIPLOMATIC MEETING

MONTAGE: PAN of diplomatic meeting, various shots of diplomats talking, whiteboards, media

DON (V.O.)

... that there was going to be an outcome to the process and it was going to be a meaningful one. There was a lot of pressure in

Wellington to whittle the draft treaty down, to water it down. We resisted that very, very strongly. There was a lot of pressure on smaller countries including from the Pacific, who were hugely supportive. It was touch and go. We didn't know on the Thursday night whether we were going to get an outcome but we did.

CUT TO:

Various shots of Civic Square, sunny but empty

JOHN (V.O.)
Wellington put on a hell of a show.

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN
The involvement of the New Zealand government, New Zealand Defence Force, NGO groups, the campaign. It was really a proud moment for me, as a New Zealander working in the UN system, to have that level of commitment from the government and all New Zealanders.

CUT TO:

INT. OFFICE WITH VIEW OF TREES -- DAY

On DON MACKAY:

DON
In Dublin, a number of propositions that were being made by countries and a number of weapons that had been quite emphatically defended by countries in Wellington, when they got to Dublin they'd basically given them away.

CUT TO:

INT. TOWN HALL DIPLOMATIC MEETING

MONTAGE: PAN of diplomatic meeting, various shots of diplomats walking corridors, people talking, watching television

On DON MACKAY:

DON (V.O.)

This was a humanitarian convention, a humanitarian negotiation. It was not a disarmament treaty. It was not something where we sat down in a cold clinical room and talked about, you know, "we'll get rid of this sort of weapon if you get rid of another," sort of weighing the pros and the cons. I said, "OK, we have the compendium, we have all these proposals for various weapons that should not be covered by this convention."
...

On DON MACKAY:

DON

Let's go through and look at them. Who'd like to argue a case against excluding this particular type of weapon. Can I have some interventions from the floor?"
There were none.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE —

Various shots of diplomats in Dublin adopting Convention on Cluster Munitions

PHIL

We made some real progress. We wanted something that would be strong, we wanted something that was effective, and we needed it to be inclusive. Getting those NATO countries on board--the United Kingdom, France, and Germany--that was a huge breakthrough. When we I knew that we had their support we knew that we could make a real difference.

Various shots of diplomats in Dublin adopting Convention on Cluster Munitions, applause

CUT TO:

INT. MARY WAREHAM'S OFFICE -- DAY

On MARY:

MARY

It was high drama, very hard work, but ultimately it paid off because we got the Convention on Cluster Munitions. We got, I believe, a very strong agreement to prohibit the use, production, transfer, and stockpiling of cluster munitions and really strong language requiring clearance of the weapon

MONTAGE: Still photos of campaigners and survivors in Dublin working and celebrating the convention

MARY (V.O.)

... requiring destruction of stockpiled cluster bombs, and requiring assistance to victims of the weapon, and framing that language it was their right to receive assistance.

JOHN (V.O.)

The way the definition covers cluster munitions now they won't produce anywhere near the same scale of destruction and post-conflict clearance requirements that the current weapons have caused in the past. That's a huge step forward. ...

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM -- DAY

On JOHN:

JOHN (V.O.)

So the result for us was outstanding, but to have it achieved relatively smoothly with everyone walking away feeling comfortable with the result was incredible.

CUT TO:

INT. STUDENT TALK BY DON AND MARY

Various shots of students listening, writing, PAN across room of students listening to a talk.

On DON MACKAY:

DON

The final stage was the signing conference at Oslo when we joined a huge number of other governments in signing the convention and, along with the Cluster Munitions Coalition, the seven core group governments were given pride of place.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE —

On PHIL:

PHIL

Don played a key part and New Zealand I'm proud to say played an instrumental role working alongside our six other colleagues in the original group to get us to where we were in December 2008. Sadly, by that stage I was in a different role and not able to participate in that conference.

CUT TO:

Various shots of downtown Wellington pedestrians, C.U. shoes walking and crosswalk signs

DON (V.O)

It was hugely satisfying to be able to sign for New Zealand. It was also hugely satisfying that it was possible to do that.

CUT TO:

INT. OFFICE WITH VIEW OF TREES -- DAY

On DON MACKAY:

DON

Because we'd just had a change in government immediately before

Oslo as you know. It was great that the new government was able to move so very quickly and wanted to move so very quickly to embrace the cluster munitions convention.

CUT TO:

INT. MINISTER'S PARLIAMENTARY OFFICE -- DAY

On MINISTER TE HEUHEU:

MINISTER

I introduced the bill, the draft legislation, the Cluster Munitions Prohibition Bill in July. That was quite a momentous afternoon I thought, certainly for me, having the lead in doing that. It was also good obviously that the Hon Phil Goff is still in the house and played such a major part. Of course it's referred to select committee...

CUT TO:

INT. PARLIAMENTARY MEETING ROOM -- DAY

On MARY:

MARY

In the ten months since the Oslo Signing Conference we've been campaigning for New Zealand to ratify the Convention and we understand that that involves first passing domestic implementation legislation.

CUT TO:

INT. MARY WAREHAM'S OFFICE -- DAY

On MARY:

MARY

The Aotearoa New Zealand Cluster Munition Coalition was set up to ensure that the New Zealand government made it through the Oslo Process and came out on the other end as a hero, as one of the lead states that sought the strongest possible Convention, as a lead state that hosted an extremely successful Wellington

Conference, and as a government that also looked at its neighbors in the Pacific and Australia and tried to bring them along as well. New Zealand has done all of those things.

CUT TO:

Various shots of bus passing the Beehive in rain, Minister Te Heuheu in her office

MINISTER (V.O.)

That partnership between government and the NGO sector, I think that has been a really impressive thing.

CUT TO:

INT. MINISTER'S PARLIAMENTARY OFFICE -- DAY

On MINISTER TE HEUHEU:

MINISTER

From my point of view coming board when the convention has already been signed. Seeing the strength of that relationship, it has always been there but it has been pretty critical in New Zealand taking the lead on this convention.

CUT TO:

INT. PHIL GOFF'S PARLIAMENTARY OFFICE --

On PHIL:

PHIL

It is a model where progressive governments working in conjunction with non-governmental organisations and international agencies can make some real breakthroughs. Working on other things, specific issues where we use that technique that may well be productive.

CUT TO:

INT. MARY WAREHAM'S OFFICE -- DAY

On MARY:

MARY

Ultimately governments are the ones that have to sign the conventions and ratify and implement them. I think we've shown that the conventions can be much stronger if the process is inclusive and if all views are taken into account. Not just the views of governments, but the views of the people who live in those countries. Especially the ones that live in countries affected by the weapon

CUT TO:

EXT. JOHN'S GARDEN IN BLENHEIM – DAY

On JOHN:

JOHN

The difference between the Antipersonnel Mine Treaty and the Convention on Cluster Munitions is that this is largely a preventative treaty. Landmines were sold and used extensively and polluted many countries around the world. Cluster munitions by comparison haven't polluted to the same extent. So what we've been able to do is outlaw and prevent the same situation that occurred with antipersonnel landmines. By forcing countries to take these weapons systems out of their arsenals before that get used, we are saving future generations and saving the heartache that a number of countries have gone through. So that's a massive step forward and cannot be underestimated.

FADE OUT:

TITLE CARD 1:

"On 10 December 2009, the New Zealand parliament approved the Cluster Munitions

Prohibition Act, which was signed into law a week later. New Zealand ratified the 2008 Convention on Cluster Munitions on 22 December 2009."

TITLE CARD 2:

"The Convention on Cluster Munitions became binding international law on 1 August 2010. At that time, a total of 108 governments had joined the agreement and banned cluster bombs."

TITLE CARD 3:

Director/Executive Producer – Mary Wareham

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CREDIT ROLL

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Still Photography – Mary Wareham

ANZCMC LOGO

The Aotearoa New Zealand Cluster Muniton Coalition is comprised of the following non-governmental organizations:

African Pacific Voice of New Zealand
Amnesty International Aotearoa New Zealand
Aotearoa Lawyers for Peace

Auckland University Students' Association
New Zealand Campaign Against Landmines
Caritas Aotearoa New Zealand
Christian World Service

Disarmament & Security Centre
Engineers for Social Responsibility
Global Focus Aotearoa
IPPNW New Zealand
National Consultative Committee on Disarmament
National Council of Women of New Zealand
Oxfam New Zealand

Parliamentarians for Nuclear Nonproliferation and Disarmament, NZ
Pax Christi Aotearoa- New Zealand
Peace Foundation New Zealand

Peace Movement Aotearoa
Sorooptimist International New Zealand
Umma Trust
United Nations Association of New Zealand
United Nations Youth Association of New Zealand
UNICEF New Zealand
Women's International League for Peace and Freedom, Aotearoa

We are grateful to the following people for appearing in this film:
Hon. Georgina Te Heuheu, Minister for Disarmament and Arms Control
Hon. Phil Goff, Leader of the Opposition
Ambassador Don MacKay, Ministry of Foreign Affairs and Trade
Major John Flanagan (retd)
Mary Wareham

We acknowledge all the Kiwis who helped to create the 2008 Convention on Cluster Munitions, including:

Thomas Nash, John Borrie, Tim Caughley, Charlotte Darlow, Jillian Dempster, Dell Higgin, Juliet Hay, Brigadier Kevin J. Riordan, Stephen Wong

Funding support provided by the Peace and Disarmament Education Trust (PADET)

Special thanks to
Dave Capie, Lt. Col. Marty Donoghue, Celeste Donovan, DraftFCB New Zealand, Edwina Hughes, Melissa James, Diana Shand, Vicki Soanes, Sgt Andy Stott, Toolbox DC, Phil Twyford, Victoria International Development Society, McKean Estates

For more information see:
www.stopclusterbombs.org.nz

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